

Devolution in Nunavut: Is this Really Namminiqsurniq (Self-Determination)?



by Kunuk Inutiq

LATE LAST MONTH, Nunaviummiut were surprised to learn that the long-discussed Nunavut devolution agreement has been finalized. The agreement in principle was signed in 2019, though there was little indication it was close to completion. This devolution agreement is meant to be the final chapter of what Inuit negotiated as part of the land claim process: first, the land claim agreement, then the formation of a new territorial government, and finally a devolution to more fully assume control of resources in the territory.

The land claim creates certainty of rights on land, protects Inuit way of life (especially around hunting), and allows for input on economic, social, and cultural programs. The creation of the public government was seen as critical to expand this participation with mandated Inuit leadership across the territory. Then finally, the devolution agreement was seen as the last piece to realize Inuit interests. It is important to understand these pieces as stacking, and reliant on each other for optimal Inuit control in Nunavut and for Inuit to achieve self-determination.

In negotiating a self-determination package, Inuit wanted their lives to improve, their culture and language protected, and to be the decision-makers in all aspects of their lives. It is in this context we must look at the devolution agreement.

During the devolution press conference in Iqaluit, Prime Minister Trudeau hailed the largest land transfer in Canada's history, referring to the two million square kilometres of land and water that is being transferred to the Government of Nunavut (GN). Meanwhile, Premier P. J. Akeagok remarked that it is "one more step in the realization of the vision of a self-reliant Nunavut... Our people made many sacrifices in the name of Canadian sovereignty. In the past, too many decisions about us were made without us. With the signing of the agreement, we can now bring decision-making home."

The decision-making may be in Nunavut, but is it self-determination? The Devolution Agreement outlines the transfer of responsibilities (also referred to as administration and control) for Nunavut's public (Crown) lands, freshwaters, and resources from Canada to the government of Nunavut. It means that administration of these lands will transfer from the Federal government to the Government of Nunavut, including revenues from mining activity. Since, according to Natural Resources Canada, Nunavut's mineral production is estimated to be worth \$2.58 billion (the Government of Nunavut's budget for 2020-21 was \$2.35 billion), the territory will be expected to be self-reliant. As the Premier alludes to, Southern Canadians love to complain how dependent Nunavut is on handouts from the federal government. Canada was built on our land and resources.

The news reports and opinions following the announcement, then, have been celebratory, hailing a new

era for Inuit. But few have asked what the Agreement actually means for Inuit in tangible ways, and the surprise announcement has meant little analysis has meant little analysis of that question. The biggest questions being whether it will offer long-promised self-determination; will it help to address the socio-economic challenges Inuit face; Will it help to protect our language and culture; will it transform the relationship between Inuit and Canadians? These questions are yet-to-be answered. There is very little real critical feedback.

That is a problem.

Who is the Government of Nunavut for?

Most Canadians know that Nunavut is a territory in the federation of Canada. Because it is a territory, the legislative powers are delegated by the federal government. Unlike a province that has constitutionally listed roles and responsibilities. Canadians may also know that it is a public government, meaning it represents all who reside in Nunavut, Inuit and non-Inuit. While the Nunavut Agreement is meant to include Inuit in government decision making to reflect their population representation, since its creation, the promise of a representative territorial government has not been fulfilled.

In fact, in contrast to benefitting Inuit, the territory has left Inuit behind in many important aspects seen through the social inequities.

There are desperate housing shortages, extremely high levels of food insecurity, an increasing number of boil water advisories in communities, stagnant low Inuit employment levels, a healthcare crisis where health centres are forced close when nurses take holidays (less than half of the health care positions are filled), an absolute failure to deliver Inuktitut language education, teacher shortages and now the heavy reliance on southern contractors to administer (or not) all of the above because the Inuit capacity is so low (there is a 38 per cent vacancy rate in government positions – this from a 2022 government study that has been since deleted from their website).

This reality is embedded in the history of our collective relationship that emerged out of the assumption Inuit – like Indigenous people generally – were inhuman. Canada's presumption of sovereignty itself flows from the Doctrine

of Discovery: that they could steal our land in the first place because Inuit weren't Christians. Even after the majority of Inuit converted to Christianity, Inuit still had to negotiate for decades to get some of their land back. Negotiations for the Nunavut Agreement were ruthless, leaving us with a mere 18-19 per cent ownership of lands and 2 percent of the subsurface. A very small percentage makes up municipal and other lands. The rest - or over 80 per cent is considered public or Crown lands.

These are the lands that have now been transferred to the Government of Nunavut, not to Inuit. Imagine having no or very little choice but to cede 80 percent of your homeland to have guaranteed rights in a country founded on your lands.

This history – and contemporary reality – is critical to consider when we ask who benefits from devolution.

Is this Self-Determination?

The Government of Nunavut's website on Devolution states "Devolution will bring decision-making closer to home, giving Nunavummiut a greater say in issues that affect them." But, as outlined above, closer to home doesn't necessarily mean the home of the Inuit, who are increasingly alienated from the territory. One example – and where we can track benefit and decision making, is around employment. Given the status quo, there must be a significant investment, political commitment, and will to act.

While the Government of Nunavut has begun investing in training and education for teachers, nurses, managers, and lawyers, it has failed to address the stranglehold non-Inuit employees have exercised in management positions and attempts to prioritize Inuit hiring. Over time, it has become clear that non-Inuit prefer to maintain the power they have accrued in the years since the creation of Nunavut and now challenge hiring plans. There have never been anti-racist policies and measures that would create the atmosphere for meaningful inclusion of Inuit. The reality is that the territorial government has serious barriers to Inuit employment.

A Nunavut Inuit Labour Force analysis released in 2018

found Inuit account for 50 per cent of Government of Nunavut employees and 40 percent of Government of Canada employees in Nunavut (these are not typically policy and senior management positions that inform government action). The federal government has even lower employment rates. Many of the transferred responsibilities under devolution will be specialised professions, according to the human resource strategy on devolution released in 2020. The list includes regulatory and permitting administration in various land use scenarios. It is not clear how, with the history of ineffective Inuit employment strategies and approaches, the GN's actions now will be different.

This constitutes a danger for the territory. If the training and employment issues are not dealt with, and non-Inuit continue to dominate the government, Nunavut is at greater risk of moving further away from Inuit values. This could serve to heighten the existing issue of unrestricted jurisdiction for mining and extractive industries in the territory. The current mining activities are in caribou calving grounds, which Inuit have sacrificed for job opportunities. (There is a clear tension here: if Inuit speak about wanting to protect wildlife we rely on for food, they are quickly excused as being anti-jobs). We are already allowing mining activities to take place without a Nunavut-wide land use plan, a departure from land claim agreement.

There is a human resource strategy as part of the Devolution Agreement. But how is the government going to approach Inuit employment differently this time, to assure Nunavummiut that control over lands, waters, and resources will mean an Inuit say in how it is managed; as opposed to control by outsiders?

It is surprising Nunavut Tunngavik Inc. signed the agreement, given the history of taking legal action on the lack of action on Inuit employment by governments when it is unclear if there is political will and progress being made on Inuit employment.

A Missed Opportunity?

Speaking of Inuit organizations – by signing onto the Devolution Agreement, what additional benefits of

rights have they, those responsible for representing rights holders, really accrued? In one view, they may have actually abandoned a major leverage for negotiating a self-government agreement – something that currently does not exist in Nunavut but which the Nunavut Tunngavik Inc. board has stated they **want to pursue**, through their resolutions. Could this not have been negotiated in part through devolution?

Instead, the GN's Department of Devolution calls itself Namminiqsurniq, which means running our own affairs. It is a misnomer, this word should be saved for Inuit self-government or true self-determination and not a performative version of it.

Indeed, on the signing and celebration, most Nunavummiut did not know until the day before that the signing was to take place. The only people to partake in the celebration were those invited, and it seems they were sworn to secrecy. It was not a Nunavut celebration. This lack of transparency is all the more frustrating given the history of excluding Inuit.

Public dialogue and transparency should be critical for a territory claiming now to “run our own affairs” after years of colonial intervention. The secrecy cheated Nunavummiut out of partaking in not only celebrations but the critical piece of talking about what it means for us; if we truly believe it is an agreement worth celebrating.

There will be opportunities for Inuit arising from Devolution. But given the failed implementation of the land claim agreement in many key areas, the Government of Nunavut's drift away from commitments to Inuit, and the slow abandonment of Inuit self-determination generally, it remains to be seen if these opportunities for our political leaders will translate to Inuit values and interests are the future of Nunavut. That future imagines Inuit language thriving, hunting way of life as a livelihood, and Inuit are healthy and accessing their lands.

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