

THE IMPACT OF DEVOLUTION ON CAPACITY BUILDING
THROUGH POST-SECONDARY EDUCATION IN THE NORTH:
A CASE STUDY OF UARCTIC

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ABSTRACT

In the Canadian North, capacity building through post-secondary education is a key policy strategy of territorial and federal governments. However, government support for the University of the Arctic (UArctic), a viable policy instrument that makes an important contribution to the capacity building efforts of the territories, has been inconsistent. This thesis will investigate whether devolution has impacted capacity building through post-secondary education, by using UArctic as a case study.

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CHAPTER ONE

INTRODUCTION

[1.1] Problem for Investigation

The North¹ is gaining recognition as a place of geopolitical, environmental and economic importance, both in Canada and internationally. Climate change, Arctic sovereignty and the push to develop untapped natural resources have all contributed to an increasing focus on the North. However, Northern territories lack the capacity to embrace the opportunity and to meet the challenges brought by their new importance. In order to advance economic and social development in their region, people in the Canadian North need training and education.

As part of a larger complement of initiatives, the idea of establishing a Northern university to build capacity in the region has been advanced as an ideal solution. It may come as a surprise that Canada remains the only Arctic state without a university in its Arctic region. Although each territory has a college that offers post-secondary programming, there is no degree-granting institution in Canada's North. This makes access to university education and, in particular, to degree completion programs very challenging for Northern residents.

The idea of a Northern degree-granting institution is not a new one. During the 1970s and into the mid-1980s, the University of Canada North (UCN) was poised to become Canada's Northern university, but efforts to establish the university ultimately failed. More recently, during a visit to Nunavut in May 2009, Canadian Governor General, Michaëlle Jean underlined the need for a university in the North. She used the example of Norway's University of Tromsø to highlight the potential that Northern Canada has in building its first university.² Yet, there appear to be few prospects for a university in the Canadian North in the near future.

One solution that has emerged as a means for meeting the capacity building needs of the North is the University of the Arctic (UArctic). Although not being a full-fledged university, UArctic may still be able to satisfy the need for a dedicated degree-granting institution in Canada's North. UArctic is a collaborative network of 121 universities and colleges; at its core

¹ The North is often cited in a cultural context or in a vague geographical context. In this thesis the North is defined as "...the land mass that comprises the three Canadian territories under the jurisdiction of the federal government – Yukon, the Northwest Territories and Nunavut." (Canada, "With Respect, Canada's North: Sixth Report of the Senate Standing Committee on Energy, the Environment and Natural Resources" Parliament of Canada (May 2009) <http://www.parl.gc.ca/40/2/parlbus/commbus/senate/Com-e/enrg-e/rep-e/rep06may09-e.pdf>.)

² Alex Panetta, "Gov. Gen. eats slaughtered seal's raw heart to show support for seal hunt" *The Canadian Press*, May 25, 2009, http://ca.news.yahoo.com/s/capress/090525/national/gov_gen_arctic (accessed July 31, 2009).

is the theme of Northern capacity building with engagement in the development and delivery of degree completion programming. The university opened its doors in 2001, and its network quickly expanded, with a number of colleges and institutions from all parts of Canada getting involved. In conjunction with the territorial colleges, UArctic is one of a limited few institutions in the territorial North that offers an undergraduate degree program specifically designed for Northern students or for students interested in an education with a Northern perspective. Furthermore, it would appear to be a cost-effective solution for meeting the challenge of capacity building in the Canadian Arctic and other circumpolar regions.

Despite its potential to meet capacity building needs in Canada's North and the high rate of membership amongst Canadian institutions, UArctic has faced many funding challenges both federally and territorially. The focus of this thesis will be on national funding sources for programming taking place within Canadian borders. UArctic programs within Canada rely on Canadian funding sources including federal, territorial, and provincial governments.

Given the need for increased capacity in the territories, why has UArctic faced so many challenges in securing stable, long-term funding from the federal and territorial governments in Canada? There are many possible answers to this question. The general lack of political will of territorial and federal governments may be one reason. There is also the issue of budgetary priority—addressing acute shortages of housing and basic infrastructure is often touted by both levels of government as a priority over all others. Furthermore, in education spending, meeting the primary and secondary literacy needs of Northern residents could be argued as a logical and necessary first step before post-secondary can even be discussed. A final and perhaps most important possibility to account for the obstacles faced by UArctic is devolution.

Devolution is a process that has been unfolding in the North during the past 30 years. Devolution can create ambiguity in jurisdiction and responsibilities. For example, in the case of the Canadian territories, federal authorities often argue that responsibility for education rests at the territorial level, especially under a policy framework of devolution. Territorial authorities, on

the other hand, contend devolution has not evolved far enough, particularly with regard to resource revenue sharing in Northwest Territories (NWT) and Nunavut. Additionally, both federal and territorial governments recognize that although legislative and administrative authority over certain policy areas have been devolved to the territories, there is still an existing fiduciary relationship,³ i.e. the federal government is ultimately responsible for the “administration, peace, order and good government of the territories,”⁴ as identified in the Canadian Constitution.

This thesis examines the following question: Using UArctic as a case study, has the process of devolution impacted the implementation of capacity building through post-secondary education in the territorial North and if so, how? The independent variable of this study is devolution, while the dependent variable is implementation of capacity building through post-secondary education. The hypothesis of this research is that devolution has adversely impacted the funding and thus the implementation of UArctic, one of the few viable means of capacity building through post-secondary education in the North. Based on this hypothesis, the key arguments of this thesis are:

- Devolution has provided the means of transferring authority over certain policy areas from the federal government to the territorial governments. However, jurisdictional transfer between federal and territorial governments is incomplete and federal fiduciary responsibility continues to exist, thus resulting in an ambiguity of responsibilities. The UArctic case clearly illustrates this point. Jurisdictional transfer is incomplete for three reasons:

1. Territorial governments do not have the same fiscal control as provinces hold, particularly over natural resources, therefore limiting their fiscal capacities.

³ The following definition outlines concept of a fiduciary relationship: “In broad legal terms, a “fiduciary” is “one who holds anything in trust,” or “who holds a position of trust or confidence with respect to someone else.” Hence, a “fiduciary relationship” is one in which someone in a position of trust has “rights and powers which he is bound to exercise for the benefit” of another. Such relationships include those between trustees and their beneficiaries, solicitors and their clients, and so forth.” Source: *A Dictionary of Law*, ed. Elizabeth Martin (Oxford University Press, Oxford, 1997); *Jowitt’s Dictionary of English Law*, Second Edition, ed. John Burke (Sweet and Maxwell Ltd., London, 1977) in Mary C. Hurley, *The Crown’s Fiduciary Relationship with Aboriginal Peoples*, Library of Parliament, August 10, 2000, <http://www2.parl.gc.ca/content/lop/researchpublications/prb0009-e.htm#footnote2> (accessed August 31, 2010).

⁴ See ss. 2 and 4, *Constitution Act*, 1871, 34-35 Vict. c. 28 (UK) cited in Bernard W. Funston, “Canada’s North and Tomorrow’s Federalism,” *Constructing Tomorrow’s Federalism: New Perspectives on Canadian Governance*, ed. Ian Peach (Winnipeg: University of Manitoba Press, 2007), 117.

2. Policy areas that have been devolved, such as health care and education, represent major expenditures for the territories; the fiscal capacity to fully provide for these areas simply does not exist in the territories. This situation is related to the first point.
 3. Devolution is a process of incremental steps and although the territories are on a trajectory toward provincehood, they may never achieve this status. Because the territories do not have entrenched powers in the Canadian Constitution, a full transfer of jurisdiction is not possible without creating a constitutional amendment or achieving the status provincehood.
- UArctic is a viable and cost-effective means of capacity building through post-secondary education, a policy priority identified by federal and territorial governments. However, in direct contradiction to their own policy objectives, federal and territorial governments have not provided consistent and long-term funding to UArctic, a policy instrument which policy makers themselves commend. One of the key reasons governments have failed to adequately fund UArctic is that devolution to the territories creates ambiguity in jurisdiction and responsibility for post-secondary education.

The scope of this study will be limited to territorial and federal jurisdictions. Although they may be mentioned as part of a broader discussion on territorial governance and capacity building, jurisdictional issues around First Nations, Inuit, Métis governance will not be specifically examined in the interests of limiting the scope and maintaining the appropriate length of this thesis.

[1.2] Context of Study

The field of Northern research has expanded greatly in the past decade and continues to expand rapidly as governments, communities, institutions and individuals acknowledge the North's significance and race to prepare for the inevitable. The North is no longer on the

periphery of policy; it is at the forefront of many agendas. Policy makers, academics, and non-profit groups are working together in researching various Northern themes such as climate change, resource development, health initiatives, and socio-economic development.

Capacity building through education has been recognized as a key component in Northern development policy and an increasing number of government documents, such as the *Berger Report*, have recently emerged. These documents speak directly to the necessity of access to post-secondary education as a means of addressing capacity building challenges in the North. Surprisingly, however, very little research has been devoted to capacity building through education, specifically, through post-secondary education. The majority of the literature that speaks of education in the North is primarily concerned with the elementary and secondary levels, adult literacy, and the creation of culturally relevant curricula.

Although much has been written about devolution and inter-jurisdictional policy challenges, less research concerns devolution in the implementation of education policy, and especially in the area of post-secondary education. Academics such as Graham

White, Kirk Cameron, and Frances Abele have written extensively about policy challenges and federalism in the North. Others, such as Greg Poelzer, have written about the importance of Northern education. Thus far, no one has published research which exclusively examines how devolution has impacted capacity building through post-secondary education policy implementation.

Thus, the research presented in this thesis is important for three reasons. First, it demonstrates how devolution is shaping governance and politics in the territorial North. Second, although there is a myriad of research on devolution from a broad and theoretical perspective, this study will contribute to the limited research showing how devolution can impact policy implementation. Lastly, the author hopes to positively impact the process of implementation of UArctic and capacity building policy in the North.

[1.3] Capacity Building

Capacity building is frequently used in both federal and territorial policy documents in establishing policy goals, strategic policy planning, and policy outcomes. For the purposes of this study, the definition of capacity building provided by the International Labour Organization's Employment-Intensive Investment Programme (EIIP) will be utilized. Capacity building entails

[m]eans by which skills, experience, technical and management capacity are developed within an organization structure (contractors, consultants or contracting agencies) – often through the provision of technical assistance, short/long-term training, and specialist inputs (e.g., computer systems). The process may involve the development of human, material and financial resources.⁵

There are, thus, a number of ways in which capacity building can take place. Post-secondary education is just one means of achieving an increase in capacity. However, in the context of the Canadian North and the challenges that the territories are currently facing, it could be argued that capacity building through post-secondary education is one of the most important approaches to address the capacity gap.

For the purposes of this study, the term capacity gap is used to describe both the shortage of qualified Northern professionals to fill positions in areas such as health care, education or the public service, and the lack of means to train Northerners for such positions. There is either limited or no access to degree-granting programs in the North.

[1.4] Devolution Theory

⁵ Organization for Economic Co-operation and Development (OECD), *Glossary of Statistical Terms: Capacity Building*, OECD Statistics Portal, <http://stats.oecd.org/glossary/detail.asp?ID=5103> (accessed September 22, 2008).

The territories of Canada have become increasingly autonomous and are gaining more responsibility for a number of policy areas through the process of devolution. Although all three territories have legislative autonomy and maintain jurisdictional control over most policy areas including health, social services, and education, it is important to note that the territories are not full constitutional members of the federation. This is a critical distinction between territories and provinces. And in contrast to provinces, whose jurisdiction is reasonably clearly identified in the Canadian Constitution, jurisdictional boundaries and the division of responsibilities between federal and territorial governments in some policy areas, such as post-secondary education, are less clear. The following section will outline some of the key concepts of devolution theory, while providing a comparative context, and lay the theoretical foundation for future discussion on devolution in the North.

Gurston Dacks, one of the pioneers of the study of devolution in the Canadian North, defines devolution as “the transfer of authority from a senior government to a junior [government].”⁶ Keatings and McEwen expand on this idea, offering a reason why devolution is employed, with the following definition: “Devolution involves a transfer of powers vertically, to a smaller territorial jurisdiction, often in response to demands for greater autonomy.”⁷ Harold Wilson offers a more philosophical definition, describing devolution as “potentially one of the most powerful means of achieving one of the highest aims of democracy, bringing the process of decision-making as close as possible to the people affected by it.”⁸ For the purposes of this thesis, devolution will be defined as the transfer of legislative and administrative authority,

⁶ Gurston Dacks, “Introduction,” *Devolution and Constitutional Development in the Canadian North*, ed. Gurston Dacks (Ottawa: Carleton University Press, 1990), 3-4.

⁷ Michael Keating and Nicola McEwen, “Introduction: Devolution and Public Policy in Comparative Perspective,” *Regional & Federal Studies* 15, no. 4 (December 2005), 414. For further definitions see Gregersen, H., Contreras-Hermosilla, A., White, A. and Phillips, L., *Forest Governance in Federal Systems: An Overview of Experiences and Implications for Decentralization: Work in Progress* (Bogor, Indonesia: Centre for International Forestry Research, 2004).

⁸ Harold Wilson, *Final Term* (London: Weidenfeld and Nicolson, 1979), 46 in Peter Clancy, “Politics by Remote Control: Historical Perspectives on Devolution in Canada’s North,” *Devolution and Constitutional Development in the Canadian North* (Ottawa: Carleton University Press, 1990), 14.

which is not constitutionally entrenched, over delegated policy areas from the federal government to the territorial governments.

Unlike federalism, where each level of government has constitutionally protected areas of power, devolved governments do not have constitutionally protected powers and therefore, theoretically, could have their powers revoked at anytime. Devolution is not only a key process in reconciling claims to increased local decision-making, it is also viewed as a means of finding suitable and acceptable solutions for all involved parties:

Devolved and collaborative governance arrangements are intended to provide more co-ordinated approaches to the challenges presented by complex problems, and attempt to integrate activities of diverse public and private actors, instruments and institutions.⁹

Through varying degrees and by varying methods, devolution is a process that has been adopted by unitary and federal states across the globe to solve the problem of granting some regional autonomy without foregoing a loss in sovereign power. In Great Britain, for example, Scotland and Wales have achieved a good deal of autonomy through the process of devolution. In federal states, devolution is used to transfer policy decisions and implementation to lower levels of government such as a provincial or regional government devolving authority over certain areas to municipal governments.

Devolution has been praised because of its use in granting more autonomy to localities and enhancing relevant policy decision making by placing it into the hands of the people it most affects; “it spreads power and impedes its concentration.”¹⁰ Some scholars assert that fulfilling the ideal of bringing democracy closer to the people of a locale is one of the best ways to

⁹ Michael Lockwood et al., “Multi-level Environmental Governance: Lessons from Australian Natural Resource Management,” *Australian Geographer* 40, no. 2 (June 2009), 170 citing M. Howlett and J. Rayner, “Convergence and Divergence in ‘New Governance’ Arrangements: Evidence from European Integrated National Resource Strategies,” *Journal of Public Policy* 26 (2006): 167-89.

¹⁰ “How much is enough?: Devolution has been good for Spain, but it may have gone too far,” *The Economist*, November 6, 2008, http://www.economist.com/specialreports/displaystory.cfm?story_id=12501023 (accessed July 28, 2009).

strengthen national unity and decrease regional antagonism within nation-states.¹¹ However, some scholars are convinced that devolution can in fact harm the process of nation building. For example, prior to the enactment of the devolution agreement between Scotland and the UK, there was a belief that the process would, in the words of former Scottish Shadow Secretary¹² George Robertson “kill Scottish nationalism stone dead.”¹³ However, more than ten years have passed since the signing of the *Scotland Act 1998* and there is concern that Scottish nationalism has only grown stronger. Furthermore, a rise in nationalism in other regions of the UK, including England, and the perceived injustice of the way national funds are being distributed, has many people concerned about the sustainability of unity in the UK.¹⁴ This is an example of how the results of devolution can vary greatly from expectations.

Devolution can also be problematic because it is initiated through a statutory act of the state and as such can be changed by the senior legislative body without any constitutional consequence. That is to say, autonomy that is devolved is not constitutionally guaranteed and can therefore be viewed as uncertain. Although it is very rare, in theory a senior government could essentially strip away any or all powers as it sees fit through legislation. As a result of this constitutional uncertainty, roles and responsibilities that were at first seemingly clear, can become ambiguous. A back and forth of who-should-pay-for-what-and-for-how-long can happen and the efficiency that devolution was supposed to facilitate in the creation and implementation of policy is lost. For example, in Canada, education is a policy area that has been devolved to all three territories and for which they receive federal block transfers. Therefore, as some might argue, the territories are fiscally responsible for paying any and all expenses associated with educational administration and programming. However, because all three territories are not constitutionally recognized, and thus, there is no constitutional stipulation for a division of roles between federal and territorial governments (as is the case of the provinces) a fiduciary responsibility of the federal government for education continues to exist.

¹¹ Vernon Bogdonar, “Devolution: Decentralization or Disintegration?” *Political Quarterly* (Oxford: Blackwell Publishers, 1999), 193-194.

¹² Shadow Secretary refers to a member of the Shadow Cabinet, a senior group of opposition members of Westminster style government who form a mirrored cabinet to the government's official cabinet. Opposition members in the group *shadow* or mark each individual member of the government's official cabinet in a shadow cabinet.

¹³ Chris Harvie, “A Year with Salmond,” *Scottish Affairs*, no. 65 (Autumn 2008) http://www.scottishaffairs.org/onlinepub/sa/harvie_sa65_autumn08.html (accessed August 10, 2009).

¹⁴ Sarah Lyall, “Scotch thistle; The nationalist movement has brought vast improvements to social services in Scotland. And the English, who are paying the bill, are prickly,” *Edmonton Journal*, July 23, 2008, A15.

Not only is there a problem in establishing concrete responsibilities and implementing policy where devolution agreements are very explicit - as in legislative powers that are clearly identified in a statutory - there is also great concern over areas where policy is not clearly outlined in a statutory agreement or where policy lines overlap. For instance, such is the case in environmental or social welfare policy. In Australia, this has been experienced as a result of the creation and implementation of environmental and natural resource management policy where multilevel governance arrangements have brought both challenges and benefits in addressing these issues.¹⁵ Policy creation and implementation can be limited or ineffective in areas where issues are not fully devolved or reserved.¹⁶

In a number of cases, there has been evidence that devolution improves overall outcomes in creating and implementing effective policy for delivery of public services and goods. One recent empirical study from the United States reveals that, although devolution's "actual impact on policy problems" was "mixed," its importance in the perception of successful policy making and effectiveness by local officials was significant. The authors of the study attribute this, in part, to the "fiscal flexibility afforded by devolution."¹⁷ In Spain, public services have improved because the policy decisions and implementation strategies can be tailored to the locale.¹⁸ In the Scottish example, major improvements have been made to implementing policy in the health and education sectors, including better subsidization for prescriptions and improved care for the elderly. However, these improvements have not come without costs, especially concerning the unity of the United Kingdom; the perceived sense of favouring Scotland is now voiced by other regions in the UK.¹⁹

Devolution, then, is a process that has been employed in a number of countries across the globe in the creation and implementation of policy. There are both benefits and disadvantages to utilizing this governance tool for policy implementation, and the efficacy of the process appears to be dependent on a number of factors but there are unanticipated outcomes.

¹⁵ Michael Lockwood et al., 169-186.

¹⁶ See G. Fyfe, K. Johnston Miller, and D. McTavish, "'Muddling Through' in a Devolved Polity: Implementation of Equal Opportunities Policy in Scotland," *Policy Studies* 30, no. 2 (April 2009), 203-219.

¹⁷ Christine A. Kelleher and Susan Webb Yackee, "An Empirical Assessment of Devolution's Policy Impact," *The Policy Studies Journal* 32, no. 2 (2004), 266.

¹⁸ *The Economist*, (accessed July 28, 2009).

¹⁹ Sarah Lyall, "Scotch thistle; The nationalist movement has brought vast improvements to social services in Scotland. And the English, who are paying the bill, are prickly," *Edmonton Journal*, July 23, 2008, A15.

[1.5] Methodology: Public Policy Approach and Case Study Method

This thesis will take a qualitative approach in public policy analysis. For the purposes of this study, the “logical analysis” model of Leslie A. Pal will serve. This model “analyses policy in terms of internal, vertical, and horizontal consistency and considers whether it ‘makes sense’.”²⁰

This research also adopts the case study method. Such an approach was chosen for two reasons: First, the case study method helps us to examine a particular set of objects in a particular context and period of time. As Charles Ragin states, comparative social science uses the case study to provide “boundaries around places and time.”²¹ The research question being examined in this thesis is based in a particular time and place. The relevance of the research is also based on the principle that its particular context has been identified as a priority for policy makers. The second reason for a case study approach is that it allows for the connection of widely diverse and distinct concepts. As Robert K. Yin states, “the distinctive need for case studies arises out of the desire to understand complex social phenomena. In brief, the case study method allows investigators to retain the holistic and meaningful characteristics of real-life events.”²² Rather than further compartmentalizing the concepts of devolution, policy implementation, capacity building and post-secondary education, this thesis seeks to connect these concepts in a meaningful way to allow the reader to see a broader picture of government process, policy, and action.

Pal’s framework of policy analysis will produce a clear picture of whether and how devolution has affected governments’ implementation of capacity building through post-secondary education policy. The elements of analysis identified by Pal include problem definition: identifying the policy problem and causes of the problem; goals: examining how policy goals are defined, if they are long-term or short-term, how specific or general they are, and if they are practical or theoretical in nature; and instruments: examining and identifying the players in the implementation of policy goals, and how these instruments are and could be

²⁰ Leslie A. Pal, *Beyond Policy Analysis*, 2nd ed. (Ottawa: Nelson Thomson Learning, 2001), 17.

²¹ Charles C. Ragin, “Introduction: Cases of ‘What is a Case?’” in *What is a Case: Exploring the Foundations of Social Inquiry*, ed. Charles C. Ragin and Howard S. Becker (Cambridge: Cambridge University Press, 1992), 5.

²² Robert K. Yin, *Case Study Research: Design and Methods*, 3d ed., Applied Social Research Methods Series, vol. 5 (Thousand Oaks: Sage Publications, 2003), 2.

“constrained by legitimacy, legality and practicality.”²³ From a conceptual perspective, these elements are to be examined as an intertwined whole rather than as separate, unconnected objects. These elements of analysis are used in this study to determine the federal and territorial governments’ consistency of action.

A brief discussion of each element of the analysis further clarifies the framework to be employed in this work. Although seemingly straightforward, each of the elements merits an explicit definition.

Dery describes a problem as a “substantial discrepancy between what is and what should be.”²⁴ A policy problem is generally identified through the process of problem definition. Pal identifies five broad characteristics of problem definition in policy making: (1) the problem needs to be “recognized and defined”; (2) the process of problem identification can be either “exhaustive or casual”; (3) the problem “typically operates across a range of dimensions”, i.e. the effects of a problem are felt in a number of areas; (4) the problem can be identified as a new reality or context with which policy makers must contend; (5) the policy process has a “causal character,” allowing policy makers to trace back the roots of the problem.²⁵

As Pal points out, problem definition and policy goals are inseparably linked. Policy goals are general or specific in nature and as policies become more specific, so too do their goals. Specific goals are used to achieve the broader and more general policy goals. For example, improving access to post-secondary education for Northerners is a specific goal which contributes to the broader goal of creating a self-reliant and sustainable North by and for Northerners. Pal also recognizes that “most policy goals are fuzzy” and therefore it can be difficult to measure whether policy objectives are being achieved.

The last important trait of policy goals that merits mention is that there is sometimes a distinction between the “real” goals of a policy and the stated ones. A policy goal may be intended as a political message rather than as an actual attempt to solve a specific problem.²⁶ All of these factors need to be considered when evaluating policy goals.

Policy instruments are used to address the policy problem and achieve policy goals. Howlett and Ramesh define policy instruments as, “the actual means or devices governments

²³ Pal, 10.

²⁴ D. Dery, *Problem Definition in Policy Analysis* (Lawrence, KS: University Press of Kansas, 1984), 17 in Pal, 196.

²⁵ Pal, 6-7.

²⁶ Pal, 7-8.

have at their disposal for implementing policies, and among which they must select in formulating policy.”²⁷ Governments often have an array of options when choosing a policy instrument. However, instrument choice can be constrained by a number of factors including “perceptions of legitimacy” and legal or practical restrictions.²⁸ A policy instrument is chosen with successful implementation in mind.

Brooks and Miljan define policy implementation as “the process of transforming the goals associated with a policy into results,”²⁹ and this is by far the most difficult step in the policy process. Policy implementation is the step where the success begins to be measured.

[1.6] Organization of Thesis

An examination of how devolution has impacted the implementation of capacity building through post-secondary education in the North is broken down into six chapters, including introductory and concluding chapters. Chapter two discusses the policy problem, the lack of human capacity in the territories, and provides important contextual background on the North. Furthermore, the policy goals of both levels of government regarding capacity building through post-secondary education, within a broader policy vision of creating a sustainable and self-reliant North - by and for Northerners - are also discussed.

In the third chapter, the policy instrument, UArctic, is discussed. This chapter outlines the history, governance, administration and program delivery of UArctic. Additionally, the federal and institutional involvement in, and the institutional advocacy for, UArctic is considered. Chapter four examines the lack of policy implementation of capacity building through post-secondary education in the North, namely the funding struggles of UArctic. Included in this chapter is an examination of devolution to the territories, as well as the issue of jurisdictional transfers and fiscal relations, both in the broad context and then specifically focused on post-secondary education. This discussion illustrates how devolution has impacted

²⁷ Michael Howlett and M. Ramesh, *Studying Public Policy: Policy Cycles and Policy Subsystems*, 2nd ed. (Don Mills, Ontario: Oxford University Press, 2003), 87.

²⁸ Pal, 9.

²⁹ Stephen Brooks and Lydia Miljan, *Public Policy in Canada: An Introduction*, 4th ed. (Don Mills, Ontario: Oxford University Press, 2003), 106.

the implementation of UArctic and connects government policy goals outlined in chapter two to the problems of implementation in the analyses and findings of the thesis.

CHAPTER TWO

PROBLEM IDENTIFICATION

[2.1] Introduction

As outlined in the introductory chapter, a policy problem can be described as a “substantial discrepancy between what is and what should be.”³⁰ Problem identification and identifying policy goals to address the problem are processes which are inextricably linked.³¹ With this in mind, this chapter examines the policy problem and shows its connection with federal and territorial policy goals regarding capacity building through post-secondary education in the North.

Lack of capacity, also called a capacity gap, is the policy problem to be discussed in this chapter. The lack of capacity in all areas, and in particular the lack of professional capacity, is a problem for a number of reasons. For example, the situation of dependency on the South to provide professionals to work in such areas of health services, policing, education, and government bureaucracies, as well as acute skill shortages, are symptoms of a capacity gap in the territories. As this chapter demonstrates, the capacity simply does not exist in the North to meet the needs of Northern people with regard to these essential services. The acute shortage of qualified professionals and the consequences of such a lack of capacity is a policy problem that the federal and territorial governments have identified and must address.

Not surprisingly, addressing the capacity gap through capacity building is seen as one of the cornerstones of social and economic development policy in the North. As discussed further in the chapter, a number of territorial and federal policy documents make direct reference to capacity building as a key strategy for meeting Northern development goals.

This chapter begins with a discussion of the geographic, economic, and social challenges in the North. This provides a context to the discussion of the policy problem, a lack of professional capacity to provide public, professional, and essential services. The subsequent section examines the human capacity gap in the North and broadly outlines the policy problem.

³⁰ D. Dery, *Problem Definition in Policy Analysis* (Lawrence, KS: University Press of Kansas, 1984), 17 in Pal, 196.

³¹ Pal, 7-8.

Next, there is a discussion of the education capacity gap, including an overview of what institutions exist in the North, what these institutions deliver and where they fall short of meeting the educational programming needs required for increased human capacity in the North. Lastly, the policy goals identified by federal and territorial governments are outlined. This section lays the foundation for a future discussion on how policy goals are not matching policy implementation initiatives specifically regarding UArctic.

[2.2] Geographic, Economic, Political and Social Challenges in the Territories

[2.2.1] Geography

One of the most obvious and striking challenges that the territories of Canada contend with is that of physical geography. The area of the three territories is larger than the seven most easterly provinces, including Ontario and Quebec.³² The Northwest Territories alone, with an area of over 1.1 million square kilometers, is as big as Alberta and Saskatchewan combined.³³

Not only are the territories expansive, they also have small populations spread over vast distances; fifty-five of the 75 communities in the three territories have less than 1, 000 residents.³⁴ Approximately two-thirds of the 32,276 residents of the Yukon territory live in White Horse. Nearly half of the 42,637 inhabitants of NWT live in Yellowknife, which houses 18,695 residents. Furthermore, each territory comprises less than one-tenth of one percent of Canada's total population.

The discussion of the challenges presented by Northern geography is important for a few reasons. First, because basic services and infrastructure, such as communications, policing services, roads, schools, and health services, need to be available to all residents of a territory, territorial and local governments' per capita costs are much higher than for the same services in the South. Furthermore, competition between communities for limited fiscal resources can be a

³² Canada, "With Respect, Canada's North: Sixth Report of the Senate Standing Committee on Energy, the Environment and Natural Resources" Parliament of Canada (May 2009) <http://www.parl.gc.ca/40/2/parlbus/commbus/senate/Com-e/enrg-e/rep-e/rep06may09-e.pdf> (accessed March 23, 2010), 4.

³³ Department of Industry, Tourism and Investment, Government of the Northwest Territories, *Media Room: Did you Know?*, Government of Northwest Territories, <http://www.iti.gov.nt.ca/mediaroom/dyk.shtml#bed> (accessed February 16, 2010).

³⁴ Canada, "With Respect, Canada's North: Sixth Report of the Senate Standing Committee on Energy, the Environment and Natural Resources", 4.

source of political and socio-economic tension. Second, because of the high costs of building roads and railways across a harsh landscape, there are very few of them in the North. There is just one highway in Nunavut that stretches a mere 21 kilometers between Nanisivik and Arctic Bay. The Yukon and NWT have a combined total of 7,200 kilometers of permanent roads, which is quite small when compared to the Canadian national total of 1.4 million kilometers; the three territories combined have just one-fifth of one percent of the roads in Canada. Between the months of November and April, Northern residents and companies operating in the North rely on winter roads to truck in food, supplies, equipment, building material, fuel, and so on. Without the use of these winter roads, communities and corporations are left with only one expensive option of having their goods brought in by air.³⁵

The challenge of geography in the territories is an important aspect of problem identification. Geography dictates accessibility to, and availability of, goods and services. High per capita costs are the direct result of a sparse population spread over enormous distances. Furthermore, governments in the territories are always trying to manage a constant and competitive push and pull between centralizing and decentralizing of services and bureaucracy. They are often forced to choose between those who receive and those who do not, at individual, community, and institutional levels. For example, should limited funding go to expanding programming at Northern colleges for post-secondary students, or should it be directed to increasing literacy through public schools?

[2.2.2] Economy

The territories must contend with significant economic challenges. Although there is a great deal of potential for economic development in the North, especially as the changing environment opens access to otherwise inaccessible natural resources and transportation routes, the unpredictability of natural resource commodity markets creates boom and bust cycles and makes long-term planning difficult for territorial governments. This section broadly outlines the economic challenges of the territories.

Nunavut and the NWT rely primarily on natural resources as the mainstay of their economies. This point is significant because natural resource-based economies are vulnerable to

³⁵ Ibid., 4.

market forces, as witnessed in the financial crisis of late 2008 that led to the implosion of markets. Commodity prices fell and investment plummeted, affecting territorial economies. For example, in 2009, mineral exploration decreased by 80 percent from 2008 and the GDP dropped by 17 percent in the NWT. Projections for private sector investment were 46 percent lower in 2009 than in 2007. Although commodity prices are expected to recover, market volatility could impair the budget planning process by territorial governments.

Though the territories rely on private sector extraction of natural resources for income, public administration and the public sector employ a significant portion of the workforce in the territories. In the Yukon, the public sector employs 7,177 people³⁶ in a total workforce of 17,315³⁷ and accounts for 23.5 percent of the real GDP of the territory.³⁸ Nunavut's public sector employs 5,346 people, while the NWT's public sector employs 9,887 people. Public employment accounts for roughly 50 percent of total employment in each of these territories.³⁹ The public service is a vital aspect of both the social and economic health of the territories. Nonetheless there is a lack of capacity in territorial bureaucracies and a need for qualified, professional bureaucrats, a problem that is further addressed in the following section on the human capacity gap. Furthermore, the current reliance on natural resource revenue directly impacts the availability of funds for public services and programming.

It is also important to note that the Yukon is the only territory that has reached a resource revenue sharing agreement with the federal government. Both the NWT and Nunavut have yet to reach such an agreement, significantly impacting the actual amount of money these territories receive from resource rents. As discussed further in future chapters, this issue is a major point of contention between the federal and territorial governments.

High per capita costs also pose an economic challenge for territorial governments. The per capita costs of operations and programming are higher in the North than in the rest of Canada, and are directly related to geography and population sparsity. Governments pay a significantly higher cost per person for health and social services, education and infrastructure.

³⁶ Statistics Canada, *Public sector employment, wages and salaries, by province and territory*, CANSIM, table 183-0002, <http://www40.statcan.ca/101/cst01/govt62f-eng.htm> (accessed February 24, 2010).

³⁷ Statistics Canada, *Employed labour force by place of work, by province and territory* (2006 Census), <http://www40.statcan.gc.ca/101/cst01/labor40a-eng.htm> (accessed February 20, 2010)

³⁸ Government of the Yukon, *The Economy in 2008* (June 1, 2008), <http://economics.gov.yk.ca/Files/June%202008%20Outlook.pdf> (accessed February 18, 2010).

³⁹ Statistics Canada, table 183-0002.

Nunavut and the NWT, for example, both run significant deficits in providing health and social services.⁴⁰

It is clear that there are many economic challenges to be overcome in the North. Although governments and residents may reap the benefits of a rich natural resource base, they are also burdened with high per capita costs and unpredictable swings in markets. Furthermore, Nunavut and NWT have yet to reach a resource sharing agreement with the federal government, which has a direct impact on the amount of resource income they receive.

[2.2.3] Social Policy Challenges

There is a complex web of inter-related social challenges to contend with in the North. Northerners do not enjoy comparable outcomes in health and education with the rest of Canada. The social pathology of the territories is also more pronounced when research looks exclusively at the Aboriginal population of the region. However, in recent decades, levels of education and health outcomes have been steadily improving for all groups in the North. This section begins with a specific look at challenges to be overcome in the area of health. Following this discussion is a short overview of crime rates. Lastly, the section concludes with an examination of the educational challenges in the territories.

Health

The territories have many challenges to overcome regarding health outcomes. The health outcomes for Northerners are not on par with the rest of Canada. Residents of the territories have the lowest life expectancy in Canada⁴¹ with the Yukon's at 76.7 years, the NWT's at 75.8 years and Nunavut's at 68.5 years.⁴² Infant mortality rates remain significantly higher than the national average of 5.1 in two of the territories, with Yukon's at 8.5 and Nunavut's at a

⁴⁰ NWT's deficit was \$5.2 million, Nunavut's deficit was \$930,000. Source: Statistics Canada, CANSIM, table 385-0008, <http://www40.statcan.gc.ca/101/cst01/govt42d-eng.htm> (accessed February 19, 2010).

⁴¹ The Canadian average life expectancy at birth was 79.7 for both sexes in 2002.

⁴² Statistics Canada, *Life expectancy - abridged life table, at birth and confidence interval, by sex, Canada, provinces and territories, 2002*, <http://www.statcan.gc.ca/pub/84f0211x/2002/t/th/4153005-eng.htm> (accessed February 26, 2010).

staggering 15.1 – three times the national average. However, NWT’s infant mortality rate, which is 4.1, is lower than the national average.⁴³

Lifestyle choices are a contributing factor to the health outcomes of Northern residents. For example, all three territories have a disproportionate percentage of cigarette smokers compared to the rest of Canada. Of the population over the age of twelve, smokers account for 25.7 per cent in the Yukon, 27.4 percent in the NWT and an alarming 46.1 in Nunavut, while the Canadian average is 16.5 percent.⁴⁴ The territories also have higher numbers per capita of heavy drinkers compared to the rest of Canada. Drugs, and in particular the sniffing or “huffing” of chemical solvents or “glue,” are also a major health and social concern in some communities.

Mental health is another area that deserves mention. Although rates appear to be declining, suicide is a major issue in the territories and particularly in Nunavut. The suicide rate among the Inuit was eleven times the national rate in 2001 – that is to say, 135 suicide deaths per 100,000 people versus 12 per 100,00 people. Furthermore, 83 percent of suicide victims among the Inuit are under the age of 30.⁴⁵

The lack of capacity in the area of health care is another challenge for the territories. As discussed further in the human capacity gap section, there is an acute shortage of qualified professionals, such as doctors, nurses and administrative staff.

Crime Rates

Crime rates are one measure of social pathology, and it is clear to anyone looking at the numbers that the territories have formidable challenges in this area. Although crime rates in the territories have been decreasing overall in recent years, the NWT had the highest crime rate in Canada in 2007, with Nunavut coming in a close second. In that same year, however, Nunavut’s *violent* crime rate was the highest in Canada.⁴⁶ Drug and alcohol abuse is a major contributing

⁴³ The infant mortality rate is calculated as the number of deaths of children less than one year of age per 1,000 live births. Source: Statistics Canada, CANSIM, table [102-0504](#) and Catalogue no. [84F0211X](#), <http://www40.statcan.gc.ca/101/cst01/health21a-eng.htm> (accessed February 19, 2010).

⁴⁴ Statistics Canada, CANSIM, table [105-0427](#) and Catalogue no. [82-221-X](#), <http://www40.statcan.gc.ca/101/cst01/health07b-eng.htm> (accessed February 19, 2010).

⁴⁵ Inuit Tapiriit Kanatami, *Backgrounder: World Suicide Prevention Day 2009*, <http://www.itk.ca/system/files/private/2009-WSPDBackgrounder%20English.pdf> (accessed February 20, 2010).

⁴⁶ Government of Nunavut, *Nunavut Crime Statistics Profile 2007*, [http://www.gov.nu.ca/eia/stats/StatsData/Crime/Nunavut%20Crime%20Statistics%20Profile,%202007%20\(by%20Statistics%20Canada\).pdf](http://www.gov.nu.ca/eia/stats/StatsData/Crime/Nunavut%20Crime%20Statistics%20Profile,%202007%20(by%20Statistics%20Canada).pdf) (accessed February 20, 2010).

factor to criminal activity. The shortage of preventive programming and of access to drug and alcohol treatment facilities is an important policy issue in the North. Qualified professionals are needed to facilitate such activities.

Education

The education realities of the North are troublesome if not alarming. In 2006, approximately 57 percent of people between the ages of 15 and 64 had no high school diploma, let alone a post-secondary certificate, diploma or degree in Nunavut. In the Northwest Territories, 33 percent of the same group of people had no high school diploma, nor a post-secondary certificate, diploma or degree. Yukon, on the other hand, was actually on par with the national average of 24 percent, having just under 23 percent of its residents between the ages of 15 and 64 without a high school diploma, nor a post-secondary certificate, diploma, or degree. All three territories are below the national average in attainment of a university bachelor's degree or graduate education.⁴⁷

The disparity between the rates of post-secondary education of the territories compared to the rest of Canada is not as notable in the Yukon or NWT; 22 percent of Canadians possess a post-secondary certificate, diploma or degree compared to 21 percent in the Yukon and 18 percent in the NWT. However, only 10 percent of the population of Nunavut holds a post-secondary certificate, diploma, or degree.⁴⁸ The education gap is more apparent through looking solely at the Aboriginal population in each territory. The percentage of Aboriginal people with a university certificate, diploma, or degree is 7.4 percent in the Yukon, 4.4 percent in NWT, and 2.9 percent in Nunavut.⁴⁹ The Aboriginal populations in each territory are significantly higher than in the rest of Canada. In the Eastern Arctic, the Inuit comprise 85 per cent of Nunavut's population. Aboriginal people, primarily First Nation and Métis, account for just over 50 per cent of residents in the NWT and roughly 25 per cent in the Yukon.⁵⁰ With a growing Aboriginal population in all three territories and the current land claims settlements and self-governance agreements that have been established, there is a need for access to professional

⁴⁷ Statistics Canada, *2006 Census of Population*, Statistics Canada catalogue no. 97-559-XCB2006019.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

training and services. Hence, to support the goals of autonomy and Aboriginal self-governance, education for Aboriginal people needs to be a key priority in the North.

[2.3] The Human Capacity Gap

There is a lack of capacity, also called a human capacity gap, in all policy areas in the North. Particularly, there is a lack of professional capacity. This section outlines the lack of capacity in the North and discusses some of its effects.

In his recent article on education in the North, Greg Poelzer attributes the lack of capacity in the North to what he calls the “supply- versus- demand problem” and states that the dimensions of the problem are twofold:

...first, the inadequate supply of [N]orthern residents qualified to meet the labour demand in the public and private sectors; and second, the insufficient supply of diverse educational opportunities, particularly at the bachelor’s degree level.⁵¹

While the second dimension of the “supply-versus-demand problem” is considered in the subsequent section on the education capacity gap in the North, the first dimension warrants further discussion here.

There is a perception that employment opportunities in the North are limited, if non-existent. However, this is not the case. In fact, as Poelzer points out, the Council of Ministers of Education, Canada (CMEC), the *Berger Report*, and the territorial premiers’ policy document, *A Northern Vision: A Stronger North and A Better Canada*, all clearly state the need for qualified workers to address critical capacity shortages in the North in a number of areas including the health care, education, and resource management sectors. Furthermore, referring to the *Berger Report*, Poelzer identifies the ironic circumstances that the North, and in this particular case, Nunavut, finds itself: although there is a high unemployment rate in the territory, ranging from

⁵¹ Greg Poelzer, *Education: A Critical Foundation for a Sustainable North* in IRPP, *The Art of the State*, Vol. IV (2009), 374.

30 to 70 percent, Nunavut is experiencing a severe labour shortage due to a lack of qualified workers.⁵²

There are two challenges which stem from a lack of human capacity in the North that merit discussion. First, efforts to fill the capacity gap by training Northerners in specific areas such as nursing and education, are encumbered by the displacement of those professionals in filling senior administrative positions in government bureaucracies rather than addressing the acute shortage of capacity in the aforementioned areas. Second, the lack of capacity in all areas, including professional capacity and infrastructure development, has created a situation of dependency in the territories. Not only do the territories rely on the federal government to provide for these services through transfer payments, but the territories are also dependent on the South to provide professionals to work in such areas as health services, policing, education and government bureaucracies.

This situation of dependency leaves the North vulnerable. Many of the professionals who travel to the North do not stay in there. This represents a huge loss in institutional memory, community development and networking, as well as human resource capital, which could train future generations in communities. The situation, in sum, does not support the project of creating a sustainable and self-reliant North.

The capacity to administer public services effectively and efficiently is a pressing issue in the territories. Because of the limited scope of study in post-secondary programming available to Northern students in the North, there are problems in securing professionals in the specific area for which they were trained. As mentioned above, efforts to fill teaching positions with Northern teachers are hampered by the displacement of individuals with Bachelor of Education degrees by territorial bureaucracies.⁵³ Post-secondary programs in public administration, business administration, human resource management, accounting, and finance are all needed: first, to address the human capacity deficit in Northern bureaucracies, and second, to allow professionals trained in sectors with acute shortages such as health and education, to remain as professionals in those areas rather as administrators in territorial bureaucracies.

⁵² Ibid., 374.

⁵³ *Berger Report* in Greg Poelzer, *Education: A Critical Foundation for a Sustainable North*, IRPP, 2009, 376.

The lack of human capacity in Nunavut's bureaucracy is a striking example of how the territorial government is falling short in meeting its own policy goals. One of the goals of Nunavut's self-government project, as stated in Article 23 of the *Nunavut Land Claims Agreement (NLCA)*, is to have the representation of Nunavut's general population mirrored in the representation of its government's bureaucracy. As identified in the *Berger Report*, the Government of Nunavut currently has a 30 percent deficit in representation of Inuit people in its government bureaucracy. The *Berger Report* states the reason for the problem quite clearly:

The problem is that the supply of qualified Inuit is exhausted. Only 25% of Inuit children graduate from high school, and by no means all of these graduates go on to post-secondary education. The types of jobs where the need for increased Inuit participation is most acute – such as the executive, management and professional categories – have inescapable educational requirements.⁵⁴

Currently, Inuit people in Nunavut fill approximately 50 percent of government positions, with many of those positions in the lower and entry level of the bureaucracy. As Berger identifies, if this situation is to change, post-secondary education is a fundamental part of achieving the policy goals established by the self-government agreement.

The last point in the discussion regarding the human capacity gap in the North is the lack of qualified Northern professionals to work in the private sector. There are many opportunities for Northerners to work in a professional capacity in the private sector either as employees of a corporation or as business owners in the North. Millions of dollars of natural resources are extracted from the North each year. The renewable and non-renewable resource sectors contract work to small businesses, corporations, and specialized professionals. Furthermore, multi-national corporations operating in the North need managers, analysts, and engineers; it is better for both a corporation's bottom-line and corporate image to hire staff from the region where it operates. Northern tourism and trade also offer great promise for economic development and professional employment opportunities for Northerners. However, many Northerners may not

⁵⁴ *Berger Report*, note 2, p. iii as quoted in Paul Mayer, *Mayer Report on Nunavut Devolution* (June 2007), 27.

have the opportunity to fully participate in the North's promising economic future if they do not possess the essential skills to be employed by, or to operate businesses in the private sector. The skills needed for professional employment are normally acquired through a university-level education. Federal and territorial policies both recognize the importance of the economic and entrepreneurial participation of Northerners in meeting the broader Northern policy goal of a self-reliant and sustainable North.

This section broadly outlined the human capacity gap and discussed some of the possible consequences of the lack of capacity in the territories. The following section examines the education capacity gap, the shortage or unavailability of means to address the capacity gap through post-secondary education.

[2.4] The Education Capacity Gap

Although there are many ways to build capacity, whether through on-the-job training, workshops, or post-secondary studies, in the context of the Canadian North, post-secondary education is one of the most important means of achieving increased human capacity. Observers such as Greg Poelzer have made a strong case that in order to address the human capacity gap in the North, access to university-level, post-secondary education for Northern students is essential. Three territorial colleges, Yukon College, Aurora College (NWT), and Nunavut Arctic College offer post-secondary programming in skilled trades, as well as certificate and diploma programs. The colleges also provide very limited university programming in cooperation with Canadian universities in the South and American universities in Alaska. However, the program delivery of the territorial colleges is not sufficient to address the critical capacity shortages in the North.

The lack of university-level, post-secondary education opportunities available to students in the territories, also called an education capacity gap, is discussed in this section. An examination of the post-secondary program delivery and the gaps in program delivery of the three territorial colleges demonstrates the education capacity gap in the territories.

As Table 2.0 (Appendix “A”) illustrates, all three territorial colleges offer a variety of programming at the post-secondary certificate and diploma levels. A large portion of programming is dedicated to Adult Basic Education (ABE) and skills preparation for employment and post-secondary studies. In particular, the three territorial colleges all have a strong focus on the area of trades and technology in their program delivery.

Looking solely at university degree-granting programming in the territories, the options are quite limited. In cooperation with Southern universities, Yukon College offers four Bachelor degree programs in social work, education, circumpolar studies, and environmental and conservation sciences. The college also offers Master degrees in public administration and business administration. However, as shown in the table, Yukon College does not offer a Bachelor of Business Administration or a Bachelor of Public Administration. How are students in the North going to access Master-degree education without first obtaining a Bachelor degree?

Aurora College and Nunavut Arctic College both offer Bachelor degrees in partnership with other universities in nursing and education. Aurora College also offers a Master of Nursing in cooperation with Dalhousie University.

There are clearly gaps in program delivery at the territorial colleges, as Table 2.0 shows. University-degree programming in public administration, business administration, and environmental and resource management needs to be incorporated into territorial college program delivery in order to address the acute shortage of professionals in those areas. As discussed further in the following chapter, UArctic offers an opportunity for territorial colleges to expand their programming and to provide a viable means of addressing the human capacity gap in the North.

Territorial and federal governments have both recognized the lack of capacity in the territories as a policy problem and have responded with policy statements, committing

themselves to the task of building capacity in the territories. Federal and territorial policy goals regarding capacity building and post-secondary education are discussed in the following section.

[2.5] Federal and Territorial Policy Goals

Both federal and territorial governments have identified capacity building as a core goal of Northern policy. Post-secondary education is an important means of capacity building in the North. The capacity building and post-secondary education policy goals of federal and territorial governments are considered in this section. This discussion provides an important foundation for understanding one of the principal arguments of this thesis; although government policy goals clearly identify the need for capacity building through post-secondary education, governments have been falling short in the implementation of their own policy.

The policy goal of capacity building is part of a larger policy vision focused on establishing a self-sufficient, more autonomous and sustainable North by and for Northerners. The Department of Indian and Northern Affairs identifies this broad goal as its mandate:

INAC, in partnership with other federal departments and stakeholders, will lead the development and implementation of an integrated Northern Strategy that will focus on strengthening Canada's sovereignty, protecting our environmental heritage, promoting economic and social development, and improving governance so that Northerners have greater control over their destinies.⁵⁵

The *Northern Strategy* details the federal commitment to meeting the broad policy mandate outlined earlier, stating specific measures and means of achieving policy goals:

The Government is working with Northerners to increase access to skills training and education, better housing, and improved health care. Canada also works closely with its Arctic neighbours to advance research and

⁵⁵ Indian and Northern Affairs Canada (INAC), *Mandate Roles and Responsibilities*, Government of Canada, <http://www.ainc-inac.gc.ca/ai/arp/mrr-eng.asp> (accessed October 12, 2009).

policy development that will ensure that the Far North lives up to its potential.⁵⁶

This policy strategy clearly illustrates that access to education and skills training is a top Northern policy priority for the federal government. Furthermore, as discussed in the next chapter, this statement also demonstrates Canada's international commitments to working with Arctic states in research. Capacity building through post-secondary education is a vital part of meeting these policy goals.

The territorial governments have also clearly stated that capacity building through education is one of the primary means of meeting their ultimate goal of an autonomous, self-sustained, and prosperous North. *A Northern Vision; A Stronger North and a Better Canada*, a joint policy report, was released by the executives of the three territorial governments in May of 2007. This report identifies key policy goals and specifies capacity building, education and expanded research capabilities as necessary actions to achieve the desired policy outcomes.⁵⁷

One of the key policy goals identified in *A Northern Vision* is "Building Sustainable Communities." The actions that the governments identify as necessary to meet this goal include: "Build[ing] capacity and infrastructure in all communities as a foundation for prosperity; train[ing] and educat[ing] our people so they can participate to the fullest extent in our economies; and increas[ing] [N]orthern innovation."⁵⁸ Furthermore, the report states the importance of maintaining a Northern voice on issues such as climate change, which directly affect Northerners and the international community. It goes without saying that an important element in meeting these policy goals is creating more opportunities for Northerners to access post-secondary education in their own communities, elsewhere in Canada, and abroad.

Individual governments and territorial organizations have identified post-secondary education as a key element in building capacity and improving overall outcomes for Northerners. The Department of Education, Culture and Employment of the Northwest Territories recognizes "adult and postsecondary education" as one of the five major policy goals in the policy document

⁵⁶ INAC, *Canada's Northern Strategy*, <http://www.northernstrategy.ca/soc-dev/index-eng.asp> (accessed January 10, 2010)

⁵⁷ Government of NWT, Government of Nunavut, Government of Yukon, *A Northern Vision: A Stronger North and a Better Canada*, http://www.anorthernvision.ca/pdf/newvision_english.pdf (accessed January 10, 2010).

⁵⁸ Government of NWT, Government of Nunavut, Government of Yukon, 10.

Building on Our Success: Strategic Plan 2005 – 2015.⁵⁹ The Sivummut Economic Development Strategy Group, which consists of more than twenty-five Nunavut-based organizations and institutions as well as the federal government, released a policy document entitled *Nunavut Economic Development Strategy: Building a Foundation for the Future*.⁶⁰ The policy report identifies the critical need for education in meeting the goal of *Article 23* of the *NLCA*, having a proportionally represented bureaucracy (85 percent of the people working in the territorial bureaucracy need to be Inuit). Nunavut Arctic College is named as the principal institution which would deliver the professional programs necessary to meet the capacity needs of Nunavut's government and other Nunavut-based organizations and institutions.⁶¹ However, currently Nunavut Arctic College only offers two degree programs, Bachelor of Education and Bachelor of Science in Nursing, in cooperation with two southern universities. Although these programs are an excellent start to meeting acute shortages of professionals in health and education, they are not adequate for meeting the capacity needs of governance and finance in Nunavut's government.

Lastly, territorial governments have indicated that post-secondary education and capacity building is a policy priority through their collaborative work with the Council of the Federation, of which all three territorial premiers are members. The Council released a policy document in 2006, entitled *Competing for Tomorrow: A Strategy for Postsecondary Education and Skills Training in Canada*, which outlines some key strategies regarding capacity building through post-secondary education:

- Support research and development in order to encourage more graduate school recruitment and encourage the innovations and ideas that fuel
- ~~Support the~~ internationalisation of training and research;
- Increase operating funding to enable institutions to continue to be competitive at an international level;

⁵⁹ Department of Education, Culture and Employment, Government of Northwest Territories, *Building on Our Success: Strategic Plan 2005-2015*, http://www.ece.gov.nt.ca/PDF_File/Buildingonoursuccesses.pdf (accessed January 10, 2010), 38-47.

⁶⁰ Sivummut Economic Development Strategy Group, *Nunavut Economic Development Strategy: Building a Foundation for the Future*, <http://www.nunavuteconomicforum.ca/public/files/strategy/NUNAVUTE.PDF> (accessed January 10, 2010).

⁶¹ *Ibid.*, 41-43.

- Develop specific strategies to help people in each under-represented group to increase opportunities for sustainable employment.⁶²

Territorial and federal governments have all demonstrated their commitment to capacity building through post-secondary education in the North. As previously stated, access to post-secondary educational opportunities is part of a broad goal of creating a self-reliant and self-sustaining North.

[2.6] Conclusion

The lack of human capacity in the territories is an important policy problem that the federal and territorial governments have identified. This chapter outlined why capacity building through post-secondary education is a key strategy in addressing the Northern capacity gap. An examination of the geographic, economic, and social challenges in the North gave important foundational knowledge for the discussion of the policy problem, a lack of human capacity in essential services such as health care and professional services such as public and business administration, and education. A section discussing the human capacity gap in the North illustrated the policy problem. The discussion on the education capacity gap outlined what institutions operate in the North and illustrated how the available programming fails to meet the requirements for increased human capacity in specific areas such as business administration, resource management, and public administration. Lastly, the section on government policy goals demonstrated a commitment by both federal and territorial governments to support capacity building and post-secondary education. Future discussion on UArctic policy implementation shows how governments are falling short in meeting their commitments.

CHAPTER THREE

POLICY INSTRUMENT: UNIVERSITY OF THE ARCTIC (UARCTIC)

⁶² The Council of the Federation, *Competing for Tomorrow: A Strategy for Postsecondary Education and Skills Training in Canada* (July 2006), <http://www.councilofthefederation.ca/pdfs/PSE%20Strategy-July-ENG.pdf> (accessed January 14, 2008), 6-7.

[3.1] Introduction

Canada is the only Arctic nation that does not have a university in its circumpolar region. UArctic, in conjunction with the territorial colleges, is the only institution in the territorial North which offers an undergraduate degree program specifically designed for Northern students or students interested in an education with a Northern perspective. UArctic could serve as a viable and logical policy instrument for the people of the North to meet their capacity building challenges.

This chapter describes the policy instrument, UArctic. The first section provides a brief history of UArctic, its relationship to Arctic Council, and its mandate. The section following discusses the role of the territorial colleges and Northern Indigenous organizations in the advocacy for UArctic. The third section examines Canada's international commitments to UArctic and to partnering countries via the *Northern Dimension of Canadian Foreign Policy*, a federal policy document. Other Canadian institutions' involvement is then outlined. The fourth section provides a description of UArctic's governance and administration. Lastly, a section on UArctic programming illustrates both its accomplishments and its potential role in addressing Northern capacity building needs.

[3.2] UArctic History and Mandate

[3.2.1] UArctic's Beginnings and Relationship to the Arctic Council

The idea of a geographically dispersed institution which would strengthen cooperation and efficiency of already existing post-secondary institutions in the circumpolar North was extensively discussed among scholars in the early 1990s. A University of the Arctic, it was thought, would benefit the North and Northern research in a number of ways. First, it would foster the sharing of knowledge, particularly about crucial issues in the North including climate change, sustainable development, and the use of traditional knowledge. Second, a University of the Arctic would create enhanced cost efficiency amongst institutions in the circumpolar North through cost-sharing on underused or expensive facilities. Lastly, and perhaps most importantly,

it would expand and create opportunities for access to post-secondary education for Northern residents and in particular, would address the growing post-secondary educational needs of the North's Indigenous peoples.⁶³

The Arctic Council, which later became the vehicle for initiating such a University of the Arctic, was established through the Ottawa Declaration of 1996 and was formed as

[a] high level intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic.⁶⁴

Member states of the Arctic Council include Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, the Russian Federation, Sweden, and the United States of America. Furthermore, participation in the Arctic Council is extended to Arctic organizations of Indigenous peoples through the category of Permanent Participant. The purpose of the Permanent Participant category is

[t]o provide for active participation of, and full consultation with, the Arctic Indigenous representatives within the Arctic Council. This principle applies to all meetings and activities of the Arctic Council.⁶⁵

Permanent Participants of the Arctic Council include: Aleut International Association (AIA), Arctic Athabaskan Council (AAC), Gwich'in Council International (GCI), Inuit Circumpolar Conference (ICC), Sami Council, and Russian Arctic Indigenous Peoples of the North (RAIPON).

⁶³ University of the Arctic, *UArctic Overview* (July 18, 2007), 4.

⁶⁴ Arctic Council, *About Arctic Council*, <http://arctic-council.org/article/about>

⁶⁵ *Ibid.*

The University of the Arctic was formed using the political channels of the Arctic Council. In 1997, the idea of an Arctic university was presented to the Senior Arctic Official (SAO)⁶⁶ of the Arctic Council. A task force was commissioned to examine the idea of a circumpolar university. Shortly after the presentation and within a few months, a development plan was presented to the SAO. The preliminary plan resulted in a request from the Arctic Council for a feasibility study. The Secretariat of the Circumpolar Universities Association (CUA) was approached to conduct the feasibility study in partnership with the Arctic Council's Permanent Participant Indigenous People's Organizations. A CUA Working Group was thus formed. It is important to note that each of the territorial colleges nominated a member to the Working Group from their respective colleges. A *Feasibility Study Final Report* was presented to the Arctic Council in 1998, at which time the Arctic Council Ministers formally accepted the proposal to establish the University of the Arctic (UArctic).

Following the recommendations of the Development Plan, a University of the Arctic Interim Council was established and held its first meeting in Fairbanks Alaska in December 1998. The beginnings of a concrete action plan were set out in that meeting which led to the opening of the first UArctic office, the UArctic Circumpolar Coordination Office (CCO), in 1999 at the University of Lapland. The UArctic CCO took on the many responsibilities of starting a new organization including drafting the first policies of UArctic, fundraising, organizing meetings, promotion, and communications.⁶⁷

The University of the Arctic was officially opened in Rovaniemi, Finland on June 12, 2001. Since its inception, there has been a steady increase in membership and UArctic's programming and activities have grown from the planning stages to full implementation. Furthermore, the administrative structures that support governance and programs have been firmly put into place.⁶⁸

⁶⁶ The Arctic Councils Rules of Procedure says that "each Arctic State shall designate a SAO, and each Permanent Participant shall designate a representative, to act as focal point for Arctic Council activities (...) SAOs shall review and make recommendations to the Arctic Council on proposals by Arctic States and Permanent Participants to be submitted to a Ministerial meeting with respect to proposed cooperative activities. Meetings of Senior Arctic Officials should take place at least twice yearly." Source: Arctic Council, http://arctic-council.org/article/2008/9/new_sao

⁶⁷ University of the Arctic, *UArctic Overview* (July 18, 2007), 4.

⁶⁸ *Ibid.*, 4.

As of May 2010, UArctic boasts a membership of 121 post-secondary institutions. There have been significant achievements in the fledgling institution's nine year history but there are also challenges yet to be addressed.

[3.2.2] UArctic's Mandate

As outlined in chapter two, the policy goals of both federal and territorial governments clearly articulate the need for capacity building through furthered access and opportunity of post-secondary education for Northerners. UArctic's mandate matches the vision outlined by both governments and addresses, with great exactitude, the very policy challenges that governments propose to overcome:

The University of the Arctic (UArctic) is a cooperative network of universities, colleges, and other organizations committed to higher education and research in the North. Our members share resources, facilities, and expertise to build post-secondary education programs that are relevant and accessible to northern students. Our overall goal is to create a strong, sustainable circumpolar region by empowering northerners and northern communities through education and shared knowledge.

We promote education that is circumpolar, interdisciplinary, and diverse in nature, and draw on our combined strengths to address the unique challenges of the region. The University of the Arctic recognizes the integral role of indigenous peoples in northern education, and seeks to engage their perspectives in all of its activities.⁶⁹

⁶⁹ University of the Arctic, *About Us*, <http://www.uarctic.org> (accessed October 18, 2007).

The recent federal policy statement in *The Northern Strategy* (INAC 2009) offers a vision congruent with UArctic’s mandate, proposing a North in which “self-reliant individuals live in healthy, vital communities, manage their own affairs, and shape their own destinies.”⁷⁰

As illustrated in previous chapters and as evidenced in the previous discussion, the policy goals of territorial and federal governments in meeting the capacity building needs of the North are echoed in UArctic’s mandate.

[3.3] Advocacy for UArctic by Arctic Colleges and Northern Indigenous Organizations

Arctic colleges and Northern Indigenous organizations were crucial to the establishment of UArctic and play an active role in the advocacy and governance of UArctic.

In addition to numerous circumpolar colleges and institutions outside of Canada, all three territorial colleges, Aurora College (NWT), Yukon College, and Nunavut Arctic College, are members of UArctic Council. The function and organization of the Council is discussed further in the section on UArctic governance. As mentioned in the section on UArctic’s history, all three territorial colleges also participated as members of the CUA Working Group, which wrote and presented the *Feasibility Study Final Report* to Arctic Council. The report was instrumental in the establishment of UArctic.

Northern Indigenous organizations also played a vital role in the creation and advocacy of UArctic. In 1997, the same year that the Arctic Council was first approached to examine the idea of establishing an Arctic university, three Permanent Participants of the Arctic Council, the Inuit Circumpolar Conference, RAIPON, and the Sami Council collaborated in writing *Shared Voices and a University of the Arctic – Views of Indigenous Peoples*. This document outlines why a University of the Arctic is important to Indigenous peoples of the North and the importance of their participation:

⁷⁰ Indian and Northern Affairs Canada, *The Northern Strategy*, as quote in UArctic, *A Business Case for the University of the Arctic: April 2010 – March 2015* (January 2010), 1.

The University of the Arctic must involve indigenous peoples. It must not be like other educational institutions experienced by some of us as "systems of pain" that ignore or even repress our cultures and economies. Considerable energy and time must be devoted to recruiting indigenous people, who will retain respect for and commitment to their indigenous societies and roots, to join the university. We offer to the university community our experiences and approaches to the world and to life...⁷¹

Northern Indigenous organizations, such as the Arctic Athabaskan Council and Gwich'in Council International, also participate as members of UArctic Council.

The role of the Arctic colleges and Northern Indigenous organizations in the establishment and advocacy for UArctic is important for two reasons. First, it demonstrates that the existing Northern institutions view UArctic as a reasonable means to furthering access and opportunity to post-secondary education for Northern people. Secondly, and perhaps most importantly, the participation of Arctic colleges and Northern Indigenous organizations in the creation and advocacy of UArctic further legitimizes UArctic's claim as an institution "for the North and by the North."

Arctic colleges and Northern Indigenous organizations made implicit commitments to UArctic through their participation and advocacy. As the next section demonstrates, the federal government made very explicit international commitments to UArctic through its policy and partnerships with Arctic states.

[3.4] International Commitments and Partnerships

Canada made international commitments to support UArctic, both as a member of the Arctic Council and through bilateral partnerships with other Arctic states such as Norway. The establishment of the University of the Arctic is specifically mentioned in the *Northern Dimension Canada's Foreign Policy (NDCFP)* as a "priority area" in supporting key objectives of the policy:

⁷¹ Inuit Circumpolar Conference, Russian Association of Indigenous Peoples of the North and Sami Council, *Shared Voices and a University of the Arctic – Views of Indigenous Peoples*, UArctic website <http://www.uarctic.org/completeArticles.aspx?m=102>.

Helping to establish a University of the Arctic designed to foster academic excellence and sustainability including traditional knowledge, using distance-education techniques; and supporting the enhancement of a Canadian and circumpolar policy research network, taking into account the importance of traditional knowledge, that can strengthen policy-relevant capacity to provide assistance to the work of the Arctic Council.⁷²

Additionally, the *NDCFP* states that Canada would contribute support for a “capacity building focus in the Arctic Council”.⁷³

The *NDCFP* clearly outlines Canada’s international commitment to support UArctic. Furthermore, as a member of the Arctic Council, Canada has an implicit obligation to support UArctic as it was established through the channels of the Arctic Council. The Government of Canada is not the sole supporter of UArctic in Canada. As the next section outlines, many Canadian institutions support and participate in UArctic as Council members. The section on funding discusses how these institutions provide support.

[3.5] Involvement of Canadian Institutions

Many Canadian institutions support and participate in UArctic as members of UArctic Council. In-kind support through member institutions in Canada totalled over two million dollars in the 2008/2009 academic year. The list of Canadian member institutions serves to demonstrate the extensiveness of UArctic’s network:

⁷² Department of Foreign Affairs and International Trade, *The Northern Dimension of Canada’s Foreign Policy* (2001), <http://www.international.gc.ca/polar-polaire/ndfp-vnpe2.aspx?lang=en#18> (accessed May 15, 2009).

⁷³ *Ibid.*

Higher Education Institutions:

Athabasca University
Aurora College
Grande Prairie Regional College
Lakehead University
Malaspina University College
Memorial University
Northlands College
Northwest Community College
Nunavut Arctic College
Royal Military College of Canada
Saint Mary's University
Université Laval
University College of the North
University of Alberta
University of Manitoba
University of Northern British Columbia
University of Regina
University of Saskatchewan
University of Winnipeg
Wilp Wilxo'oskwhl Nisga'a
Yukon College

Other Institutions:

Arctic Athabaskan Council
Association of Canadian Universities for
Northern Studies (ACUNS)
Canadian Polar Commission
Churchill Northern Studies Centre
Centre for Indigenous Peoples' Nutrition
and Environment, McGill University
Gwich'in Council International
International Institute for Sustainable
Development
Nunavut Sivuniksavut
Polar Libraries Colloquy, International⁷⁴

⁷⁴ UArctic, *UArctic Member Institutions
Divided by Regional Offices*, (August 2009).

[3.6] Governance, Administration and Funding of UArctic

[3.6.1] Governance

UArctic’s governance structure is comprised of three elements; the Council of the University of the Arctic, UArctic Board of Governors and Friends of the University of the Arctic. The governance structure promotes inclusivity, collaboration, accountability and transparency.

All UArctic member institutions are represented in the Council of the University of the Arctic (Council) and have equal representation. The Council “gives strategic guidance on academic priorities, and acts as a forum for cooperation on the implementation of UArctic programs through member institutions.”⁷⁵ The Council is responsible for:

- Initiating and overseeing program development and delivery
- Prioritizing academic programs within the approved program structure
- Representing UArctic's members in its overall governance, including the authority to elect members of the Board⁷⁶

UArctic’s Board of Governors (Board) is the chief decision-making authority of UArctic and is comprised of no less than five and up to 11 members. Board members are nominated by UArctic Council to act on behalf of UArctic.⁷⁷ The Board is responsible for:

- Strategic planning and setting institutional priorities
- Organizational development and institutional accountability
- Fundraising, finances, and budgeting (including personnel)
- Public and external relations⁷⁸

⁷⁵ University of the Arctic, *Governance*, <http://www.uarctic.org/SingleArticle.aspx?m=537&amid=3732>

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

Friends of the University of the Arctic are individuals invited by the Council and the Board to act as advisors and have no fixed term of office. Although they are “not responsible individually or collectively for the operation” of UArctic, the advice of these distinguished advisors “is welcome on all programmatic activities, or on any matter pertaining to the University.”⁷⁹

[3.6.2] Administration

UArctic is a decentralized organisation and all administrative and support services are dispersed to member institutions. UArctic offices at hosting member institutions provide for the day-to-day operations of UArctic and provide support for program administration. Resources, facilities, and expertise are shared by members to create post-secondary education programs that are relevant and accessible to Northern students.⁸⁰ The following is a list of UArctic offices, the host institution where they operate, and a brief summary of their function:

- President (GRID⁸¹, Arendal Norway)
 - Functions as the chief executive officer of Uarctic; responsible for overall administration and the development and delivery of UArctic programs; is appointed by the Board for a three-year (renewable) term and is accountable to the Board for the administration of Uarctic.⁸²

- International Secretariat (University of Lapland, Rovaniemi Finland)
 - Coordinates internal and external information, such as the monthly UArctic newsletter, and maintains the website and news services; provides support to UArctic’s Council, Board of Governors, management and UArctic’s Director.⁸³

- UArctic Office of Undergraduate Studies (University of Saskatchewan, Saskatoon Canada)

⁷⁹ Ibid.

⁸⁰ University of the Arctic, *Membership*, <http://www.uarctic.org/SingleArticle.aspx?m=536&amid=3731>

⁸¹ GRID-Arendal is an official collaborating centre of the United Nations Environment Programme (UNEP).

⁸² University of the Arctic, *UArctic Offices*, <http://www.uarctic.org/SingleArticle.aspx?m=535&amid=3689>

⁸³ Ibid.

- Administers undergraduate programs of UArctic; supports the Dean of Undergraduate Studies and the Program Team, who guide the development, review, and quality assurance of the undergraduate programs.⁸⁴
 - The Office of Undergraduate Studies is assisted by two Regional Offices of Undergraduate Studies as well as an Associate Regional Office: the Nordic-Barents Regional Office, hosted by Bodø University College, Norway; the Russian Regional Office, hosted by Sakha State University, Russia; and the Associate Regional Office, hosted by Syktyvkar State University, Russia.⁸⁵
- International Academic Office (Northlands College, La Ronge Canada)
 - UArctic registrar for international undergraduate programs.
 - UArctic Press and Editorial Office (University of Alberta, Edmonton Canada)
 - Is the academic publisher of Uarctic; support for the editing and printing of publications is coordinated at the UArctic Press Editorial Office.⁸⁶
 - UArctic Russia Information Centre (Sakha State University, Sakha Russia)
 - Responsible for Russian translation of UArctic documents and website information.⁸⁷
 - north2north International Coordination Office (Finnmark University College, Alta Norway)
 - Administers north2north Program (explained later) and assists the Program Team in development, review and quality assurance of the program.⁸⁸
 - UArctic Field School Office (University Centre in Svalbard, Longyearbyen Norway)
 - Coordinates the development and promotion of Field School courses and administers the UArctic Online Catalogue.⁸⁹
 - Thematic Networks Coordination Office (Thule Institute at the University of Oulu, Oulu Finland)

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

- Coordinates the development and promotion of thematic network program; acts as a central organization body of the program.⁹⁰
- UArctic IPY Higher Education and Outreach Program Office (University of Alaska Fairbanks, Fairbanks United States)
- Acts as official provider and coordinator of IPY higher education and outreach activities.⁹¹

Out of ten administrative offices operating internationally, Canadian institutions house three offices. It is of note that Saskatchewan has two of the three UArctic offices in Canada: the Office of Undergraduate Studies at the University of Saskatchewan and the International Academic Office at Northlands College in La Ronge.

[3.7] Program Delivery: Meeting Canadian Northern Capacity Needs

UArctic, in cooperation with the three territorial colleges, is addressing the capacity gap in the North through their program activities. UArctic programs are beneficial to Northern students and institutions for three reasons. First, they offer accessibility to a university-level curriculum that is relevant to Northern issues and contexts. Second, they offer a cost-effective means of program delivery. Because the costs for program development and delivery are shared amongst a network of cooperating members, per capita costs are much lower than if a territorial college developed and administered the same program on its own. Lastly, UArctic is meeting Northern capacity needs through programming such as the Bachelor of Circumpolar Studies; the degree is relevant to many sectors of the Northern economy suffering from acute shortages of skilled professionals including the public service and the business sector. Furthermore, with its partners, UArctic has the potential to expand its programming and further address the capacity shortages in the North.

⁹⁰ Ibid.

⁹¹ Ibid.

Below are descriptions of the three main programming activities of UArctic in Canada: the Bachelor of Circumpolar Studies, the north2north Student Mobility Program, and graduate studies and research through UArctic's Thematic Networks. The following discussion demonstrates the efficacy, success, and great potential of UArctic program delivery.

[3.7.1] Bachelor of Circumpolar Studies

The Bachelor of Circumpolar Studies (BCS) program is one of the main programming activities of UArctic in Canada. The program itself is designed to give students an integrated approach to examining Northern issues, while maintaining a Northern perspective:

The Bachelor of Circumpolar Studies (BCS) is about providing new, regionally relevant education to the University's primary client group; northerners whose access to higher education [is] limited or non-existent because of where they live, the language they speak, or money they don't have. Developed by leading educators from across the circumpolar region, this new innovative curriculum is based on the best of northern science and the knowledge traditions of northern peoples. The BCS is about helping them grapple with the region's complex problems and preparing them for professional employment in areas that will improve health, diversify the economy, increase security, and preserve culture. The BCS is also about moving northern content from the edge of the academy's curriculum to its centre. It is about the enfranchisement of a new curriculum.⁹²

In just eight years, from 2002 to 2010, the number of students enrolled in BCS core courses taught on-site and on-line increased from 63 to 2,780.⁹³ As of May 2010, there have been 95 graduates from the program.⁹⁴ The discrepancy in numbers between student enrolments

⁹² UArctic, "An Integrated Plan" in UArctic, *UArctic Overview* (July 18, 2007), 10.

⁹³ UArctic, *A Business Case for the University of the Arctic*, 3.

⁹⁴ *Ibid.*, 3.

and graduates is a result of students taking courses offered through the BCS program as a part of other programs they are pursuing at territorial colleges or other institutions. These statistics clearly demonstrate UArctic's BCS program success.

[3.7.2] north2north Student Mobility Program

The north2north Student Mobility Program was designed to allow students to study at other UArctic institutions in distinct regions of the North and to foster shared, face-to-face experiences with the students and people of those regions. The program also works in collaboration with the faculty exchange program, which helps to build and maintain cooperation between UArctic member institutions. As of July 2007, there are 38 UArctic member institutions which participate in the program.⁹⁵

The north2north exchange program has also been very successful and has seen more than an eight-fold increase in the number of student exchanges from 16 in 2002 to 133 in 2006.⁹⁶ Interest and enrolment in the program is expected to increase. However, programming has been difficult to expand because of a lack of financial resources.

[3.7.3] Thematic Networks: Graduate Studies and Research

UArctic's Thematic Networks are the primary channel for the development of graduate and postgraduate activities and provide "issues-based cooperation within networks which are focused but flexible enough to respond quickly to topical Arctic issues." They allow for the development of UArctic education and research and the generation and sharing of knowledge across the North. The goals of the Thematic Networks are as follows:

- Strengthen northern institutions by sharing resources, facilities, and expertise through thematically focussed networks of
- ~~Additional holders of discipline based knowledge~~ institutions' as creators, holders, and communicators of knowledge about northern issues and regions.

⁹⁵ Ibid., 14.

⁹⁶ UArctic, *UArctic Overview*, 14.

- Implement the program so that it reflects UArctic's principles and values, including the key role of indigenous peoples for the development of the north.⁹⁷

As of June 2010, UArctic has 19 Thematic Networks in the areas of health, science, education, engineering, energy, regional development, resource management, agriculture, communications, governance, geopolitics and security, Indigenous issues, biology, and the natural environment.

[3.7.4] UArctic's Program Delivery Potential

As illustrated in chapter two, there are many gaps in delivery of post-secondary educational programming at territorial colleges. With long-term and sustained funding, UArctic could further develop and expand its programming to address existing gaps in delivery. For example, a Northern Entrepreneurial program offering a Bachelor of Business Administration could address the shortage of professionals in the finance, accounting and human resources sectors. Development and delivery of the program through UArctic would substantially lower per capita costs for territorial colleges, as the program costs would be shared amongst a group of partnering institutions.

UArctic has recently made a proposal to the Government of Canada for funding to expand programming in the North, with the goal of producing more than 100 new university graduates in the territories and provincial Norths.⁹⁸ Programming in the areas of Aboriginal Public Administration, Northern Policy and Governance, Environmental Impact Assessment, Adaptation to Arctic Climate Change and Northern Tourism and Recreation, will assist in meeting the human capacity building needs of the North, thereby directly addressing government policy goals.

⁹⁷ UArctic, *Thematic Networks*, <http://www.uarctic.org/singleArticle.aspx?m=56&amid=68>

⁹⁸ UArctic, *A Business Case for the University of the Arctic*, 20.

[3.8] Conclusion

This chapter provided a description of UArctic and demonstrated why it is a viable and relevant policy instrument in addressing Northern capacity building. A brief history of UArctic and its relationship to Arctic Council provided a context for further discussion regarding Canada's international commitment to the institution. The discussion on the role of the territorial colleges and Northern Indigenous organizations in the advocacy of UArctic illustrated the University's relevance as an institution "by and for the North." Canada's international commitments to UArctic via the *NDCFP* and the involvement of other Canadian institutions in UArctic were also discussed. Furthermore, UArctic's governance, administration, and program delivery were each outlined.

UArctic is a viable policy instrument for the people of the North to meet their capacity building needs. As we shall see, the reluctance of the federal and territorial governments to commit to long-term, sustainable funding is detrimental to both UArctic implementation and to meeting the capacity building objectives of the North. Without long-term and sustainable funding, UArctic cannot sustain or expand its programming to further meet the capacity building needs of the North. Federal and territorial governments have recognized the need to build capacity through post-secondary education in their policy goals and have a cost-effective and relevant policy instrument, UArctic, within plain view. Yet, they are still unwilling to commit long-term support. Through an examination of devolution to the territories, the independent variable of the study, the following chapter examines why UArctic's implementation has faced so many obstacles.

CHAPTER FOUR
POLICY IMPLEMENTATION: WHY HAS UARCTIC
NOT BEEN FULLY IMPLEMENTED

[4.1] Introduction

The policy problem and policy goals both pointed to the necessity of post-secondary education for meeting the capacity building requirements in the North. As demonstrated in chapter three, UArctic is a viable and cost-effective policy solution to address the capacity gap in the territories. However, UArctic has faced obstacles in securing long-term funding from both federal and territorial governments to maintain and expand its programming. Why is this the case?

Governments of every kind operate within particular policy contexts which both facilitate and restrict policy choices. The territories of Canada are no different. There are a number of factors, such as budgetary priority and political will, which shape government policy choices. For examining Northern policy choices and outcomes, a key element, and the independent variable of this study, is the process of devolution.

The territories of Canada have increasingly become more autonomous and are increasingly given more responsibility for a number of policy areas through the process of devolution. However, as discussed in the introductory chapter, the federal government retains a

high degree of fiduciary responsibility. Although the territories do not have the same entrenched constitutional powers as the provinces, all three territories have legislative and administrative authority over most policy areas, including health, social services, and education. Devolution has initiated moving toward the province-like status and the broad Northern policy goal of creating a self-reliant and self-sustaining North. However, jurisdictional boundaries between federal and territorial governments have, in some areas, become difficult to identify as a result of devolution.

Post-secondary education is one area where the lines between federal and territorial jurisdiction is increasingly harder to define as a direct result of devolution. It is often argued by federal authorities that responsibility for education should rest at the territorial level, especially under a policy framework of devolution. Yet, territorial authorities contend that there is still an existing federal fiduciary responsibility, as specified in the Canadian Constitution, and that devolution has not evolved far enough, particularly with regard to resource revenue sharing.

This chapter illustrates how the process of devolution, the independent variable of this study, has impacted the implementation of UArctic. The chapter begins with a territory-specific overview of the political and devolutionary development of each territory. Next, devolution and areas of jurisdictional transfer, first in a broad context and then specifically regarding post-secondary education, is discussed. An examination of devolution and fiscal relations between federal and territorial governments follows. This section outlines post-secondary education financing in the territories. Concluding the chapter is a discussion on the politics of the funding UArctic. An overview of UArctic's fundraising challenges, along with federal and territorial contribution amounts, is included in this section.

[4.2] Devolution to the Territories: An Historical Overview

In the context of the Canadian North, various types of jurisdictional transfer are employed in the devolutionary process. These transfers include “the sale of a Crown

corporation...; delegation...; devolution of legislation to be carried out under federal legislation and the actual devolution of legislative as well as administrative authority.”⁹⁹

Overall, each territory is at a different stage of devolution, with some further down the devolutionary path to province-like status than others. Furthermore, devolution is at different stages across different policy sectors within each territory. Gurston Dacks offers an explanation of why this is the case: “Each territorial government decides its own devolution priorities and preferred timing and, with very few exceptions, negotiates with the federal government independent of the other territory.”¹⁰⁰

It could be further stated that devolution priorities reflect the unique set of political histories and circumstances that are present in each territory. A pan-Northern approach in addressing devolution is impractical because each territory contends with its own unique history, geography, population distribution, demographic composition, governing structures, political will, and conditions for economic development. Additionally, there are many challenges in defining jurisdiction as a result of devolution. Each territory maintains its own agreements with the federal government, which are usually negotiated separately. An examination of the political and devolutionary development of each territory serves to illustrate the unique set of circumstances and histories in which the territories operate.

[4.2.1] Yukon Territory

Political development in the Yukon has historically been affected by economic cycles in the territory. The Klondike Gold Rush of the 1890s and the infrastructure growth of the World War II years are both examples of times when an economic upswing created a push for representative and responsible government.¹⁰¹ Furthermore, fear of American imperialist designs on the Yukon during the gold rush of the 1890s created an impetus for the Canadian government to form a territorial-based system of governance.¹⁰²

⁹⁹ Dacks, 5.

¹⁰⁰ Ibid., 6.

¹⁰¹ Kirk Cameron and Graham White, *Northern Governments in Transition: Political and Constitutional Development in the Yukon, Nunavut and the Western Northwest Territories* (Montreal: The Institute for Research on Public Policy, 1995), 15.

¹⁰² Frances Abele and Katherine Graham, “Serving the Public North of 60: A Rediscovering Public Service Project,” *New Directions*, No. 10 (Toronto: The Institute of Public Administration of Canada, 2003), 6.

The Yukon Territory was created from the Northwest Territories in 1898 by the *Yukon Territory Act, 1898*. A territorial Commissioner, also known as the “Gold Commissioner,” governed the territory along with an advisory council. The original legislative council was comprised of six federally appointed members. In 1903, the legislative council grew to include five locally elected members for a total of ten council members. However, because of economic and population decline caused by a decrease in gold revenues, an amendment to abolish the council was passed by Parliament in 1918. The council was decreased to three members in 1919, and thus it remained until 1951 when another amendment to the *Yukon Act* was passed. The amendment allowed for the legislative council to increase to five members.¹⁰³

The Yukon had always been governed by a Commissioner and a legislative council that were resident in the territory. This is significant because it created the conditions for self-government in the Yukon decades before the issue was even raised in NWT.¹⁰⁴ One could speculate that having a Commissioner and legislative council physically present in the territory is one of the reasons that the Yukon has achieved such a high level of autonomy compared to the other territories.

In the 1970s, the Yukon legislature put pressure on Ottawa to devolve more administrative and legislative authority to the territory. In 1978, the Progressive Conservative Party won the territorial election, creating for the first time an elected territorial government, with the party leader set to assume the role of government leader. However, because the territorial Commissioner maintained executive authority in the legislature, all three territorial parties contesting the election stated that constitutional change was required in order for the territory to have “full responsible government.”¹⁰⁵ By this time, the territorial government already had significant political backing in Ottawa and felt that provincehood was within reach.¹⁰⁶

In 1979, then Minister of Indian and Northern Affairs, Jake Epp, sent a letter of instruction to the federally appointed Commissioner, Ione Christensen, ordering her to no longer

¹⁰³ Bernard W. Funston, “Canada’s North and Tomorrow’s Federalism,” *Constructing Tomorrow’s Federalism: New Perspectives on Canadian Governance*, ed. Ian Peach (Winnipeg: University of Manitoba Press, 2007), 119.

¹⁰⁴ Cameron and White, 47.

¹⁰⁵ Steven Smyth, “Constitutional Development in the Yukon Territory: Perspectives on the ‘(Jake) Epp letter’,” *Arctic* 52.1 (March 1999): p71-9, Online, Retrieved 12 December 2007 from Expanded Academic ASAP, page 3 of print out.

¹⁰⁶ *Ibid.*, 3.

participate in executive decision-making and to divest herself of her portfolio responsibilities. Claiming that she did not want the role of *de facto* Lieutenant Governor, she resigned.¹⁰⁷

The “Epp letter” is a significant piece of territorial political history for a number of reasons. Firstly, although the position of territorial Commissioner was not abolished, the roles and responsibilities of the Commissioner were changed. Secondly, the case of the “Epp letter” illustrates how political will, at both the territorial and federal levels, can determine how the process of devolution can unfold. Thirdly, the letter signalled a change in how leaders in Ottawa viewed the territory and how the people in the Yukon viewed themselves.

Currently, Yukon Territory is the most “devolved” of the three territories. In 2002, the *Yukon Act* was once again amended to devolve more administrative and legislative authority to the Yukon Territorial Government. The territory is by far the most province-like. It has similar powers to those of a province and has recently reached an extensive agreement on resource revenue sharing with the federal government. The territory has a political party system with an 18 member elected legislature. Furthermore, the territorial government is based on a province-like model of responsible government. If any territory is currently in a position to gain provincial status, the Yukon is by far the most likely candidate.

[4.2.2] Northwest Territories

The political development of the Northwest Territories shares some similarities with Yukon’s story but has some significant differences. The quest for self-determination by Aboriginal Peoples of the NWT played a significant role in the territorial political history. Moreover, much like Nunavut, the demographic representation of Aboriginal people continues to play a major part in the evolution of governance in NWT (Aboriginal people account for approximately fifty percent of the population of the NWT).

The Northwest Territories became part of Canada under the *Rupert’s Land and North-Western Territory Order* on June 23rd, 1870. The territory’s land mass spanned what is now the

¹⁰⁷ Ibid., 3-5.

NWT, Nunavut, Yukon, Alberta, Saskatchewan, Manitoba, Northern Ontario, and Northern Quebec. In 1880, the Arctic Islands were also added.

A territorial legislature with a fully elected assembly was in place from the 1880s until 1905 when the provinces of Saskatchewan and Alberta were formed.¹⁰⁸ Governance responsibilities for the remaining NWT reverted to Ottawa where the Commissioner of the NWT and the Territorial Council were based until the 1960s.¹⁰⁹ In 1967, the territorial seat of government moved from Ottawa to Yellowknife. The Commissioner and appointed territorial council were mostly non-Northern residents.¹¹⁰ By 1975, the appointment of council members (besides that of the Commissioner) ended and the newly elected, advisory council had an Aboriginal majority, which continues to the present day. However, because of the nature of its advisory role, the elected council had very little power.¹¹¹

Unlike the Yukon, NWT did not have a history of “responsible government.” This occurred mainly because the residents of much of the eastern area of the territory, in what is now Nunavut, were not allowed to participate in federal, territorial, or municipal elections. There were two reasons for this. First, the Inuit, who today account for 85 percent of Nunavut’s population, were not granted the right to vote in federal elections until 1954. Second, vast distances prevented officials from establishing polling stations in the many remote communities of the eastern area of the NWT.

The Special Representative of the Prime Minister on Constitutional Development in the Northwest Territories, Bud Drury, gave a report in 1980 on options for responsible government in NWT. By 1985, important changes to the *Northwest Territories Act* to provide for full responsible government in the territory were underway.¹¹² The resulting passage of the *Northwest Territories Act, 1985* signalled a major step in the devolution process of the NWT.

The demographics and geography of the NWT have played a significant role in its political development. Unlike the Yukon, where the majority of the population lives in a central location, the population of NWT is scattered across vast distances in many smaller communities.

¹⁰⁸ Government of the Northwest Territories, *The Legislative Assembly: Northwest Territories: History of the Legislative Assembly*, http://www.assembly.gov.nt.ca/_live/pages/wpPages/factshistoryofthelegislativeassembly.aspx (accessed March 13, 2010).

¹⁰⁹ Cameron and White, 47.

¹¹⁰ Abele and Graham, 6.

¹¹¹ Cameron and White, 47.

¹¹² Funston, 119-124.

Furthermore, the Aboriginal people of the NWT have played a significant role in setting the political and devolutionary priorities of the territorial government:

The evolution of the [Government of the Northwest Territories] into a government that is highly sensitive to Aboriginal concerns, reflecting the Aboriginal majorities in the Legislative Assembly and in Cabinet, has given Aboriginal people a somewhat more favourable view of the territorial government.¹¹³

The unique system of governance in the NWT is marked with the distinction between “public government” and Aboriginal self-government, through land claims. Public government refers to the territorial government which is comprised of an elected legislature. Currently, the NWT is governed by virtue of a “consensus government.” There are, and have never been, any formal political parties in the territorial government of the NWT. Members of the Legislative Assembly (MLAs) run as independents. The Premier (formerly called the Government Leader until 1994) and the cabinet are then elected by the assembly. Cabinet ministers are accountable much more to MLAs than to the Premier, as is the case with Premiers in the south.¹¹⁴ Although reaching a consensus amongst members of the Legislative Assembly is the goal of “consensus government,” motions are passed and legislation is enacted through a simple majority vote. The executive cabinet is comprised of seven of the nineteen members of the Assembly; therefore it is vital for cabinet that a level of consensus is reached among Assembly members as a whole in order for legislation to pass. This is important to note because the decision-making process has the potential to move more slowly in this style of government than in the Westminster-style legislatures of Canada.

Many legislative and administrative responsibilities have now been devolved to the Government of NWT including the areas of health, education, and social welfare. However, as mentioned earlier, an agreement on resource revenue sharing between Ottawa and the NWT has yet to be reached. As will be discussed further in the findings section of this chapter, lack of a revenue sharing agreement remains a contentious issue in the NWT. The Premier of the NWT,

¹¹³ Cameron and White, 43-44.

¹¹⁴ See Abele and Graham, 9.

Floyd Roland, is currently seeking to reach a resource revenue sharing agreement, similar to the terms of the Yukon agreement.¹¹⁵

[4.2.3] Nunavut

Nunavut officially became a territory on April 1st, 1999 through the signing of the *Nunavut Land Claims Agreement* in 1992.¹¹⁶ Although Nunavut is relatively new as a territory, the debate concerning the division of the NWT into two territories dates back to the period of 1959 to 1963. The NWT's Territorial Council attempted to convince Ottawa that the creation of a smaller, Western territory and the separation from what was seen as the more "backwards" Eastern Arctic, would allow for swift political development to take hold in what was to be called the Mackenzie Territory. Federal legislation was introduced to create a new Mackenzie Territory in the west and a political entity to be called Nunassiat, in the east. However, when it became apparent that the Territorial Council pushing for the separation had no elected or appointed representatives from the Eastern Arctic, and there was little or no support for the division among the people of both western and eastern areas, the bills for the creation of the new territories died on the *Order Paper* in 1963.¹¹⁷

The land claims process and quest for self-determination of Aboriginal peoples in the 1970s was an impetus for the creation of Nunavut. In 1973, the Supreme Court of Canada ruled against the Nsga'a in the famous Calder case. However, the Court stated in its ruling that the right to Aboriginal land title did exist at the time of the *Royal Proclamation of 1763*.¹¹⁸ Fearing further costly litigation, the Government of Canada officially changed its position regarding the lands claims process and began to negotiate land claim settlements with Aboriginal Peoples in Canada. In 1976, Prime Minister Pierre Elliot Trudeau was petitioned by the Inuit Tapirisat of Canada (ITC) with a formal proposal to settle the Inuit land claim, in which one of the principal arguments centred on the formation of Nunavut; "the basic idea is to create a Territory, the vast

¹¹⁵ See "NWT Premier seeks provincial powers," *The Globe and Mail*, 7 January 2008.

¹¹⁶ There was a lapse between the signing of the agreement and the change of territorial status to allow the territory to build its bureaucracy and set its policies.

¹¹⁷ Cameron and White, 92.

¹¹⁸ *Calder et al. v. Attorney-General of British Columbia*, [1973] S.C.R. 313.

majority of the people within which will be Inuit. As such, this Territory and its institutions will better reflect Inuit values and perspective than with the present Northwest Territories.”¹¹⁹

Public consultation with the people of the territories became a key step in Nunavut’s inception. Plebiscites were held in both 1982 and 1992 in which majorities in both the Eastern and Western regions voted for the separation of the Greater NWT (GNWT).

The Nunavut agreement raised constitutional questions that were of particular concern to the federal government. Thus, a “Nunavut Political Accord” served to establish Nunavut Territory and was not included as a formal part of the Inuit land claims settlement.¹²⁰ Therefore, Article 4 of the *Tungavik Federation of Nunavut (TFN) Land Claims Agreement* states:

The Government of Canada will recommend to Parliament, as a government measure, legislation to establish, within a defined time period, a new Nunavut Territory, with its own Legislative Assembly and public government, separate from the remainder of the Northwest Territories...

Neither the said political accord nor any legislation enacted pursuant to the political accord shall accompany or form part of this Agreement or any legislation ratifying this Agreement. Neither said political accord nor anything in the legislation enacted pursuant to the political accord is intended to be a land claims agreement or treaty right within the meaning of Section 35 of the *Constitution Act, 1982*.¹²¹

Today, Nunavut maintains a government similar to that of the NWT, a consensus government with no formal political parties. There are, however, some distinctive features that this territorial governments shares with no other. Firstly, the Government of Nunavut is committed (legally) to working in conjunction with institutional bodies that have been created as a result of the land claims process. These institutions include Nunavut Tunngavik Inc., the Nunavut Planning Commission, the Nunavut Impact Review Board, and the Nunavut Wildlife Management Board. Secondly, in an attempt to establish bureaucratic practices that reflect Inuit

¹¹⁹ Inuit Tapirisat of Canada, *Nunavut, A Proposal for the Settlement of Inuit Lands in the Northwest Territories*, Ottawa, 1976, p. 1 in Cameron and White, 93.

¹²⁰ Cameron and White, 94-97.

¹²¹ Canada, *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada*, 1993, p. 23 in Cameron and White, 97.

values regarding interaction between people, the Nunavut government is currently implementing *Inuit qaujimaqatuqangit*, or Inuit “Ways of Knowing,” (language and cultural practice). Lastly, the Government of Nunavut is committed to decentralizing the public service, including headquarters, to places outside the capital of Iqaluit.¹²² As discussed in earlier chapters, the *Berger Report* identifies the need of capacity building in Nunavut to ensure the latter can be accomplished.

Currently, Nunavut has many challenges to overcome. There is a major lack of bureaucratic capacity in the territory, which has resulted in fiscal mismanagement and difficulties. Although the NWT and Yukon are seemingly on the “fast-track” to devolution and are sometimes referred to as “infant provinces,”¹²³ it is generally agreed that Nunavut will remain dependent on the federal government in the coming years because of its lack of bureaucratic capacity and financial resources.

[4.3] Devolution and Jurisdictional Transfer

Territorial status acts lay out the political, legislative and administrative powers of each territory. In the case of Nunavut, the statute also distinguishes between the powers covered by the *Nunavut Land Claims Agreement (NLCA)* and those, granted through the “Nunavut Political Accord”, of the Nunavut territorial government. The *Constitution Act, 1871* is the constitutional base of authority for the passage of all territorial status acts.¹²⁴ These acts, which provide the foundation of territorial constitutions, are not a part of the Canadian Constitution as identified in section 52 (2) of the *Constitution Act, 1982*. This is a significant point because territorial constitutions are not entrenched in the Canadian Constitution and can therefore be amended by ordinary acts of Parliament rather than through the amending formula stipulated in the *Constitution Act, 1982*.¹²⁵

Nunavut, Yukon, and the NWT all share the same constitutional standing as territories of Canada. The first time that the territories are formally mentioned in the Canadian Constitution is found in the *Constitution Act, 1871*, which states that Parliament has exclusive authority over the “administration, peace, order and good government of the territories.”¹²⁶ The only reference to

¹²² Abele and Graham, 9.

¹²³ Yukon Supreme Court ruling (1986) in Kirk Cameron, “There is a northern Crown,” *Policy Options* (March 2000), 58.

¹²⁴ Funston, 117.

¹²⁵ *Ibid.*, 125.

¹²⁶ See ss. 2 and 4, *Constitution Act, 1871*, 34-35 Vict. c. 28 (UK) cited in Funston, 117.

the territories in the *Constitution Act, 1982* (amended) is in Part IV, Section 37.3, which stipulates *when* a territory can participate in constitutional conferences:

(3) The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the Northwest Territories to participate in the discussions on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.¹²⁷

As outlined in the introductory chapter, because of the constitutional status of the territories, the federal government has a fiduciary responsibility to the territories. Through the process of devolution, a degree of this responsibility is transferred to territorial governments. However, as this thesis argues, the *degree* of transfer is hard to discern, thus creating a grey area of jurisdiction and responsibility rather than “black and white” distinctions in jurisdiction, as is more nearly the case for the provinces.

Because territorial governments do not have constitutionally entrenched powers, it has been argued that any agreement reached between federal and territorial governments could be revoked at any time. However, this argument could be countered in that the territories have become established constitutionally through convention, as is the norm in the Westminster tradition. Reference to the territories in the *Charter of Rights and Freedoms* could also provide a degree of constitutional backing should the territories ever find themselves in such a situation.¹²⁸

During the past thirty years, many administrative and legislative powers have been devolved to the territories through the territorial status acts, including the policy area of education, such that territorial governments have full political and administrative authority over the area of education.¹²⁹

Currently, two of the three territories have reached some level of formal agreement regarding the devolution of natural resource management. The Government of Yukon signed a

¹²⁷ *Constitution Act, 1982* (amended), Part IV, Section 37.3.

¹²⁸ Funston, 117.

¹²⁹ See *Yukon Act, 2002*, Section 18.1-o; *Northwest Territories Act, 1985*, Section 16-n; *Nunavut Act, 1999*, Section 23.1-m

formal agreement with the federal government, the *Yukon Northern Affairs Program Devolution Transfer Agreement*, on October 29, 2001. The Government of Canada, the Government of the NWT, and the Aboriginal Summit members¹³⁰ signed the *Northwest Territories Lands and Resources Devolution Framework Agreement* on March 18, 2004. Furthermore, the Government of NWT, the Inuvialuit Regional Corporation, the Gwich'in Tribal Council, the Sahtu Secretariat Incorporated, and the NWT Métis Nation signed the *Resource Revenue Sharing Agreement-in-Principle* on May 9, 2007. The Government of Nunavut is currently in the process of negotiating a natural resource devolution agreement with the federal government. However, the *Mayer Report on Nunavut Devolution*, which was released in June 2007, clearly illustrated that the federal government feels that Nunavut is not in a position to have increased powers, especially control over natural resources, at this time. The Government of Nunavut, on the other hand, feels that it is in its best interest to have a resource revenue sharing agreement in place with the Government of Canada.¹³¹

As the territories become increasingly more politically autonomous, the federal government in turn devolves more spending discretion to territorial governments and transfers some of its fiduciary responsibility in certain areas. The transfer, however, is incomplete and creates ambiguity in jurisdiction and responsibility. Although the federal government has historically been accommodating in devolving legislative and administrative autonomy in the area of education, it has been reluctant to devolve control over lands and the revenues of the resources extracted from the land. One can speculate that the federal government is simply unwilling to forego the immense resource revenues generated in the territories. Territorial governments claim that without full control over their resources, they cannot be expected to fully fund post-secondary education programs in their respective territories. This point is discussed further in the following section on territorial and federal fiscal relations.

[4.4] Devolution and Fiscal Relations

The federal government, in many ways, treats the territorial governments as province-like entities with regard to fiscal transfers. All territorial governments receive the same major federal

¹³⁰ Akaitcho Territory Government, Gwich'in Tribal Council, Inuvialuit Regional Corporation, North Slave Métis Alliance, NWT Métis Nation, Sahtu Dene Council/Sahtu Secretariat Incorporated, and the Tlicho as represented by the Dogrib Treaty 11 Council.

¹³¹ See Mayer.

transfers as do provincial governments, such as the Canada Social Transfer (CST) and Canada Health Transfer (CHT) as well as the Territorial Formula Financing (TFF) which is the territorial equivalent of the Equalization program for the provinces. These major fiscal transfers are detailed by territory in Table 4.0.

Table 4.0 – Major Fiscal Transfers to the Territories for fiscal year 2008-2009¹³²

Territory	Territorial Formula Financing	Combined CST and CHT
NWT	\$805 million	\$48 million
Nunavut	\$944 million	\$40 million
Yukon Territory	\$564 million	\$40 million

Source: *Public Accounts of Canada, 2008-2009*

Territorial governments are highly dependent on federal fiscal transfers. In the NWT for example, federal fiscal transfers account for approximately 80 percent of the territory's total revenues.¹³³ However, the NWT and Nunavut governments claim that a resource revenue sharing agreement would produce a net benefit to territorial income, while promoting economic independence.

Although it is difficult to find information on exact amounts of resource royalties that the Government of Canada collects from the territories, a broad look at the numbers indicates that the territories are receiving much more through transfer payments than the federal government is receiving from natural resource royalties. Northern Land and Resources revenues, as reported by INAC, for the 2008/2009 fiscal year were as follows: Norman Wells Project profits \$125.4 million, Canada mining \$112.5 million, oil and gas royalties \$27.5 million, and other non-tax revenues \$7.3 million.¹³⁴

Resource revenue sharing arrangements with the federal government remain a very contentious issue. The general consensus of territorial governments is that without formal

¹³² Receiver General for Canada, *Public Accounts of Canada, 2008-2009: Table 3.7 – Major Transfer Payments by Province and Territory*, Government of Canada, http://epe.lac-bac.gc.ca/100/201/301/public_accounts_can/2009/49-eng.pdf (accessed August 17, 2010), 79.

¹³³ Northwest Territories Finance, *Today's Resources, Tomorrow's Legacy: NWT Heritage Fund Public Consultation*, <http://www.fin.gov.nt.ca/documents/press-releases/heritage-fund/Today%27s%20Resources,%20Tomorrow%27s%20Legacy%20-%20NWT%20Heritage%20Fund%20Public%20Consultation.pdf> (accessed August 16, 2010), 4.

¹³⁴ Indian and Northern Affairs Canada and Canadian Polar Commission, *2008-2009 Departmental Performance Report: Sources of Non-Respendable Revenue*, <http://www.tbs-sct.gc.ca/dpr-rmr/2008-2009/inst/ian/st-ts01-eng.asp> (accessed August 16, 2010).

arrangements for resource revenue devolution and control, the territories cannot meet the financial requirements of fully governing a territory, especially regarding educational expenditures. Although the Yukon has reached agreements with the federal government concerning resource revenues, first through the 1993 *Canada-Yukon Oil and Gas Accord*, and then the 2003 *Umbrella Final Agreement* which deals with revenue sharing of all other natural resources between Yukon and First Nations of Yukon, there remains concern about the cap on amounts of resource revenues received by the territory.¹³⁵

While resource revenue sharing arrangements remain uncertain, all three territorial governments receive the majority of their revenue from fiscal transfers from the federal government. These fiscal transfers include funding for education, including post-secondary education, in the territories and territorial governments have spending discretion for these funds.

As Table 4.1 illustrates, education represents a large percentage of total territorial expenditure. However, post-secondary education expenditures in the territories account for a small percentage of both total territorial expenditures and total territorial education expenditure.

Table 4.1 – Education and Post-Secondary Expenditures by Territory

Territory	Education Expenditure ¹³⁶	Education Expenditure as a percentage of Total Expenditures ¹³⁷	Post-secondary Expenditure ¹³⁸	Post-secondary Expenditure as a percentage of Total Expenditures ¹³⁹	Post-secondary Expenditure as a percentage of Total Education Expenditure ¹⁴⁰
NWT	\$314 million	19%	\$81.6 million	5%	26%
Nunavut	\$251 million	19%	\$27.4 million	2%	11%
Yukon	\$157 million	16%	*	*	*

* Statistics Canada Note: Excludes Yukon for confidentiality purposes.

¹³⁵ Doug McArthur, *The Changing Architecture of Governance in Yukon and the Northwest Territories* in IRPP, *The Art of the State*, Vol. IV (2009), 219.

¹³⁶ Statistics Canada, *Consolidated provincial and territorial government revenue and expenditures, by province and territory*, CANSIM, table [385-0001](http://www40.statcan.gc.ca/101/cst01/govt56d-eng.htm), <http://www40.statcan.gc.ca/101/cst01/govt56d-eng.htm> (accessed July 27, 2010).

¹³⁷ Percentages are approximate and were calculated based on Statistics Canada, CANSIM, table [385-0001](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm).

¹³⁸ Statistics Canada, CANSIM, table [385-0007](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm), <http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm> (accessed July 27, 2010).

¹³⁹ Percentages are approximate and were calculated based on Statistics Canada, CANSIM, table [385-0002](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm) and Statistics Canada, CANSIM, table [385-0001](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm).

¹⁴⁰ Percentages are approximate and were calculated based on Statistics Canada, CANSIM, table [385-0002](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm) and Statistics Canada, CANSIM, table [385-0001](http://www40.statcan.gc.ca/101/cst01/govt41c-eng.htm).

Based on the data in Table 4.1, one is forced to question the budgetary priority of post-secondary education in the territories. In spite of receiving the same fiscal transfers for education, the territories are spending much less on post-secondary education compared to provinces such as Saskatchewan, where post-secondary expenditures account for over eleven percent of total provincial expenditures.

It is clear that post-secondary education is not a budgetary priority for territorial governments, and although capacity building through post-secondary education is a clearly expressed policy priority for territorial governments, their financial commitments are not congruent with their policy. With so little invested in post-secondary education, it is easy to see why the territorial governments would be reluctant to fund an institution such as UArctic. The following section discusses the politics of funding UArctic and illustrates how and why territorial and federal governments are acting in contradiction to their very own policies by inadequately funding UArctic.

[4.5] Politics of Funding UArctic

UArctic has faced many challenges in creating a stable resource base from governments in Canada and abroad. As a result, fundraising has become a top priority for UArctic as its very survival as an institution hinges on establishing consistent and reliable funding. The direct consequence of this reality is that UArctic administration has spent a great deal of time on fundraising rather than on building and further expanding programs.¹⁴¹

Under UArctic's current operational structure, the responsibility for funding of UArctic administration and programming activities in Canada must be provided by Canadian sources such as the federal and territorial governments. The lack of adequate and consistent funding from federal and territorial governments directly impacts UArctic administration and

¹⁴¹ Dr. Charles J. Jago, *Report and Recommendations on a Government of Canada Approach Toward a Sustainable University of the Arctic (Canada)* (February 28, 2008), 8-10.

Note: This document is referred to as the "Jago Report" in the remainder of this thesis and future notes.

programming activities in Canada. Without support from these governments, UArctic operations and activities cannot continue in the territories.

UArctic in Canada has been funded only on an *ad hoc* basis by the federal government, mainly through the Department of Foreign Affairs and International Trade (DFAIT), Human Resources and Skills Development Canada (HRSDC) and Indian and Northern Affairs (INAC). The UArctic fundraising strategy, which has taken many twists and turns through the years, has yet to render any long-term financial commitments from either federal or territorial governments. In his report commissioned by the federal government to examine UArctic's sustainability, Charles Jago emphasized the need for increased funding for UArctic:

The funding arrangements have continued to the present, but are neither adequate nor sufficiently reliable to sustain the operations and promote the further growth of UArctic (Canada), and in particular its ability to develop degree-granting capacity in Canada's far north.¹⁴²

In 2003, it was decided that national fundraising teams for UArctic would be created in each of the Arctic states of the Arctic Council. The Canadian fundraising team began work on a comprehensive fundraising strategy. The initial approach that was undertaken at the federal level from March 2003 to May 2005 consisted of submitting requests to individual government departments. Frustrated by their lack of success in securing multi-year funding, the Canadian fundraising team changed their strategy in May 2005 and adopted a memo-to-cabinet approach, under the advice of Mary Simon,¹⁴³ the then newly appointed UArctic Board member. Three initiatives were subsequently undertaken: the first, from May 2005 to December 2005; the second, from January 2006 to October 2006; and the third, from October 2006 to July 2007. All three territorial governments, as well as some of their provincial counterparts, were approached for funding. Lastly, requests for funding were made to other sectors including Aboriginal

¹⁴² Jago, 1.

¹⁴³ Mary Simon is the former president of the Inuit Circumpolar Conference in Canada and the current President of the Inuit Tapiriit Kanatami.

governments and organizations, member educational institutions and non-governmental organizations that participate in UArctic, foundations, and the private sector.¹⁴⁴ In March 2009, the Canadian Fundraising Task Force, was established by UArctic President Lars Kullerud as a means of renewing UArctic's (Canada) fundraising efforts.¹⁴⁵

The section that follows examines federal and territorial contributions to UArctic. Furthermore, the outcomes and the politics of the many requests and government responses of the various fundraising campaigns discussed above are woven throughout the discussion.

Federal Contributions

Since its inception, UArctic programs in Canada have relied almost exclusively on federal government support. When UArctic officially opened its "doors," the federal government committed over \$500,000, over a two year period, through DFAIT, which remained the principal contributor among federal departments to UArctic from 2001-2006.

As discussed in earlier chapters, there are a number of reasons why the federal government has an obligation to fund UArctic. As cited in the *Jago Report*, a government background document summarizes these reasons:

For Canada, UArctic (Canada) addresses the lack of access to broad and relevant university-level programming in the North of Canada, something which was and continues to be a significant public policy problem for Canada. Given the federal government's fiduciary responsibilities vis-à-vis the northern territories and Aboriginal peoples in Canada, the federal government emerged as the primary advocate and financial supporter in Canada for UArctic (Canada). Federal government support for the university was also strongly related to federal responsibility for international relations, including among Canada's circumpolar neighbours.¹⁴⁶

¹⁴⁴ UArctic, *Introduction: University of the Arctic Fundraising Report* (July 2007).

¹⁴⁵ UArctic, *Report: UArctic Canada Fundraising 2009-2010* (April 2010).

¹⁴⁶ Department of Indian Affairs and Northern Development as cited in Jago, 10.

The Department of Foreign Affairs and International Trade originally promised to be long-term contributors to UArctic programming and activities in Canada. Then, in 2004, the department's commitment waned and UArctic was told that funding would be reduced. In 2005, DFAIT expressed to UArctic that they would be "graduated" to other government departments for their funding needs.¹⁴⁷ This is significant because, as previously outlined, Canada made international commitments to support UArctic in the *NDCFP*.

Individual federal departments were separately approached prior to 2005. Requests for support were made, often more than once, to several federal departments and agencies including DFAIT, Environment Canada, Human Resources and Development Canada (HRDC)¹⁴⁸, Department of Indian Affairs and Northern Development (DIAND, later INAC),¹⁴⁹ and the Canadian International Development Agency.

Many of the federal departments that were approached for funding praised UArctic's efforts extensively but in the end denied UArctic funding requests, often stating that UArctic's activities did not match the department's mandate. Furthermore, letters to UArctic in which funding requests were denied often named a "relevant" government department that UArctic should approach for funding. For example, a letter from the Minister of Natural Resources Canada states, "the nature of your request for financial support falls outside of the mandate of Natural Resources Canada, and would more appropriately be addressed by the Department of Indian Affairs and Northern Development."¹⁵⁰

Although securing long-term funding from the federal government has been a challenge for UArctic, several contributions have been made to the institution from federal departments throughout its history. Canadian participation in UArctic's north2north Student Mobility Program was bolstered through funds from HRDC which committed \$441,000 over three and a half years in November 2003 and extended funding through 2008 in the amount of \$145,000.

Presently, INAC is the main federal supporter, initially providing \$375, 000 in 2006 and continuing funding through 2009 in the amount of \$500,000 per year. From 2004 through the

¹⁴⁷ UArctic, *Introduction: University of the Arctic Fundraising Report* (July 2007).

¹⁴⁸ HRDC is now called Human Resources and Skills Development Canada or HRSDC.

¹⁴⁹ DIAND is now called Indian and Northern Affairs Canada or INAC.

¹⁵⁰ Letter from The Honourable Gary Lunn, Minister of Natural Resources Canada to Greg Poelzer Dean, Undergraduate Studies, University of the Arctic and Co-Chair, University of the Arctic National Fundraising Team and Mac Clendenning, President, Nunavut Arctic College and Co-Chair, University of the Arctic National Fundraising Team (January 23, 2007).

2010 fiscal year, combined federal contributions to UArctic were \$370,000, \$360,000, \$436,000, \$665,000, \$705,000, \$564, 000, and \$650,000 respectively.¹⁵¹

The above account of federal contributions to UArctic clearly illustrates Jago's observation:

Not only is federal government support for UArctic (Canada) fragmented and piecemeal in its genesis, it is also fragmented in receipt. The funding goes to various institutions from various federal ministries under separate contribution agreements...Consequently there is no consolidation in the funding provided by the federal government for UArctic (Canada) rendering impossible a comprehensive accounting and accountability structure whereby the Government of Canada can determine if and how complementary funding from separate ministries achieves the integrated outcome desired....There appears to be no clearly defined and coordinated strategy on the part of the federal government to support UArctic (Canada) and no clearly identified outcomes that the government wishes to achieve.¹⁵²

The absence of secured and long-term funding for UArctic has created a situation where valuable resources and time are spent on petitioning individual government departments. Furthermore, the federal government has a clear policy mandate for the North, as outlined through the *Northern Strategy*. Jago clearly identifies that federal and territorial policy makers acknowledge the federal obligation to support UArctic: "In my consultations, no-one, including representatives from the territorial governments, objected to the legitimacy of the federal role."¹⁵³ However, and this is a crucial element of UArctic's fundraising challenges, Jago goes on to state, "...all parties made it clear that the federal role is not exclusive."¹⁵⁴ That is to say, territorial governments also need to participate in the financing of UArctic.

¹⁵¹ UArctic, *A Business Case for the University of the Arctic*, 5.

¹⁵² Jago, 9-10.

¹⁵³ Ibid., 10.

¹⁵⁴ Ibid., 10.

Thus, the federal government has a stated obligation and plays a crucial role in the funding of UArctic. The *Jago Report* is explicit in its policy recommendation to the federal government concerning UArctic funding:

That the Government of Canada continue to support UArctic (Canada) as the instrument of choice for developing expanded university-level degree programs in Canada's territorial Norths in partnership with Yukon College, Aurora College, and Nunavut Arctic College.¹⁵⁵

UArctic continues to pursue a long-term funding commitment from the Government of Canada. The collaborative nature of the federal and territorial contributions to UArctic is further detailed in the subsequent section.

Territorial Contributions

All three territorial colleges participate in UArctic as member institutions and have provided in-kind support to the institution in the form of teaching space, utilization of equipment, and administration of programs. In-kind contributions from the territorial governments to UArctic educational activities and initiatives totaled more than \$657,000 over the past three years.¹⁵⁶ Numerous requests for funding have been made to the territorial governments by UArctic during the past seven years. However, only one of the three territorial governments has provided any financial support directly to UArctic, and the one-time contribution made by the NWT government was miniscule.

Many of UArctic's funding requests have gone unacknowledged by territorial governments. Letters of response as to why the governments could not provide funding were rarely sent to UArctic.¹⁵⁷ Furthermore, the amount of money requested from the territorial governments by UArctic was nominal. For example, in a funding application from Aurora

¹⁵⁵ Ibid., 2.

¹⁵⁶ Over the past five years, the territorial colleges have contributed a combined total of close to \$80 million for the delivery of degree programs and a total of \$22.8 million for Northern research. However, this funding did not directly benefit UArctic as it was pre-existing and non-incremental: Jago, 9-10.

¹⁵⁷ See UArctic, *University of the Arctic Fundraising Report* (July 2007).

College to the Government of NWT, the total request for UArctic activities at the college was for a mere \$44,000.¹⁵⁸

Thus, the territorial governments have chosen not to fund UArctic in any meaningful way. There are a few possible explanations for this. First, it could be argued that UArctic should be funded by the federal government because it was initiated through the Arctic Council as an international initiative. Second, although the policy area of education has been devolved to the territories, the territories argue that the federal government still has a fiduciary responsibility for the overall well-being of the territories, which may include support in areas such as education. Third, because territorial colleges have spending discretion in their programming, UArctic programming should be provided for in their budgets. In letter of response to a UArctic funding request, the Government of Nunavut utilized this reasoning: “Nunavut Arctic College is a separate entity from the Government of Nunavut’s Department of Education. With this in mind, I have forward[ed] your proposal to... [the] President of Nunavut Arctic College for his due consideration.”¹⁵⁹ However, the territorial colleges themselves are not arms-length, autonomous institutions. In fact, the presidents of the colleges are treated as Assistant Deputy Ministers, who have to abide by the requests of the Minister of the territorial government departments. This leads to a result that is less than favourable for colleges, as they are on a budget set by their respective departments which needs to be cleared by the Minister; essentially, the colleges are forced to choose whether they want to cut existing programs to build or expand new programs such as those offered by UArctic. The fourth and final possible explanation as to why the territorial governments have chosen not to fund UArctic is a general lack of political will.

The first explanation of the territorial governments’ reluctance to fund UArctic is that UArctic is an international initiative and should therefore be federally funded. However, other governments have not taken this view. For example, the Government of Saskatchewan provided funding for UArctic, both for the administrative costs of the International Academic Office and for programs that were delivered through Northlands College. Outside of Canada, Norway, Sweden, Finland, and Iceland all have been consistent contributors. Therefore, it could be

¹⁵⁸ Aurora College (NWT), *Funding Application to Government of Northwest Territories: Proposal – 2006/7 (April 1/06 to March 31/07)* in UArctic, *University of the Arctic Fundraising Report* (July 2007).

¹⁵⁹ Letter from Pamela J. Hine, Deputy Minister of Education, Government of Nunavut to Greg Poelzer, Co-Chair, Canadian Fundraising Team and Dean, Undergraduate Studies, University of the Arctic (July 12, 2004).

reasonable to expect that territorial governments contribute to UArctic, especially since it falls within their devolved areas of responsibility.

In response to the second explanation, that although the territorial governments are responsible for education under the framework of devolution, the federal government still has a fiduciary responsibility to pay for education, it could be argued that the federal government more than fulfills this responsibility through block transfer payments which include funding for education. Furthermore, although there is room for criticism on the federal approach to UArctic funding, the Government of Canada has provided for UArctic operations and programming in the territories.

Territorial unwillingness to directly fund UArctic is having a negative impact on other sources of funding. In the beginning stages of UArctic fundraising planning, there was much anticipation about the prospect of partnering with or receiving donations from corporations operating in the North and other non-government entities such as foundations. However, this dream was quickly dashed when most of these organizations made it clear to UArctic that, without the long-term support of territorial governments, such contributions to the institution could not be justified to stock holders and board members. Furthermore, the federal government has made it clear that without the partnered funding of the territorial governments, it will not expand or possibly even sustain, current funding levels.¹⁶⁰

Taking all of this into consideration, the answer seems straightforward: territorial governments can and need to contribute to UArctic. In fact, this is one of the key recommendations that the *Jago Report* makes:

That the Governments of the Yukon, Northwest Territories and Nunavut match federal funding directed to support the operations of the Circumpolar Studies Centres proposed for each of the three territorial colleges within a reasonable period of time, not to exceed five years.¹⁶¹

¹⁶⁰ Jago, 19.

¹⁶¹ Jago, 19.

As this discussion illustrated, the territorial governments need to actively and directly financially support UArctic activities in the North. Although devolution has created ambiguity in the responsibilities and jurisdiction of federal and territorial governments, it is clear that the territories have a degree of responsibility that warrants supporting capacity building initiatives through post-secondary education such as UArctic. Furthermore, the failure of territorial governments to provide funding to UArctic runs contrary to their own stated policy objectives. Lastly, as previously discussed, the federal government has made it clear that without territorial cooperation in financially supporting the institution, it will be unwilling to fund UArctic activities in the territories any further. This would signal the end of UArctic activities in Northern Canada. UArctic may rest or fall on the response of the territorial governments. There is an opportunity for the territorial governments to exercise leadership in their area of responsibility. It could be argued that the federal government has made meaningful contributions for more than a decade toward assuming its fiduciary responsibilities to the territories by its funding of UArctic through DIAND, DFAIT, and HRSDC. It could also be argued that the territorial governments, by contrast, have not assumed their jurisdictional responsibilities. The consequence may be that the future of UArctic rests with the territorial governments.

CHAPTER FIVE

CONCLUSION: FINDINGS AND IMPLICATIONS

[5.1] Introduction

The North has captured national and international attention in recent years as issues of climate change, Arctic sovereignty, and resource development are pushed to the forefront of policy agendas. Great need for social and economic development is present in the North, but a significant gap in capacity encumbers meeting this need. The North has to build capacity. There are many ways of achieving this, but a key and inescapable means is through post-secondary education. Capacity building through post-secondary education has been a key policy priority for federal and territorial governments in Canada for this reason. As one of a few means available to meet this policy goal, UArctic has presented itself as an important and viable policy instrument.

UArctic, however, has not been able to secure adequate or consistent funding from federal and territorial governments. This thesis sought to answer why a Northern institution such as UArctic has struggled to secure support despite a clearly stated policy goal of capacity building through post-secondary education on behalf of both levels of government. Isolating devolution as the independent variable, this thesis examined if and how devolution impacted the full implementation of a viable policy instrument, UArctic.

[5.2] Findings

The examination of the policy problem, policy goals, and policy instrument have thus led to the posing of the central question in this thesis: By using UArctic as a case study, has devolution impacted capacity building through post-secondary education in the territorial North and if so, how? The stated hypothesis of this research is that devolution has adversely impacted the funding for UArctic, one of the few and viable means of capacity building through the post-secondary education in the North.

The evidence presented in previous chapters clearly links the independent variable, devolution of responsibilities to the territories from the federal government, to the dependent

variable, funding to UArctic. Because the territories are neither purely federally administered units nor fully politically, administratively, or fiscally autonomous participants in the federal system with entrenched powers in the Canadian Constitution like their provincial counterparts, a degree of ambiguity in discerning jurisdiction has resulted. This is the very heart of the issue concerning the funding of post-secondary education programs in the territories. The lack of clarity regarding jurisdiction, resulting from process devolution, is one of the key reasons that a viable policy instrument such as UArctic is under-funded at the federal level and completely neglected at the territorial level. Although the federal government has been providing funds to UArctic, first and mainly through DFAIT and now primarily through INAC, it has been argued that without the matching of funds by the territories themselves, Ottawa will limit, perhaps even end, its financial commitments to UArctic.¹⁶²

As stated in the introductory chapter, two key arguments are made in this thesis. First, as the case of UArctic demonstrated, although devolution has allowed for the transfer of authority from the federal to the territorial governments over most policy areas, jurisdictional transfer between federal and territorial governments is incomplete and there continues to be a federal fiduciary responsibility to the territories. This situation creates a grey area of jurisdiction as well as an ambiguity of federal and territorial responsibilities. The transfer of jurisdiction is incomplete for three reasons. First, territorial governments have limited fiscal capacity because they do not have the same fiscal control, particularly over natural resources, as provinces. Second, the fiscal capacity to fund fully policy areas that have been devolved and which represent major expenditures for the territories, such as health care and education, is a matter of contention, particularly from the perspective of the territories. Third, although the territories are engaged in the process of devolution which is on a path to provincehood, they may not ultimately become provinces. Thus, a full transfer of jurisdiction to the territories is not possible without some degree of entrenchment in the Canadian Constitution through constitutional amendment or through achieving the provincial status.

The second key argument of this thesis was that although UArctic is a viable and cost-effective means of capacity building through post-secondary education, a policy priority identified by federal and territorial governments, the failure of territorial governments to provide any funding and the lack of commitment by the federal authorities to provide consistent and

¹⁶² Jago, 10.

long-term funding to UArctic is incongruent with their own policy objectives. As illustrated in this thesis, one of the principal reasons governments have not provided adequate funding to UArctic is that devolution to the territories creates ambiguity in jurisdiction and responsibility for post-secondary education. Devolution has impacted the clarity of jurisdictional responsibilities between federal and territorial regarding funding for post-secondary education in the North. However, the research in this thesis also indicated that UArctic's lack of support can also be attributed to other factors as identified in chapter four, such as lack of political will. With the federal government now suggesting that its support of UArctic must be matched by territorial funds, it is imperative that the territorial governments fulfill their role and financially contribute to an institution that supports some of the key policy goals that territorial governments have set for themselves. In the larger scheme of things, an investment on the order of \$300,000 annually is very modest, both within the context of the larger territorial budget, as well as in the context of the multi-fold return on investment through federal contributions.

[5.3] Lessons Learned, Implications and Future Research

Devolution Theory

The case of UArctic may provide several insights for the comparative study of devolution in other countries. As has been noted in the comparative literature, devolution often leads to a process of federalization of unitary political systems as sub-national governments gain more autonomy. This is true in the case of the changing unitary relationship between the federal and the territorial governments in Canada. The process of federalization has several challenges, and it is not a neat and tidy process: Firstly, although jurisdictional boundaries can be clear in a devolution agreement, the lack of constitutional jurisdictional recognition for a junior government may leave a grey area in which jurisdiction can be questioned by senior and junior government perspectives. Secondly, the expectation of the central government to provide resources for the devolved policy areas may grow. Lastly, devolution is a process and an ever-changing one. Where the devolutionary path leads and how long it takes to get to the "end" (provincehood in the case of Canada), are questions yet to be answered.

There are many outstanding devolutionary issues regarding the territories of Canada. A lack of constitutionally recognized powers for the territories is often cited as a reason for creating

more autonomy, accountability, and responsibility through some sort of constitutional amendment. This amendment would not necessarily need to make the territories full-fledged provinces, but perhaps a third order of government with a subset of provincial jurisdictional authorities. It could be argued that in the case of funding UArctic, the territorial governments would be held to a greater degree of accountability by territorial citizens through such a constitutional amendment.

The granting of full provincial status to territories is another position that is also strongly advocated as a means of creating clear boundaries of jurisdiction. Politically speaking, however, it is unlikely that the provinces would approve of a constitutional amendment converting the territories into provinces. Arguably, granting provincehood to the territories would only make for more a complicated constitutional amendment process in the future, may reduce the overall power of the existing individual provinces as there would be more players at the federal table, and may reduce the share of federal transfers to individual provinces. Because the territories are not federal orders of government, the provisions of devolution were necessary in the first place.

There are many avenues for future research regarding the impacts that devolution has had on other policy areas, both in the North and elsewhere. Devolution is a relatively new governance tool and as such, needs to be scrutinized in an effort to better inform policy makers.

Capacity Building and Northern Development

The evidence presented in the previous chapters clearly indicates the need for increased human and educational capacity in the North. Both federal and territorial governments recognize capacity building as a cornerstone of Northern development. UArctic's case, however, has demonstrated the contradictory behaviour of governments. Federal and territorial capacity building policies support other policy goals in areas such as governance and environmental sustainability. Initiatives surrounding climate change, Arctic sovereignty and Northern governance need more federal funding to succeed. The federal government has provided funding to UArctic over the past decade, albeit without multi-year commitments. Furthermore, territorial governments convey the need for capacity building and more Northern post-secondary opportunities through their policy statements but have been reluctant to support the

implementation of UArctic, a policy instrument that directly addresses the stated need.

Territorial governments will need to contribute to the cause that will determine their futures.

The policy recommendations, already outlined in chapter four, with regard to UArctic are clear; first, the federal government, in partnership with the territorial governments, should continue to fund UArctic and furthermore, commit long-term and sustained funding. Also, as this case demonstrated, territorial governments need to match federal funding of programming and services provided by UArctic to Arctic colleges.¹⁶³

Capacity building and Northern development are areas that need further research. Research on the North needs to incorporate a Northern perspective, especially when discussing the impacts of climate change, development, and Canadian Arctic sovereignty in the North. For this reason, it would seem only logical that federal and territorial governments would work in collaboration to establish post-secondary education as a policy and budgetary priority.

¹⁶³ Jago, 2-4.

APPENDIX “A”: Table 2.0 – Capacity Needs and Territorial College Program Delivery

Capacity Needs	Territorial College	Program Delivery			Gaps in Delivery
		Certificate	Diploma	Degree	
Health Care and Social Services	Yukon College:	-Health Care Assistant -Human Services	-Practical Nurse	-Bachelor of Social Work (University of Regina)	-Bachelor of Science in Nursing - Medicine (M.D.) -E.M.T. training
	Aurora College (NWT):	-Community Health Representative -Community Health Worker -Personal Support Worker	-Social Work	-Bachelor of Science in Nursing (University of Victoria) -Master of Nursing, Nurse Practitioner Primary Health Care Stream (Dalhousie University)	-Bachelor of Social Work - Medicine (M.D.) -E.M.T. training
	Nunavut Arctic College:	-Human Services		-Bachelor of Science in Nursing: Arctic Nursing (Dalhousie University)	- Medicine (M.D.) -E.M.T. training -Bachelor of Social Work
Education	Yukon College:	-Early Childhood Development -Education Assistant -Native Language Instructor	-Early Childhood Development -Native Language Instructor	-Bachelor of Education (Yukon Native Teacher Education and University of Regina)	
	Aurora College (NWT):	-Early Childhood Development -Adult Education	-Aboriginal Language and Cultural Instructor Program II	-Bachelor of Education (University of Saskatchewan)	
	Nunavut Arctic College:	-Early Childhood Education		-Bachelor of Education (Nunavut Teacher Education Program and University of Regina)	
Public Service/ Non-Profit Sector	Yukon College:	-Northern Justice and Criminology	-Northern First Nations Studies -Northern Justice and Criminology -Northern Studies	-Bachelor of Circumpolar Studies (UArctic) -Master of Public Administration (University of Alaska Southeast)	-Bachelor of Public Administration/ Public Policy/ Governance
	Aurora College (NWT):				-Bachelor of Public Administration/ Public Policy/ Governance
	Nunavut Arctic College:	-Translation Certificate	-Interpretation and Translation Diploma		-Bachelor of Public Administration/ Public Policy/ Governance

Table 2.0 – Capacity Needs and Territorial College Program Delivery (continued)

Capacity Needs	Territorial College	Program Delivery			Gaps in Delivery
		Certificate	Diploma	Degree	
Business	Yukon College:	-Business Administration -Office Administration -Tourism	-Business Administration	-Master of Business Administration (University of Alaska Southeast)	-Bachelors of Business Administration
	Aurora College (NWT):	-Office Administration	-Office Administration -Business Administration		-Bachelors of Business Administration
	Nunavut Arctic College:	-Office Administration	-Office Administration		-Bachelors of Business Administration
Environmental/ Resource Management and Science	Yukon College:	-Yukon Fisheries Field Assistant -Science	-Northern Environmental Studies -Northern Science -Renewable Resource Management	-Bachelor of Science in Environmental and Conservation Sciences (University of Alberta)	-Bachelor of Science in Resource Management
	Aurora College (NWT):	-Environmental Monitor Training Program	-Environment and Natural Resource Technology Program		-Bachelor of Science in Resource Management/ Environmental Science
	Nunavut Arctic College:	-Environmental Technology	-Environmental Technology		-Bachelor of Science in Resource Management/ Environmental Science
Trades and Technology	Yukon College:	-Pre-employment Programs: -Carpentry -Electrical -Plumbing -Sheet Metal -Welding -Information Technology -Culinary Arts -Surveying Technician -Trades Exploration and Preparation for Women			-Bachelor of Occupational Health and Safety -Construction Safety Officer Training -Occupational Health and Safety Training
	Aurora College (NWT):	-Camp Cook Apprenticeship Programs: -Carpentry -Electrical -Heavy Duty Equipment Technician -Housing Maintenance -Plumbing/Gasfitting -Oil Burner Mechanic			-Bachelor of Occupational Health and Safety -Construction Safety Officer Training -Occupational Health and Safety Training -Information Technology (Degree and Diploma programs)

Table 2.0 – Capacity Needs and Territorial College Program Delivery (continued)

Capacity Needs	Territorial College	Program Delivery			Gaps in Delivery
		Certificate	Diploma	Degree	
Trades and Technology (continued)	Nunavut Arctic College:	<ul style="list-style-type: none"> -Fur Production and Design (Traditional) -Hairstylist Apprenticeship Programs: <ul style="list-style-type: none"> -Carpentry -Electrical -Heavy Duty Equipment Technician -Housing Maintenance -Plumbing/Gasfitting -Oil Burner Mechanic 	<ul style="list-style-type: none"> -Jewellery and Metalwork -Computer Systems Technician -Hairstylist 		<ul style="list-style-type: none"> -Bachelor of Occupational Health and Safety -Construction Safety Officer Training -Occupational Health and Safety Training -Information Technology (Degree and Diploma programs)
Adult Basic Education and Skills Preparation for Post-secondary Education	Yukon College:	<ul style="list-style-type: none"> -College and Career Preparation -English as a Second Language (ESL) -Enhanced Language Training (Non-certificate program) -Skills for Employment -College and Career Preparation 			
	Aurora College (NWT):	<ul style="list-style-type: none"> Non-certificate basic skills and preparation programs (also called “Access” programs): -Business Administration Access -Developmental Studies (ABE) -Health and Human Services Access -Natural Resources Technology Access -Teacher Education Access -Social Work Access -Nursing Access -Pre-Technology -Trades Access 			
	Nunavut Arctic College:	<ul style="list-style-type: none"> -Trades Access -College Foundations Non-certificate Programs: <ul style="list-style-type: none"> -Adult Basic Education -Pre-employment -Pre-Trades Preparation -Pre-Trade -Guide Training 			

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