



## DOING DEMOCRACY DIFFERENTLY: INDIGENOUS RIGHTS AND REPRESENTATION IN CANADA AND LATIN AMERICA

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## Nunavut: Enacting Public Government as Indigenous Self-Government

*What is distinct about the Government of Nunavut is that its vision came from the grassroots.*

—John Amagoalik, chief commissioner of the  
Nunavut Implementation Commission<sup>1</sup>

On April 1, 1999, Inuit hopes and dreams for a homeland became reality with the creation of Nunavut. Nunavut—which means “our land” in the Inuktitut language—changed the map of Canada through peaceful negotiation and compromise. John Amagoalik, quoted at the top of this chapter, is widely recognized throughout the new territory as the “Father of Nunavut.” Although Amagoalik eschews this title—suggesting that the achievement of Nunavut was a collective endeavour—he did play a critical role as a negotiator for the largest land claim settlement in Canadian history and in the design of the new territorial government. His story, and that of Inuit in general,<sup>2</sup> is one of courage and conviction. He provides us with an important example of how activists can achieve a positive outcome when engaging with democratic institutions and processes. Nunavut was a vision of the Inuit communities, and the organizational efforts of Inuit leaders made it a reality. Indigenous peoples around the globe are faced with the dilemma of whether to adopt an oppositional stance to state-imposed political systems, or to try and bring about change by way of the institutional mechanisms such systems offer. As the case of Nunavut demonstrates, autonomy and participation do not have

to be mutually exclusive. Inuit have historically been more willing to participate in Canadian political institutions than their southern counterparts (Alcantara 2013; Cairns 2000). By engaging with institutions of the state, Inuit leaders realized the goal of autonomy. Nunavut is the first large-scale test of Indigenous governance in the Americas. The difficult task that now lies ahead for Inuit leaders and their allies is to make this bold experiment work.

This chapter is guided by two central questions: Why did Inuit communities opt for a public government model of Indigenous autonomy and self-government? And what are the major successes, failures, and lessons learned from efforts in Nunavut to incorporate Indigenous values, perspectives, and world views into an established democratic state? I find that Inuit of the eastern Arctic settled on a public government system, as opposed to an Inuit-specific model of self-government, as a means to achieve both economic and political self-determination. The demand for a comprehensive land claims settlement was coupled with the call for the creation of Nunavut for this very reason (Henderson 2009). This model works to advance Indigenous autonomy and self-government in this case due to the relative homogeneity of the majority Inuit population (who form more than 80 per cent of the total territorial population), which ensures their effective control over the entire territory (Cameron and White 1995, 90). At its core, Nunavut is the outcome of a political agreement between an Indigenous people and the federal government of Canada. As a public government model of Indigenous self-government, Nunavut constrains Inuit to work within the established boundaries of state sovereignty while providing them with a measure of power within the state (Abele and Prince 2006; Altamirano-Jiménez 2013). During the negotiation process, Inuit leaders positioned Inuit as a nation within the Canadian state while emphasizing their inherent rights as an Indigenous people (Wilson 2005). The experience of Nunavut can be viewed as part of an ongoing discussion over how Indigenous rights and representation can be formulated and integrated with liberal institutions of democratic government.

The chapter begins with a historical overview of Indigenous-state relations in the eastern Arctic and the events that led up to Inuit demands for the settlement of a comprehensive land claim. This section details the intricacies of negotiating the claim and the task of creating a new Canadian territory. The next section examines the institutional architecture of the new territorial government and its policy and program initiatives as it attempts to meld public and Indigenous self-government regimes. Special attention is paid in this

section to the concept of *Inuit Qaujimajatuqangit*—or “that which has long been known by Inuit”—and the Government of Nunavut’s struggles to incorporate Indigenous knowledge and perspectives into the structure and function of its operations (Tester and Irniq 2008; Timpson 2009a; White 2006). Given the importance of economic development for political autonomy, the chapter then turns to the pressing issue of how to reconcile Indigenous rights with extractive industry, with a focus on the subsurface mineral rights that were negotiated as part of the comprehensive land claims agreement. The chapter concludes with a discussion of the accomplishments and setbacks that have resulted from the effort to do government differently in Nunavut.

## Negotiating the Claim

The 1993 Nunavut Land Claims Agreement (NLCA) between the Tunngavik Federation of Nunavut (TFN), the Canadian federal government, and the territorial government of the Northwest Territories (NWT) radically restructured Indigenous-state relations in the eastern Arctic. The land claims settlement was an attempt by Inuit to reassert control over their lives and lands in the face of repeated threats from the state. Beginning in the 1950s, Inuit groups in the Canadian Arctic were moved off the land and relocated to government-built settlements in an attempt to change their nomadic way of life and to open up their vast territories to large-scale resource-development projects (Altamirano-Jiménez 2013). In reference to this forced relocation, Tester and Irniq (2008, 57) suggest that “the disruptions to Inuit life and culture were incalculable.” Other Inuit families, including that of John Amagoalik, who had been living in northern Quebec, were relocated to the High Arctic region, more than 1,200 kilometres to the north, to act as “human flagpoles” in a Cold War dispute over Arctic sovereignty. The government abandoned these families in a hostile and unfamiliar environment, leaving many to die from exposure and starvation, including many of Amagoalik’s friends and family members (McComber 2007). It was not until 2010, due in large part to the tireless efforts of Amagoalik and other High Arctic exiles, that the Government of Canada issued a formal apology to the families for their inhumane treatment and the suffering caused by their relocation (George 2010). Amagoalik grew up in government-run Indian residential schools in Resolute Bay, Churchill, and Frobisher Bay (now Iqaluit). It was in the residential school system where he befriended other future Inuit leaders. Together, this same group of students would later call for the creation of Nunavut.<sup>3</sup>

In 1971, the Inuit Tapirisat of Canada (ITC) was formed as an umbrella organization to represent Inuit voices and interests across the country (see table 4.1). The ITC was the outcome of a national conference organized by Inuit leaders and intellectuals held at Carleton University in Ottawa to discuss how to unify Inuit and coordinate a response to ongoing threats to land rights and social justice in the Arctic (McElroy 2008). Tagak Curley, then the executive secretary of the Indian-Eskimo Association of Canada, served as a conference coordinator, and would go on to become the founder and first president of the ITC. According to Curley, as ITC president he criss-crossed the North gauging public support for the development of a proposal for an Inuit land claims settlement.<sup>4</sup> The ITC also sent a delegation to Alaska to learn from the negotiation process carried out there under the 1971 Alaska Native Claims Settlement Act; the goal was to avoid making any unnecessary mistakes or trade-offs (McComber 2007). In 1976, the ITC submitted a formal proposal to the Government of Canada for the settlement of an Inuit claim that included an item that, at the time, exceeded the bounds of federal land claim policy—the creation of a new territory (Cameron and White 1995; NIC 1995). The ITC determined that land claims negotiations were best facilitated by using regional representative organizations. In 1982, the TFN was created specifically to negotiate the NLCA (INAC 2008). While the ITC (now known as the Inuit Tapiriit Kanatami) represents Inuit interests nationally, the TFN (now under the name Nunavut Tunngavik Incorporated) represents Inuit interests in Nunavut.

The creation of Nunavut represented a key goal for Inuit negotiators of the claim. Inuit communities of the eastern Arctic had long felt alienated from the culturally and geographically distant Government of the Northwest Territories (Henderson 2009; Hicks and White 2015). The federal minister of Indian affairs and northern development made it clear during the negotiations that the Canadian government's support for territorial division was contingent upon popular support for such a motion across the NWT. In 1982, the issue of territorial division was put to a stand-alone, territory-wide plebiscite, the first in NWT history. The plebiscite resulted in a narrow victory (56.48 per cent) for territorial division—with a majority of Indigenous voters in support of Inuit self-determination (Cameron and White 1995, 94). By 1990, an agreement-in-principle on the comprehensive land claims settlement had been reached. The link between the creation of Nunavut and the settlement of the land claim proved to be a point of contention between the

**Table 4.1** Major events in the development of Nunavut

Year	Event
1971	Inuit Tapirisat of Canada formed
1976	Inuit land claim declared
1982	Tunngavik Federation of Nunavut formed; Northwest Territories division plebiscite held
1990	Agreement-in-principle reached
1992	Nunavut Political Accord signed
1993	Nunavut Land Claims Agreement and Nunavut Act signed
1999	Territory of Nunavut established

Source: Author's own elaboration.

federal government and the TFN. Inuit saw the two demands as inextricably linked, whereas the federal government balked at the idea of the proposed territory being protected by section 35 of the Constitution Act, 1982—which recognizes and affirms treaty rights—as it would give the territory a special constitutional status (Cameron and White 1995). The federal government insisted, given that Nunavut was to be a public rather than an Inuit government, that the new territory and its governance structures would have to be created through a separate act of Parliament. In 1992, a compromise was struck with the signing of the Nunavut Political Accord, which stipulated a deadline of April 1, 1999, for the creation of Nunavut (NIC 1995). In 1993, two pieces of legislation were passed by Parliament to finalize the land claim and create the new territory: the Nunavut Land Claims Agreement and the Nunavut Act.

The NLCA established an Inuit Settlement Area (i.e., the total area of Nunavut) of 1,994,000 km<sup>2</sup>, with direct Inuit ownership (Inuit Owned Land, or IOL) of 356,000 km<sup>2</sup>, or 17.7 per cent of the territory (Bernauer 2019b, 408). Inuit communities have subsurface rights to almost 36,000 km<sup>2</sup> of IOL, or 1.8 per cent of the territory (Cameron and White 1995, 92).<sup>5</sup> Surface IOLs are managed by regional Inuit associations, while subsurface IOLs are managed by Nunavut Tunngavik Incorporated—the Indigenous corporate organization that represents Inuit interests under the NLCA (Bernauer 2019a, 257). Inuit leaders' willingness to accept a public government model as a form of Indigenous self-government was a condition of the federal government for the creation of Nunavut.<sup>6</sup> Cameron and White (1995, 97) have argued that, “essentially, the Inuit were prepared to accept a modified status quo, with the

critical difference that they, not a distant government in Yellowknife, would be in control.” According to John Amagoalik, Inuit have a strong dislike of the municipal-type reserve model of self-government found in southern Canada, and they believed that a better financial arrangement with the federal government would be possible under a territorial-type model, with the added advantage that the non-Inuit population was committed to building Nunavut alongside Inuit.<sup>7</sup> A 1992 memo from the TFN revealed the following:

The Nunavut Agreement does not deliver all that Inuit want or need. However, the Board of Directors of the TFN has carefully weighed the costs and benefits of the Agreement. We are convinced that the Agreement should be approved, because it moves Inuit forward along the path to self-determination. (1992, 2)

In short, Indigenous actors involved in the comprehensive lands claims negotiations viewed Nunavut as a means to achieve self-determination, rather than an end in itself.

## The New Government of Nunavut

Nunavut is home to 39,536 residents, almost 85 per cent of whom are Inuit (Henderson 2009; Timpson 2009b). Iqaluit, the territory’s capital, has a population of just 7,740 residents.<sup>8</sup> The population of Nunavut is spread out across twenty-five small communities, many of which are located on islands unconnected by roads. The territory, much of which lies beyond the Arctic Circle, encompasses three time zones and is divided into the same number of administrative regions: Qikiqtani (previously Baffin) in the east; Kivalliq in the centre-west; and Kitikmeot in the far west (White 2009, 290). Yet, Nunavut does not have a regional level of government. By design, there are only two levels—territorial and community—based on the conviction that strong local government must be a fundamental part of the overall structure of government in the territory (NIC 1995, 24). Another notable feature of Nunavut politics is the powerful role played by Nunavut Tunngavik Incorporated (NTI), the successor to the TFN, in the life of the territory. The NTI’s prime responsibility lies in the implementation and oversight of the NLCA (Cameron and White 1995). Its leadership is elected on a territory-wide basis, making it accountable to the grassroots.<sup>9</sup> As such, it serves as an unofficial opposition or watchdog organization vis-à-vis the Government of Nunavut. The NTI is the

primary legal entity through which Inuit and treaty rights are exercised. It acts as a spokesperson for Inuit. It shares these responsibilities with the territory's three regional associations: Qikiqtani Inuit Association, Kivalliq Inuit Association, and Kitikmeot Inuit Association (Bernauer 2019a).

The creation of the new territory brought with it the task of establishing the Government of Nunavut. As Hicks and White (2015) point out, this was a unique opportunity to fashion a government, practically from the ground up. The Nunavut Implementation Commission (NIC), which was established in 1993, was tasked with overseeing the territorial division planning and the design of the new government (NIC 1995). The NIC was composed of three members nominated by the TFN, three by the Government of Northwest Territories, and three by the federal government, including a chief commissioner acceptable to all parties (Cameron and White 1995). In addition to John Amagoalik, who served as chief commissioner from 1993 to 1999, the NIC counted on the participation of Mary Simon, who, in 2021, became Canada's first Indigenous governor general.<sup>10</sup> The NIC proposed a series of recommendations based on a program of extensive consultations at the leadership and community levels. There was broad consensus on the need for a streamlined, decentralized territorial government, with high priority given to the hiring and training of Inuit residents. According to the NIC (1996, 14), "The Nunavut Government must be designed and implemented so as to be democratically constituted, administratively competent and culturally attuned." As per the NLCA, the new government must also be a public one—meaning a government answerable to a legislative assembly elected by all citizens meeting residence and age qualifications and in which all residents are eligible to vote, hold office, and participate fully in government (NIC 1995; White 1999).

The NIC hoped to address the under-participation of women in territorial politics through its work (Henderson 2009). During the run-up to the establishment of the new government, a gender-parity proposal was put forward to guarantee the equal representation of men and women in the Legislative Assembly. A discussion paper drafted by the NIC noted that in designing a new government, the people of Nunavut had a unique opportunity to find ways of ensuring balanced representation at the highest level; by doing so, the paper pointed out, the Nunavut legislature would be a model for democratic societies everywhere (NIC 1995). The NIC proposed a system based on two-member constituencies in which voters in each electoral district would



elect one male and one female member of the Legislative Assembly (MLA). The issue proved contentious. Debates over the proposal included arguments that ranged from the potential of gender parity to restore the traditional balance between women and men in Inuit society to gender equality being a Western concept, foreign to Inuit society (Altamirano-Jiménez 2013). The NIC concluded that any major reforms to established democratic institutions and processes must be based on public support. The proposal was put to a plebiscite in 1997 in which it was rejected by 57 per cent of voters, with a turnout of just 39 per cent (Wilson 2005, 85). In the first three elections following the creation of Nunavut, women made up only 7 per cent of MLAs (White 2013a, 233). Since then, women have made some political gains. Most notably, in 2008, Eva Aariak became Nunavut's first female premier.

The Legislative Assembly of Nunavut, sometimes referred to as “The People’s Iglu,” resembles other Canadian legislatures, with some notable differences. The Nunavut legislature operates on a non-partisan, consensus basis. Its twenty-two seats are structured in a circle to facilitate consensus-based decision making, as opposed to adversarial rows of benches. According to White (2006, 16), consensus government, which entails a highly participatory process in which decisions emerge through extensive deliberation, bears a family resemblance to deliberative democracy. This legislative design was borrowed from that of the Legislative Assembly of the Northwest Territories, although not automatically (White 2001). In the absence of parties, Nunavut MLAs run as independents in territorial elections. The communities elect the MLAs, and the MLAs then choose the premier and the cabinet—officially known as the Executive Council—in a special session called the Nunavut Leadership Forum (Henderson 2009). The premier assigns the cabinet portfolios. Those MLAs who are not in the cabinet become the *de facto* opposition.<sup>11</sup> Since 1999, Inuit have been represented in the legislature roughly proportionate to their population size. Inuit MLAs often wear traditional clothing, and much of the business of the legislature is conducted in Inuktitut, with interpretation available to English- and French-language speakers (White 2013b). While the extent to which the legislature operates according to Inuit norms and culture is a matter of debate, the influence of Inuit values and interests on governing practices is a certainty.

Bureaucratic decolonization is a central goal of the new territorial government. Devising a public government that serves Indigenous and non-Indigenous residents alike, however, has proven to be a challenge. The Nunavut

government has seen a dramatic increase in the number of Inuit employees within its ranks as a result of targeted employment strategies and progressive language policies. In 2008, the Official Languages Act was adopted by the Legislative Assembly to place Inuktitut on equal footing with English and French. Fluency in this Inuit language has become a de facto requirement for senior public officials at the highest levels of government, though few non-Inuit bureaucrats have more than a rudimentary knowledge of Inuktitut (Timpson 2009a). While the level of Inuit employment within the government now exceeds that of the non-Inuit population (known as *Qallunaat*), much of Inuit employment remains concentrated at the lowest rungs of the public service, in paraprofessional and administrative support positions (White 2009). According to Timpson (2009b, 206), low levels of educational attainment among Inuit, lack of mentoring, and the predominance of English in the workplace are systemic barriers to Inuit employment at representative levels within the new government. Notwithstanding these factors, the government has met its initial target of 50 per cent Inuit employment across all government posts. Nunavut has become the first jurisdiction in Canada to build a public service staffed predominantly by Indigenous people (Timpson 2009b). Tagak Curley has suggested that the public government model has benefited younger generations by encouraging them to become involved in public institutions.<sup>12</sup> For example, in my interview with Shuvinai Mike, director of Inuit Qaujimagatuqangit (IQ) in the Department of Culture and Heritage, she revealed that she had never considered working for the government prior to the establishment of Nunavut.<sup>13</sup>

Inuit traditional knowledge (*Inuit Qaujimagatuqangit*) is the guiding principle of the Government of Nunavut. IQ (as it is commonly referred to in the short-hand) is a transversal policy instrument used to mainstream Inuit rights and cultural values by incorporating them horizontally and systematically at all stages of policy-making and throughout the governance system (Rice 2020). The NIC recommended the creation of departments that would take the lead in translating IQ into public policy. Two departments of particular note were the Department of Sustainable Development (DSD) and the Department of Culture, Language, Elders and Youth (CLEY). Although both departments were central to the creation of Inuit-sensitive institutions of governance, they have since been dismantled. In 2004, the DSD was split to form the Department of the Environment and the Department of Economic Development and Transportation (Timpson 2009a, 202). In 2012, CLEY was

restructured into the more conventional Department of Culture and Heritage (Hicks and White 2015, 245). According to Nunavut's Director of IQ, these departmental changes were done without consultation. Interestingly, the Inuktitut signage continues to bear the original names of the departments.<sup>14</sup> In 2001, an IQ Task Force was formed to address the government's failure to treat IQ as a foundational principle in its operations. Its first (and last) annual report called for an IQ senate-type organization to help integrate the Nunavut government into Inuit culture, instead of integrating Inuit into government culture. Members of the task force were not reappointed (Tester and Irniq 2008). The government's restructuring process has essentially left the director of IQ solely responsible for "Inuitizing" government policy and programs.<sup>15</sup> As White (2001, 93) cautions, "how governments do things can be as important as what they do."

Integrating IQ into government policies and programs is a long-term undertaking. Given that there is no precise specification of what this process entails, each department of government has developed its own unique twist to implementing IQ in practice. For instance, the Department of Justice offers community-based policing services, healing circles, and alternative sentencing as a means to incorporate IQ into the legal system. Yet, as Tester and Irniq (2008, 57) point out, the territory's legal system is still a classic adversarial system based on Western legal norms and practices. As part of its commitment to IQ, the Department of Human Resources encourages flexible office hours to allow staff to take time off work to hunt at certain times of the year or to harvest clams when tides are most conducive (White 2006). However, as the director of IQ has pointed out, employees who take advantage of this flexibility do so without pay.<sup>16</sup> According to the report of the IQ Task Force (2002, 1), "The Nunavut public government is fashioned after a model 'borrowed' from the Government of the NWT and other public governments. This is an alien model with its own institutional culture—a culture that impedes the integration of IQ into its service delivery systems." Henderson (2009) has suggested that the extent to which IQ is integrated into the daily workings of the Nunavut government can, in some respects, be seen as a benchmark against which the new territory's efforts to do government differently may be judged.

Perhaps the most unusual design feature of the Government of Nunavut is its high degree of decentralization. A core goal of the creation of the new territory was to bring government closer to the people (Hicks and White 2015; Weber 2014). Decentralization has proven to be an important means

of bringing about political and economic development for the territory—and one that is particularly sensitive to the unique political geography of the region. As opposed to administrative decentralization, which is based on the dispersal of policy-making powers, decentralization in Nunavut aimed to geographically disperse government headquarters throughout the territory—in what may more accurately be termed “deconcentration” (Weber 2014). Within three years of the establishment of the Government of Nunavut, over seven hundred well-paid public-sector jobs were either created or transferred to ten small communities outside of the capital city of Iqaluit (Légaré 2008, 361). The relocation of whole units and departments, including mid- and upper-level bureaucratic positions, to remote communities is made possible by Nunavut’s state-of-the-art electronic communications systems (White 2001). The result of this “made in Nunavut” solution to the centralization of government operations has been a more even distribution of economic benefits across the population through the provision of training and employment opportunities for local community members. This dynamic has also ensured a more representative level of Inuit employment within the new government by providing Nunavummiut (residents of Nunavut) with the option of remaining in their home communities in a jurisdiction in which the government is the mainstay of the economy (Hicks and White 2015).

## **Indigenous Rights and Resource Governance under the Claim**

Indigenous rights to autonomy and self-government cannot be fully realized in the absence of land and resource rights. Nunavut has bountiful natural resources, including diamonds, oil, and gas. However, the territory’s economic development is stymied by its harsh climate, the vast distances between population centres, and its lack of infrastructure (White 2006). The global climate crisis has wrought increasing environmental changes in the Arctic, enabling the exploitation of remote resource-rich areas that previously were difficult if not impossible to reach. This new access to non-renewable resources, in combination with global energy demands, has increased the pressures that extractive industries exert on Indigenous communities in Nunavut (Ritsema et al. 2015). Since the commodity boom of the early 2000s, natural resource companies have begun to seek out opportunities in regions previously considered too remote or too expensive to operate in profitably, such as northern Canada (Keeling and Sandlos 2015). The extractive industry sector threatens the traditional territories and the livelihoods of Indigenous communities at

the same time that it benefits them through economic opportunities. The formal recognition and protection of Indigenous rights, especially with regards to land and natural resources, facilitates meaningful engagement between Indigenous peoples and the state and serves to re-valorize Indigenous political institutions and sovereignty (Pereira and Gough 2013). Comprehensive land claims like the NLCA, which provide legal certainty over land titles and provide avenues for participatory resource governance, are an important mechanism to reconcile a resource-dependent economic model with recognition and respect for Indigenous rights.

Nunavut's co-management and regulatory system is a democratic innovation that promotes Indigenous participation in resource governance. The co-management boards on land, wildlife, and environmental issues were mandated by the NLCA (see table 4.2). The boards are institutions of public government that guarantee extensive Indigenous participation in key policy decisions while maintaining federal control over the use and management of public lands (White 2001, 2008, 2020). The board members are appointed by the NTI and the federal and territorial governments. The jurisdiction of the boards extends to the entirety of Nunavut on such matters ranging from wildlife management to decisions on major economic development projects, including new mines and pipelines (White 2008). While technically the boards are relegated to an advisory role, their decisions are rarely overturned. In a stark example, as White (2001, 92) reports, the 1996 decision of the Nunavut Wildlife Management Board to issue a permit for the legal harvest of a bowhead whale (a species of concern) was put to a test when the federal government came under strong domestic and international pressure to refuse approval of the hunt. Nevertheless, the board's decision stood. Clearly, the claims-mandated boards can, at times, exercise substantial governing authority. Although there is considerable debate over the extent to which the boards incorporate traditional knowledge into their decision-making processes (Nadasdy 2005; Stevenson 2006), the co-management system represents a signal improvement for Inuit in terms of their formal inclusion in governance processes and in providing them with a say on policies that are central to their interests and well-being (White 2020).

The NTI, along with the Governments of Canada and Nunavut, view extractive industry as an important driver of economic growth in the territory. However, as Ritsema et al. (2015) point out, they do so from different vantage points. Whereas the federal government views resource development in the

**Table 4.2** Nunavut land claim boards

<b>Board name</b>	<b>Seats</b>
Impact Review Board	9
Planning Commission	5
Surface Rights Tribunal	5
Water Board	9
Wildlife Management Board	9

Source: White (2020, 41).

Arctic as a means to bolster the national economy, the NTI and the territorial government see it as a way to enhance Nunavut’s political and economic development. The NLCA enables Inuit communities and their organizations to capture an important share of the wealth produced by the extractive industry sector through the land ownership system and mining and royalty regimes it created. On IOLs with subsurface mineral rights, the beneficiaries of the claim receive all of the royalties from any resource developments. On public lands, which constitute the vast majority of the territory, the federal government collects the resource royalties from extractive activities. In this case, the NLCA provides Inuit organizations with a share of these royalties—50 per cent of the first \$2 million received by the federal government and 5 per cent of any further royalties (Bernauer 2019b, 408; NTI 2009). Under the NLCA, resource companies are required to negotiate an Inuit Impact and Benefit Agreement (IIBA) before any project proceeds on IOLs. IIBAs typically include measures to ensure financial compensation and preferential hiring of Indigenous employees and procurement businesses. The IIBAs for surface IOLs are negotiated with the regional Inuit associations, whereas those for subsurface IOLs are negotiated with the NTI (Bernauer 2019a). During the land claims negotiation process, Inuit communities were able to select the surface IOL parcels associated with their specific communities, while the TFN (now the NTI) selected the subsurface IOL parcels, with the assistance of geologists. As a result, subsurface IOLs consist of lands with high mineral and energy resource potential located throughout the territory, with a roughly equal share between each of the three administrative regions (NTI 2009).

The Nunavut government is working to gain jurisdiction over public lands, which would provide it with a significant share of the financial benefit

from extractive activities, by seeking a devolution agreement with the federal government (Bernauer 2019b; White 2020). Devolution of authority over lands and natural resources is an essential step in the political and economic development of the territory, and it would provide the territorial government with province-like powers. Devolution agreements took effect in the Yukon in 2003 and the NWT in 2014. The Lands and Resources Devolution Negotiation Protocol, which was signed in 2008 by the Government of Canada, the Government of Nunavut, and the NTI, was the first major step toward devolution in Nunavut. On August 15, 2019, the three parties signed an agreement-in-principle that will serve as the basis for the negotiation of a final devolution agreement.<sup>17</sup> John Amagoalik has indicated that this is part of a larger, four-step plan to be carried out by Inuit leadership: (1) create Nunavut; (2) make the government work; (3) attain devolution; (4) acquire provincial status. While there is no specific timeline for achieving these goals, Amagoalik suggests that Nunavut is still at the second step.<sup>18</sup>

Making Nunavut work entails making life better for Inuit. Daunting social and economic challenges continue to plague the territory. Compared to the rest of Canada, Nunavut has the highest number of people per household; the highest cost of living; the highest crime rate; the highest infant mortality rate; the highest incarceration rate; and the highest suicide rate—close to six times the national average (Department of Justice Canada 2002, 8). Addressing the territory's manifold socio-economic problems is thus the true test of the Nunavut government. According to Cameron and White (1995, 109), Inuit insist that their commitment to Nunavut as an expression of self-determination does not negate the possibility of seeking an Inuit-specific self-government arrangement in the event that the public government system is deemed to have failed.

## Conclusion

Nunavut is a government unlike any other in the Americas. It is a territorial model of government, founded on British parliamentary structures and traditions, that has been modified to meet the values and interests of Inuit in the eastern Arctic. This chapter has sought to explain why Inuit adopted a public government model of Indigenous self-government over an Indigenous form of government, and to understand whether or not the new government is falling short of community expectations. I have suggested that the comprehensive land claims negotiations were coupled with the call for a new territory

as a means to secure Inuit economic and political self-determination. In other words, the example of Nunavut teaches us that political autonomy is not possible without economic autonomy. It is important to remember that Inuit, prior to the establishment of the Canadian state, were self-governing and self-sufficient (NIC 1995). Nunavut represents one of the boldest initiatives to restore land and self-government to an Indigenous people. It does so not through an Inuit-specific government but through a partnership between Inuit and non-Inuit society. The territory's establishment has enabled Inuit to achieve far more through the land claims process than any other Indigenous group in Canada (Cameron and White 1995). Notwithstanding these positive developments, Nunavut remains a work-in-progress.

This chapter offers important lessons in the successes and limits of advancing Indigenous rights and representation within the context of state institutions. Nunavut demonstrates the potential for accomplishing Indigenous agendas by way of democratic mechanisms. Inuit have successfully achieved their collective goal of establishing an Inuit homeland through negotiation and compromise, rather than political confrontation and conflict, with the federal and territorial governments. Yet, Nunavut also serves as a sobering reminder of the difficulty of devising a public government that truly meets the needs and expectations of Indigenous peoples, even under relatively favourable conditions (Hicks and White 2015). There is an apparent tension in the Nunavut government between Indigenous ways of knowing and doing and Euro-Canadian governing structures and processes. This has led to a growing concern among Inuit leaders that, in drawing close to the Canadian government, Inuit culture itself will change, especially over subsequent generations, and not the culture of the government.<sup>19</sup> Rethinking the administration of government so as to take Indigenous perspectives seriously will involve building a culture of public government that reflects Indigenous values (Timpson 2009b). A key lesson learned from this experience is that representative democracy is far more flexible and adaptable than is conventionally assumed. As White (2001, 98) points out, democracy's strength lies in its compatibility with a wide range of institutional arrangements rooted in diverse cultures and societies.



