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NUNAVUT: THE ROAD TO INDIGENOUS SOVEREIGNTY

HONORABLE PAUL OKALIK*

Let me begin by thanking Siegfried Wiessner. As chair of the Tribal Sovereignty Symposium, he has made it possible for me to be here this afternoon to discuss the experience of the Inuit of Nunavut in re-establishing sovereignty over our traditional lands.

As the theme of this panel suggests, there are different models for aboriginal people to follow when it comes to building the economic base and the political structures to achieve self-determination. My panel colleagues, Professor June McCue from the University of British Columbia, and Professor Matthew Fletcher from the University of North Dakota, can probably provide you with a broader view of the different approaches to tribal sovereignty. However, I would like to speak to you about my experience as an Inuk, as a land claims negotiator and as the Premier of Nunavut.

In order to speak of Nunavut's current situation it's important to have some understanding of where we have come from and how our geography has helped us maintain our distinct culture. In my language of Inuktitut, Nunavut means "our land" and it is our relationship with our land that defines who we are.

At first glance, the traditional territories of the Inuit and the native people of South Florida seem about as different as you could possibly experience in North America. But, our Arctic desert and your tropical everglades share some similarities. For the Tequestas and Calusas and later the Seminoles, in time of trouble the Everglades was a sanctuary and a source of strength when resisting colonization. Our Arctic desert was also an impregnable fortress against those who did not understand its strength, beauty, or resources. Our geography has played a significant role in limiting the

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ability of visitors to claim our land, change our culture or render us a minority in our traditional territory.

When Europeans first landed on our shores, they did not have the knowledge or technology to survive in our world. They couldn't conquer us since they had to rely on us. By and large, we welcomed them and taught them the secrets of living in one of the most challenging environments known to humanity. Despite the welcome that was offered, many of the first visitors to our land did not recognize that they had stumbled into a developed social system that was thousands of years old.

We have a developed social code and knowledge system. In Inuktitut, we call this Inuit Qaujimajatuqangit. It is this belief system that continues to define our Inuit societal values. It is a value system that is closely tied to our land and the family bonds that have allowed us to flourish where others have not.

This connection to our land is at the centre of our world and it defines us as a people. It is where we have always drawn our strength and it has been our greatest protector from the forces of colonization that have ravaged so many indigenous civilizations. Our remoteness has meant that to this day the first language of the majority of Inuit is neither English nor French but Inuktitut.

Though most of you will not yet have visited Nunavut, let me give you an idea of the size of our territory. We are almost four times larger than Texas or fourteen times the size of Florida. We stretch across Northern Canada with more than two million square kilometers of land, water, and ice. While Florida has about eighteen million people, Nunavut has just under thirty thousand, 85% of which are Inuit.

We are an old culture but a young population. More than half of all Nunavummiut are under the age of twenty-five. And the sad truth is that, like other indigenous people, the health indicators for Inuit are below the Canadian average. It is a fact that the life expectancy of Inuit in Nunavut is ten years less than other Canadians. In a country as rich as Canada, we continue to struggle to meet even the most basic health standards.

Many of the problems we face today are not new problems. We are often fighting systemic problems that go back to the period of first contact with non-Inuit.

In the last fifty years alone, the Inuit of Nunavut have moved from igloos and summer tents to permanent houses in fixed communities. This change was the result of policies of the Canadian government and it brought great turmoil to our lives. We were a nomadic people, and suddenly we found ourselves moved from land-based lives to community based living. For decades, we struggled to reconcile ourselves to this new lifestyle. To this day, many continue to face personal turmoil as they are torn between two worlds. Community living has often diminished the value of our elders' knowledge of the land since food, once exclusively hunted or trapped, can now be purchased. Stories once told by the glow of seal oil lamps are being replaced by radio and television.

Children, myself included, were sent to schools to learn English, a language not understood by many of our parents, to prepare for a world in which they did not live. Personally, it was a confusing time for me. My schoolbooks were filled with photos of a land called Canada, bursting with trees and vegetation in one area and crammed with cars and skyscrapers in another. These areas did not look like the tundra that surrounded my home on Baffin Island, yet, we were part of Canada.

There were images of children my age playing on soccer fields of lush green grass. Children like me, but not exactly. They looked different and they had strange names; they played some of the games we played, like hockey, but they didn't eat our foods. . . no whale, seal, nor caribou. And what were these huge yellow buses that brought them to school every day? I had never seen one. Didn't they have snow machines, or dog teams? I didn't know why it was important for me to be in school. My parents couldn't answer my questions about what I was learning. . . or at least trying to learn. What was just unfamiliar to me was foreign to them!

Through it all, and despite best efforts of some to the contrary, Inuit culture and the Inuktitut language have remained strong. Inuit know that culture is not static, we learned long ago that

survival requires adaptation. This attitude towards learning is what helped us survive in the Arctic.

Today, we have many new tools but the principle of sharing and learning continues. The world no longer comes to us in boats full of traders and adventurers but through mass media, satellites and the internet. These technologies bring with them the ability to receive outside influence but also to project our own worldview. Our traditional arts that were once produced for ceremonial purposes are now displayed and marketed around the world. We have embraced new artistic mediums, such as feature films and high fashion seal skin designs. Just as our artistic expression has evolved, so too has our political response to rapid social change.

Beginning about 30 years ago, Inuit leaders began talking about getting back to our roots, of creating a homeland with a country that respected and acknowledged our contribution to the diversity of Canada. They talked about creating Nunavut, where Inuit would be entitled to define our destiny. It meant that we would be able to express our values and maintain our lifestyle, while participating in Canadian society. We were supported in our dream by our fellow Canadians and internationally by those committed to justice for indigenous peoples.

We listened to our elders, we listened to our communities. Once we had done that, we spoke with the Canadian government. Because we had listened and learned from our elders, those sitting across the table from us were left with no doubt about our commitment to our values and history. Listening and communicating are skills that have held us in good stead in the past. They also held us in good stead as we negotiated the future. We practice it amongst ourselves and we expect it of those we deal with. By 1993, we had negotiated our land claim agreement which included the eventual creation, in 1999, of Canada's newest territory.

What we sought and attained in our land claims negotiation was a legislated guarantee that Inuit would participate in a meaningful way in the decision-making process in our territory. In Nunavut, we were able to guarantee the rights of self-government within a public governance structure. Our agreement defines the

rights of Inuit in Nunavut. It clarifies the ownership of our lands and resources, and guarantees the role of Inuit in their use, management, and conservation. It also guarantees our wildlife management and harvesting rights along with financial compensation and the means to participate in economic opportunities.

Other crucial aspects of the agreement are the supports it provides and requires to encourage the cultural and social wellbeing of Inuit. By blending the goals of self-government with a public government, we have tied the advances of one to the other and given all Nunavummiut a stake in our success.

The completion of negotiation for our agreement was the culmination of a dream. It was also the dawn of a new day where Nunavummiut would have to shoulder much of the load in making the dream a reality. Through negotiation, rather than litigation or confrontation, we have recaptured the right to govern ourselves. We have blended parliamentary democracy and an Inuit consensus approach to decision making.

For those of you who can visit us in Nunavut, I welcome you to observe the proceedings in our legislature. We are not divided between government members and an opposition. As everywhere, there are differences of opinion, but our model has all members sit in the government caucus, literally sitting in a circle where we strive towards consensus. We operated without political parties and we have a constitutionally enshrined obligation to consult with Inuit birthright organizations. The power of the executive branch is curtailed by structurally ensuring that we earn the support of members of our assembly. This means our Executive Branch portfolios, including the position of Premier, are earned, not as the right of a Party or its leader, but only with the support of a majority of the independent members of our legislature.

Creating our own government also provided us with an opportunity to address regional disparities and bring government closer to the people. We have implemented a decentralization plan that has moved government departments out of the capitol and into communities up to two time zones away. This has been helpful in building social cohesion and reducing inter-regional tensions that

occur with cultural and linguistic divisions.

Building and locating the sites of our government was another step in the process of rebuilding our tradition of self-government. We also needed to develop the capacity to develop and deliver public programs.

In our first term of government, we focused heavily on education and training. One area where we invested a lot of money was in the training of future lawyers. As you might imagine, there was lots of discussion about the value of lawyers, but in the end, we agree that it needed to be done. We built the Akitsiraq Law Program. The program's goal was to train Inuit and Inuktitut speaking lawyers who would have the cultural background to develop laws reflecting our Inuit societal values.

I am proud to say that this past spring we graduated 11 students who, once they complete their articles (and we all know how difficult that can be), they will be fully qualified lawyers. Besides meaning that an Inuktitut speaking legal conference will no longer be a party of one, more Inuit in the law will allow us to express the goals of our land claim agreement. Traditionally Inuit lived with a restorative and authoritative approach to controlling social behavior.

Because the Arctic environment required that our social structure be highly interdependent, Inuit had to solve conflict early and to mutual satisfaction. In cases where resolution could not be achieved and where an individual continued to be a threat, we practiced banishment. In the Arctic, banishment meant certain death. When you compare that practice with current Canadian criminal law standards, it's easy to see why the law has been so dysfunctional in the North. Wait times of up to two years for trial and imposed separation rather than mediation in family disputes are just two examples of how current legal practices are in direct opposition to Inuit societal values. More Inuktitut in the court will help us improve proceedings, but even better is to draft laws in our traditional language.

An example of our traditional knowledge in modern law can be found in our statutes governing natural resources management. By

using Inuit concepts expressed in Inuktitut, we have ensured that future land management decisions must be interpreted through the prism of Inuit Qaujimajatuqangit. For a culture that remains deeply attached to the land, the importance of such an approach cannot be underestimated. It was only a few years ago that Inuit knowledge was dismissed. It wasn't considered scientific, and was therefore unworthy of consideration.

We have reversed the paradigm, as we continue to work towards making Inuit knowledge the foundation of our government. A new generation of Inuit, who have combined modern education with Inuit tradition, are continuing to assume ever greater responsibility for the resources of our territory. We are committed to continuing the progress that began 3- decades ago.

From a governance perspective, our priority is to continue the process of transferring executive and legislative authority from the federal to the territorial government. This is needed so that the Nunavummiut of today and tomorrow can more justly benefit from the fruits of our labor and the richness of our land and sea. In Canadian political terms, this is called devolution. In American terms, it would be like adding another star to your flag by creating a new State. For Inuit, it's the means by which we will secure greater authority to strengthen our culture and advance our economy. This evolution is the next step in reclaiming the right to govern ourselves in a manner consistent with our culture.

The timing for us is crucial. Nunavut is on the cusp of rapid economic expansion. With our land claim agreement in place, we can provide the national and international business community with certainty over land title and development processes. This has led to unprecedented levels of interest in our resource potential. We are sitting on top of two million square kilometers of mostly un-assessed natural wealth. Nunavut has proven reserves of gold, iron ore, and diamonds along with major reserves of oil and natural gas.

We are also rich in renewable resources such as our fishery and wild game meats. Our seal skin prices are three times higher than what they were in the 1990s. Allowing traditional hunters to once again make a living off the land and put traditional food on our

tables. And there is our arts and culture with one-in-seven Nunavummiut self-identifying as a practicing artist. Our four hundred artists and craftspeople create more than one hundred million dollars worth of cultural expression every year.

All these aspects of our economy represent enormous potential for our relatively small population. And they are the underpinnings that will allow us to engage the outside world on our own terms, in our own language and through our traditional values. Through this combination of talent, timing and vision, the Inuit of Nunavut have a unique opportunity amongst native people to preserve our traditions while pursuing new opportunities in the global community.

I intend to see this process through and I hope in a few years you might invite me back to learn of the advances we have made in realizing the aspirations of our elders.

Thank you for your interest in Nunavut.