

**TRADITIONAL ABORIGINAL VALUES
IN A THIRD MILLENNIUM LEGISLATURE:
THE LEGISLATIVE ASSEMBLY OF NUNAVUT**

Graham White
Department of Political Science
University of Toronto at Mississauga
gwhite@chass.utoronto.ca

Paper prepared for
The Research Committee of Legislative Specialists'
Conference on Sub-national Legislatures
Quebec City
October 2004

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Speaking about the restoration of the House of Commons after World War Two, Churchill remarked, “we shape our buildings, then our buildings shape us”. He was referring to how physical spaces promote or inhibit particular behaviours but his words apply as well to the non-physical aspects of political institutions, not least legislatures. Those engaged in organizational design or re-engineering understand that, just as values and behaviour condition institutions, institutions powerfully affect attitudes and channel behaviour. But where does the balance or forces lie? Can deeply held values and concerted behaviour transform institutions or do the internal logics of institutions largely override attempts to mould them to incompatible ways of thinking? Though applicable to a wide range of institutions, these questions are of special interest to students of legislatures.

This paper examines the mutual interaction of institutions, values and behaviour through an analysis of the legislature in the newly created Canadian territory of Nunavut. Nunavut and its legislature are numerically dominated by the Inuit, the indigenous people of Canada’s eastern Arctic. One of the principal reasons for the creation of Nunavut in 1999 was the Inuit desire to establish a government imbued with Inuit values, many of which are sharply at variance with ‘Euro-Canadian’ values. However, the form of government chosen by the Inuit, the Westminster cabinet-parliamentary system, albeit in an unusual non-partisan variation, clearly holds the potential to profoundly influence legislative behaviour and attitudes. The prime focus of the paper is the extent to which Inuit have been successful in bringing their values and modes of governance to bear in the structure and operation of the Nunavut Legislative Assembly. Data are drawn principally from personal interviews with Members of the Legislative Assembly (MLAs) who were asked to reflect on their experiences towards the end of the First Assembly (1999-2003).

Nunavut: The Land and the People

Normally it is neither necessary nor relevant to describe a jurisdiction’s physical characteristics in order to comprehend the politics and operation of its legislature. As in so many other respects, though, Nunavut cannot be approached in conventional ways. Accordingly, it is appropriate to begin with a brief sketch of Nunavut, the land.

* I wish to record my thanks to the MLAs who agreed to be interviewed for this project, to the interpreters who assisted with interviews and to John Quirke, Clerk of the Nunavut Assembly, for permitting me to use the interview material, which was originally collected under his auspices.

Nunavut is almost unimaginably far outside most peoples' comprehension. This observation applies not just to Europeans and Americans, but also to Canadians, the vast majority of whom live in large urban areas close to the US border, in settings both geographically and experientially far distant from Nunavut. The raw numbers begin to give a sense of the place: over 2 million kilometres in area (approximately 775,000 square miles) – roughly the size of France, Germany, Italy, Spain, Portugal and the United Kingdom combined – with a population of less than 30,000. No roads connect the 26 small communities (the capital, Iqaluit, is the great urban centre, with a population approaching 7,000); travel is by air, snowmobile, and in the brief ice-free summer, by boat. Save a few islands in Hudson Bay and James Bay, Nunavut lies entirely north of the 60th parallel, much of it beyond the Arctic Circle, the demarcation of the lands where the sun does not rise for at least part of the winter (just as, in summer, it does not set). Nunavummiut (the people of Nunavut) live in what must surely rank among the harshest climates in the inhabited world: in much of Nunavut, winter has set in by September and lasts at least until May. Winter temperatures typically hover in the -15 – -25 Celsius range, with dips into the -30s common and occasional bouts below -40 (all this before the often fearsome winds are taken into account). On a warm Summer's day in the High Arctic temperatures will reach a few degrees above zero, while regions further south might experience highs of 15-20 above.

Some see the landscape as barren and desolate – the harsh climate means that trees cannot grow in Nunavut – others recognize an awesome beauty, be it in the rolling hills of the tundra, the stunning mountains and fiords of the Arctic Islands or the remarkable juxtaposition of the floe edge, where ocean meets the land-fast ice.

Such portrayals might be expected in a travelogue, but what relevance have they to an academic analysis of a legislature? A good deal, as it turns out. The Inuit, who constitute some 85 per cent of Nunavut's population, have over the millennia developed a profound spiritual relationship with the land and the animals of their remarkable land – 'Nunavut' means 'our land' in Inuktitut. As well, many of the fundamental values and characteristics which characterize Inuit society and Inuit political attitudes and behaviour arise out of the exigencies of life in a rich but harsh land. The high premium Inuit place on consensual decision making, for example, directly reflects the importance of maintaining harmony in small nomadic groups where disunity could literally threaten survival.

The Creation of Nunavut

Nunavut came into existence in 1999, as a central but by no means the only component of the massive 1993 land claim settlement between the Inuit of Canada's Eastern Arctic and the Government of Canada. (Land claims settlements in Canada are, in effect, modern-day treaties between Canada and Aboriginal peoples which never signed treaties with the British or Canadian authorities. They have tremendously far-reaching social, economic and governance implications and, once ratified, acquire constitutionally protected status.)

The creation of Nunavut marked the achievement of a long-held Inuit dream: establishment of a political regime in which Inuit control their own affairs, rather than being subject to governments in Ottawa, the national capital, and Yellowknife, the capital of the Northwest Territories (NWT), the jurisdiction in which Nunavut was included until 1999. These governments were (usually) well-meaning, but distant and often insensitive to the unique needs and priorities of Inuit, who constituted only about 35 per cent of the NWT population. Yellowknife is roughly the same distance from Inuit communities in Baffin Island as London is from Istanbul, and although territorial government departments maintained regional offices throughout the Eastern Arctic, the important decisions were made in Yellowknife, where virtually no bureaucrats spoke Inuktitut and many had only limited understanding of ‘the east’.

In their protracted negotiations over the claim, Inuit opted for a ‘public government’ in which all residents of Nunavut could vote and hold public office and in which government provides services to all residents.ⁱ With Inuit constituting such a high proportion of Nunavut’s population, however, it was an article of faith that the Government of Nunavut (GN) would have a strongly Inuit character. For many in the Inuit political elite, a fundamental corollary of this principle was the oft-expressed exhortation that the GN not ‘duplicate Yellowknife’ – that ‘made-in-Nunavut’ approaches to governance were needed. Not only should policy be explicitly adapted to the unique conditions of Nunavut Inuit, but government organization and process – including the legislature – should be rooted in Inuit values and governance styles. Exactly how this might be accomplished was often only vaguely explained.

The final elements of context necessary for an understanding of the Assembly pertain to the challenges facing Nunavut. While some are issues confronting governments throughout the Western world – burgeoning health costs, the economic and political implications of globalization, and so on – Nunavut has a set of distinctive problems. Even with bountiful natural resources, including diamonds, oil and gas and extensive mineral deposits, economic development is difficult owing to the climate, the distances, the lack of infrastructure, and the sparseness and the low education levels of the population. The weakness of the private sector means not only that the tax base is limited but that government is omni-present and all-important as a source of income and employment throughout the territory. The demand for social services, from school construction, to public housing and welfare support, is high, not least because Nunavut’s population is extraordinarily young – the median age is 22.1 years, compared to 37.6 for Canada nationally.ⁱⁱ Serious social problems such as alcohol and substance abuse, family violence and welfare dependence are evident; Nunavut’s suicide rate is several times that of Canada nationally. In all this, the GN has to contend not only with developing and delivering policy to improve the lives of Nunavummiut, but is still very much engaged in building basic capacity, for example in staff recruitment and retention.

The Legislative Assembly of Nunavutⁱⁱⁱ

Many aspects of the Nunavut Assembly seem unexceptional to anyone familiar with Westminster style parliaments, though to be sure they unfold on a narrower political stage than other parliaments in the British tradition, given the small numbers involved. The 19 Members of the Legislative Assembly (MLAs) are elected following a single-member plurality format. A cabinet, usually consisting of the premier and seven ministers, gains and retains power by maintaining the ‘confidence of the House’ (in the peculiar Westminster meaning of that phrase), manifested through winning key votes in the Assembly. The cabinet enjoys the prerogatives typical of British-style cabinets, including control of the permanent bureaucracy and the exclusive right to propose spending and taxing measures to the Assembly. A politically neutral Speaker presides over the House, where MLAs’ time is taken up by such familiar proceedings as Question Period, second reading debates on bills, Committee of the Whole consideration of spending estimates, amendments to bills and the like.

Much, however, will strike the seasoned parliamentary observer as unusual, starting with the trappings. MLAs favour sealskin vests and kamiks (boots) over suits, ties and oxford shoes. The Clerk wears a black robe but the Speaker is attired in traditional Inuit clothing. Members are seated, not in opposing rows of benches, but in a circle – a common arrangement among North American Aboriginal peoples but unusual in Westminster parliaments.

Once the proceedings are underway, rather more unusual features become evident. It is not just that much of the debate is carried on in Inuktitut (with simultaneous translation available for unilingual English- or Inuktitut-speakers) but the tone of discourse is little short of remarkable to those accustomed to the unruly, confrontational barracking characteristic of most Westminster parliaments. While frayed tempers and raised voices are certainly not unknown, with few exceptions debate is low-key and civil, with MLAs actually listening to their colleagues in respectful silence. Heckling and interruptions are uncommon.

No less remarkable is the all-important relationship between cabinet and the Assembly and the procedural and structural arrangement flowing from that relationship. The system has come to be called ‘consensus government’ and if skepticism is often expressed as to how truly consensual it may be, it is clearly a significant variation on the conventional Westminster model. Central to its operation is the absence of political parties in the Assembly. All candidates, including ministers seeking re-election, run as independents. While some MLAs are deeply involved in the national political parties, these links have no systematic influence on the workings of the Assembly.^{iv}

Ministers, including the premier, are chosen by secret ballot of all MLAs. The premier assigns portfolios to ministers and may shuffle their responsibilities but just as he lacks the authority to ‘hire’ ministers, he lacks the power to fire them. Only by formal (public) vote in the Assembly can ministers be removed from office. Ministers are thus, in a very immediate way, responsible to what are termed ‘regular members’ – the non-ministers. In turn, the regular MLAs

have the potential to wield influence over cabinet far beyond the wildest imaginings of private members in party-dominated parliaments, if – and in practice this is a very large ‘if’ – they act cohesively and strategically. A ‘Regular Members Caucus’ exists but is by no means equivalent to a formal ‘opposition’ in a conventional Westminster parliament, though it does provide a forum for exchange of information, mutual support and a limited degree of strategizing and planning.

A unique feature of consensus government is ‘Caucus’. This is a regular, private meeting of all MLAs, including the Speaker, where routine items of House business are thrashed out, some decisions are made and important or controversial policy issues are discussed, if not necessarily resolved. The influence and usefulness of Caucus are examined more fulsomely below, but it is worth pointing out that, in both theory and practice, cabinet, not Caucus, remains the main locus of government decision making.

The Nunavut Legislative Assembly sports an active and, by times, influential committee system which, *inter alia*, holds public hearings on major policy issues, reviews the government’s financial and administrative record and considers pending legislation and proposed public expenditures. The last-named illustrates the accommodation often characteristic of consensus government: the cabinet presents its draft expenditure plans to legislative committees before finalizing them and making them public. The committees review spending proposals in some detail behind closed doors and recommend changes to the responsible ministers who frequently heed the committees’ advice. The committee system, as indeed all facets of the Assembly, is supported by a small but highly knowledgeable group of politically neutral researchers and administrative support staff.

The Members are overwhelmingly Inuit: 17 of 19 in the current House, 15 of 19 in the First Assembly. Levels of formal education are low: some have not finished high school and in the First Assembly only one – the premier, a lawyer – held a university degree. Three of the current MLAs have completed degrees and two others have some post-secondary education. Several have experience in Inuit politics or in local government. Occupational backgrounds include public administration, land claims organizations, small business, hunting and trapping. Only two of the current MLAs are women, the same number as in the First Assembly.

Inuit Values and Approaches to Governance

Having sketched out the essential features of the Nunavut legislature, let us consider the traditional Inuit values and approaches whose influence on the legislature we wish to examine. While identifying – let alone measuring – a society’s values is always a tricky business, doing so for the Inuit of Nunavut is especially problematic, for two reasons. First, it is only in the past few decades that anything like a pan-Inuit identity or consciousness has emerged. Historically, substantial variations were evident among different regional groupings of Inuit. Some groups were dominated by powerful, authoritative ‘camp bosses’, whereas others were said to be almost

anarchic in their political organization.^v In short, we must be careful about assuming uniformity in Inuit values.

A second qualification is well illustrated by a key episode in the process of creating the Nunavut legislature. The Nunavut Implementation Commission, the body assigned to advise on the design of the Nunavut government, recommended adoption of a ‘gender-equal’ legislature, in which each riding would return one man and one woman, thus guaranteeing that half of the MLAs were women. This controversial proposal was put to a plebiscite and rejected. Proponents argued that such an arrangement reflected traditional Inuit gender relations, in which the different roles taken on by men and women were equally valued and women were fully respected. Others dismissed this as romantic claptrap, claiming that traditional Inuit society was shot through with misogynist patriarchy.^{vi} On this and other important questions, the anthropological literature on traditional Inuit society is of uncertain validity, dependent as it is on the perceptions of highly culture-bound male European observers. Otherwise put, disagreement exists as to just what constitutes ‘traditional Inuit values’.

Caveats aside, it is possible to identify a set of values and practices conventionally seen as characteristic of Nunavut Inuit, which could be expected to have direct or potential significance for the working of the Nunavut Legislative Assembly. Many of these values and customs reflect the exigencies of Inuit life until very recent times.

Inuit are non-confrontational and value harmony in the group; in turn this is closely tied in with Inuit decision making which rejects majoritarian approaches such as voting in favour of decisions reached on the basis of consensus. ‘Consensus’ in this context means a good deal more than for example does Arend Lijphart in his analysis of consensual political systems such as Sweden and Austria.^{vii} It entails a highly participatory process in which problems are resolved or decisions emerge through often prolonged deliberations, rooted in a shared framework of values and understandings. Indeed, voting, which is inherently divisive and which implies closing off discussion with a majority-imposed decision, runs directly counter to central Inuit governance precepts. In this sense, Inuit decision making bears a family resemblance to what has been in recent years termed ‘deliberative democracy’, in which “talk-centric democratic theory replaces vote-centric democratic theory.”^{viii}

The complement to this aversion to division and disunity, born of the same life experiences, is a powerful emphasis on teamwork, sharing, cooperation and a willingness to subsume individual preferences to the needs of the group. Paradoxically, though, like other North American Aboriginal societies, Inuit culture does not countenance coercion (physical or social) in directing individual behaviour; non-interference with individual choice is a strong norm.

Another Inuit trait shared with other Aboriginal cultures is a holistic worldview which does not distinguish separate realms of the spiritual, the economic, the political and so on; all are of a piece. Relatedly, the public/private divide, so central to Euro-Canadian society, does not accord well with Inuit understandings of social relations. A practical illustration of how these

precepts conflict with fundamental principles on which Western states such as Canada rest comes from the justice system. Whereas Western legal tradition emphasizes the importance of neutral, disinterested adjudicators, Inuit justice requires that those sitting in judgement are closely familiar with the persons involved in a dispute.

While Inuit will accept strong leadership, it is a leadership based on demonstrated competence rather than on ascriptive characteristics and exercised on the understanding that leaders consult extensively with their people and remain directly accountable to them. Delegation of substantial power to a small elite who take important decisions in distant political arenas – the essence of representative government – is decidedly foreign to the Inuit experience.

As in many traditional or indigenous societies, Inuit are enormously respectful of elders and their wisdom (the star in the corner of the Nunavut flag is the North Star, symbolizing the wisdom of the elders). Additionally, in any setting, one is to listen attentively to whoever is speaking; it is rude not to pay attention, worse to interrupt.

Finally, Inuit could not have survived in such a brutal, unforgiving setting without being exceptionally adaptable and pragmatic. This is not to say they are infirm of purpose; quite the contrary, they are remarkably determined in pursuit of their goals, but they are flexible as to means of reaching them.

All this is very much the social scientist's attempt to identify and categorize Inuit values and characteristics. Inuit themselves have strong ideas about what it means to be an Inuk and how the Inuit character should be manifested in all facets of life, not least in government. In recent years, the concept has emerged of Inuit Qaujimajatuqangit (IQ), meaning Inuit knowledge and ways of doing things; a rough translation is 'that which has been long known by Inuit'. The Government of Nunavut is strongly committed to operating in accordance with IQ principles. Official government sanction and commitment, however, does not necessarily equate to clear, practical guidelines for implementing IQ in day-to-day government activities (including in the Assembly).

Given the importance in Inuit culture and for the Nunavut economy of hunting and fishing and of stewardship of the land, much of IQ relates to proper behaviour while on the land (including treatment of the animals) and to ensuring respect for the land, for example through environmental protection processes. In such instances, identifying and applying IQ principles is fairly straightforward. In other setting, though – the legislature prominent among them – just what IQ means and how it should come into play is a good deal less obvious. IQ may encourage flexibility in office routines to allow government employees to take off work when the hunting is good or the tide is especially conducive to mussel-picking and it may encourage the rethinking of naming public buildings after deceased persons, a practice inconsistent with traditional Inuit culture. But how does IQ apply in the design of policy delivery? How can IQ principles be incorporated in parliamentary procedure?

In the run-up to the launch of the Nunavut Government and in its early days, much thought and energy was devoted to the practicalities of imbuing the GN with IQ – studies, workshops, task forces, creation of IQ coordinating offices and the like.^{ix} Definitive judgements as to the success of these efforts will be some time coming – early assessments are mixed – but for present purposes it is important to recognize that these specific, focussed initiatives were virtually all aimed at bring IQ to the administrative structure and operations of the GN, rather than to the workings of the Assembly.^x This is hardly surprising given the profound disjuncture between key elements of Inuit culture and the deeply ingrained values characteristic of the western rational model of bureaucracy – what the government’s IQ Task Force described as the “chasm – the cultural divide – separating Inuit Culture on the one side from the Nunavut Government’s institutional culture on the other side”.^{xi} Nonetheless, it is significant that while concerted plans were developed for bringing IQ into the GN bureaucracy, the implicit assumption seems to have been that since most MLAs would be Inuit, and would be speaking Inuktitut extensively in Assembly proceedings, this would ensure the preeminence of Inuit values and modes of governance in the Nunavut legislature.

The strong presence of Inuktitut is indeed of crucial importance for the incorporation of Inuit values into the Assembly. Culture is inextricably bound up with language. Accordingly, the opportunity for Inuit MLAs to express themselves and place their ideas in a conceptual framework rooted in Inuit worldviews and traditions cannot be underestimated. For all that, it may be that use of Inuktitut is a necessary but not sufficient condition for imbuing Inuit values in the operation of the Assembly

Inuit Values and Consensus Government

Before turning to specifics, two general points bear mention at the outset of our exploration of Inuit values in the Nunavut Assembly. First, the Inuit values and approaches to governance outlined above clearly derive from the experience of small, nomadic groups of hunter-gatherers in times without a state or a government. Successfully applying such a conceptual framework to the institutions of the modern-day state is a tall order indeed, even for a people like the Inuit, who are, as noted above, renowned for their pragmatism and adaptability.

Secondly, although they may not be universally antithetical, at key junctures Inuit values and modes of governance stand in direct conflict with the ideational underpinnings and the inherent characteristics of the Westminster cabinet-parliamentary system. The latter is very much a representative government, determined by the votes of individuals, in which power is highly concentrated in the first minister and the cabinet. It is highly adversarial and confrontational; at the heart of its complex, formal procedures are strongly majoritarian decision-making rules. By contrast, Inuit decision making is highly consensual and Inuit culture is non-confrontational, valuing teamwork and cooperation greatly and placing the needs of the group ahead of those of the individual. Concentrated power is discouraged. Voting is not the Inuit way, nor is delegation of significant power to representatives.

At first blush it would seem that Inuit values have indeed profoundly transformed the Westminster system as it operates in Nunavut. The whole idea of ‘consensus government’ – with its rejection of political parties, its civil atmosphere, its remarkable process for selecting the cabinet and the first minister, its distinctive structures (Caucus and Regular Members Caucus) and other features – seem far more in tune with Inuit culture than do the more conventional Westminster parliaments in Canada and throughout the world. Leaving aside for the moment the views of some Inuit MLAs that ‘consensus government’ as practiced in the Assembly bears little resemblance to the consensual decision making common at the community level, we need to consider the origins of the current system.

Nunavut does not have consensus government because the Inuit involved in the design of the Nunavut Government explicitly established a set of legislative arrangements which would incorporate Inuit values and ideas about governance. Rather – reflecting their vaunted pragmatism – they simply adopted the system which had been operating in the Northwest Territories for the previous two decades: it was familiar, it worked tolerably well and far more pressing issues demanded attention. How then did consensus government come to be in the NWT? In best Westminster fashion, no one consciously designed it, it simply evolved over time. Its origins are misty but certain central features appear to be outgrowths of practices begun in the late 1960s and early 1970s, when a substantial numbers of the then Legislative Council of the NWT were still appointed rather than elected and when precious few of the members (appointed or elected) were Aboriginal.

It is fair to conclude that, in a rough and ready fashion, consensus government is congruent with the Aboriginal values sketched out earlier, and that when an Aboriginal majority emerged in the wholly elected NWT legislature of the mid and late 1970s, this congruence militated against changes which might have brought the system in line with more conventional party-dominated legislatures, as happened next door in the Yukon Territory. It has been argued that consensus government is better understood in terms of the absence of political parties than as a manifestation of Aboriginal values.^{xiii} Perhaps so, however, it is not that parties never developed in the NWT; rather, they were consciously rejected, particularly by Aboriginal people who disliked their divisive, confrontational ways and who feared that the introduction of ‘southern’ parties would sideline the distinctive northern issues of critical importance to them.

When Nunavut was still part of the NWT, Inuit were in a minority position both within the territorial population and within the Assembly. The ‘Eastern’ MLAs, however, were more cohesive and thus more effective as a group than those of other cultural groups. And clearly part of their legacy was the persistence and maturation of consensus government as a distinctive northern approach to government, well-suited to the Inuit political agenda. In short, consensus government in Nunavut today can be interpreted as an institution owing a good deal to Inuit values and ideas about governance, albeit in an indirect fashion.

The balance of the paper examines the views of Nunavut MLAs on the question of the interplay of Inuit values and British parliamentarism. In October 2003 the author interviewed

eleven of the nineteen MLAs (four ministers and seven regular MLAs) about their experiences and views of the Assembly. These interviews were arranged by the Clerk's Office in the Assembly as part of the preparations for orientation of new MLAs who might be elected in the pending general election. Interviews, which were built around open-ended questions, were conducted on a not-for-attribution basis. They lasted between forty minutes and two hours; some were conducted with the assistance of interpreters.

MLAs' Views on Consensus Government

The Meaning of 'Consensus Government'

Although MLAs were asked to evaluate the success of consensus government during the First Assembly (1999-2004), which was drawing to a close at the time of the interviews, this is not a topic pursued at length in this paper. Suffice it to say that they expressed generally positive comments on the general operation of consensus government, leavened by recognition of various weaknesses. Even members who were on balance critical accepted that every governmental system has shortcomings, and accordingly, preferred that the existing system be improved but not replaced. No support whatsoever was expressed for a party system in Nunavut whereas strong opposition was voiced to the idea of introducing parties.

As to just what constitutes consensus government, no MLA had a precise definition but several offered insightful comments. References to "teamwork", "cooperation" and "working together" were common, as was emphasis on 'positive' rather than 'negative' approaches to politics and to political colleagues. The capacity of consensus government to promote strong linkages with the communities and to foster MLA accountability to them was frequently stressed. At the same time, MLAs pointed out that the political realities of the Assembly meant that members' behaviour often partially or completely contradicted these ideals. According to some, this meant too many MLAs adopting narrow perspectives and failing to rise above the interests of their own communities to work on behalf of all Nunavummiut. Some typical comments:

consensus government is not negative; "it's a friendlier version of politics [than the party system]"^{xiii}

consensus government is superior to party politics because under party politics the members attack one another and that's not the Inuit way; "we don't have time for that here ... there's too much work to be done ... there's less fingerpointing ... instead there is a concern with making things work because you [as MLA] are involved in the decision"

despite lots of talk about working together, in Caucus, cabinet and committees ministers and MLAs pretty much work alone and don't get much help from colleagues

MLAs recognized that a good deal of the regular members' potential influence was not realized because they frequently were unable to work effectively together. Some attributed this to a surfeit of self-interested behaviour on the part of individual MLAs, one commenting that Regular Members Caucus "doesn't work very well because each MLA is doing his own thing with the ministers". Others blamed some members' unwillingness to put in the necessary time and effort. One MLA found the explanation partly in Inuit culture: "MLAs must work together but to often they don't ... no one wants to be the bad guy and take on cabinet ... this is part of the Inuit way; we don't like to be confrontational but sometimes you have to be".

On the question of what 'consensus' entails in reaching a decision, the overwhelming view was that it did not mean unanimity or near-unanimity. It did mean respectful exchange of ideas and open-mindedness but, assuming that an open and extensive discussion had taken place, MLAs were prepared to accept the majority opinion. One minister commented that consensus government must work in terms of a clear majority: "you never get all 19 to agree ... at some point the ministers have to make decisions"; this is an elemental fact of government life but not all MLAs or all ministers understand it.

The nature and persistence of consensus government was seen by MLAs as owing something to Inuit culture. Moreover, it was universally agreed to approximate Inuit values and approaches more closely than would a 'party system'. Significantly, however, no MLAs came even close to suggesting that consensus government was essentially Inuit in character. This recognition of the gap between Inuit culture and the day-to-day operations of the Assembly is a recurring theme in MLAs' comments, as subsequent sections illustrate.

Consultation

The observation about the need for ministers to make decisions relates to the oft-expressed commitment to 'consultation'. Nunavut politicians talk endlessly about the importance of consultation. For MLAs this means consultation with the people of the local communities as well as cabinet consultation with regular members as part of policy- and decision-making processes; only the latter is considered here.

For many MLAs, a central requirement for genuine consultation is that ministers provide thorough information to regular MLAs in a timely fashion. Ministers tended to believe that they do just that; "we show them everything" said one. Regular members were decidedly less positive about the quality and quantity of information they received from ministers and about the promptness of responses to information requests. Some were generally satisfied and expressed only minor criticisms on this score; a smaller number were more harshly critical, such as the member who commented: "you get the pieces of the puzzle they [ministers] want you to have" – ministers are forthcoming on minor issues but on anything major or potentially contentious they'll be vague and hold back information.

A fundamental disagreement was evident on the question of whether consultation meant listening and discussing or following advice and direction. Most MLAs stated that consultation required ministers to listen carefully to advice and criticism from regular MLAs and to consider their opinions and requests seriously but that ultimately ministers had to make decisions on the basis of their own best judgement. A small number of regular members, however, were adamant that consultation meant that ministers not only had to listen to regular members, they should abide by their wishes. Ministers, said one, sometimes hear and understand MLA views but do not accept or act on them; this is not consultation

Another point of disagreement emerged from MLAs' assessments of whether cabinet truly takes regular members' views into account. Most MLAs were of the view that for the most part, ministers do listen carefully to regular members and factor their advice and opinions into decisions. At the same time, some regular MLAs commented that ministers often just go through the motions of consultation, that ministers have their minds made up before they meet with regular MLAs, or that they're prepared to change their position on minor details but not on basic policies. According to one,

when ministers come before regular members to 'consult' they bring many documents and it seems that everything is planned and decided; "we [MLAs] should be involved in decision making, not just approve or reject recommendations from ministers"

To some extent, views on the question of consultation confirmed the bromide 'where you stand depends on where you sit'. Ministers were on balance more likely than regular MLAs to interpret consultation as advice-seeking, though a number of the latter shared the ministers' views, as the two following comments, one from each side of the House, suggest:

ministers should listen carefully to MLAs but ultimately must use their own judgement; "as a minister you can't do everything they [regular members] want you to do ... they're not responsible"

consultation means MLAs question and advise cabinet; cabinet has a responsibility to listen carefully and take MLAs' advice seriously but then make its own decision; it does not mean that cabinet has to do exactly what MLAs say and want, though usually what cabinet does will reflect MLA views fairly closely

While some MLAs expressed significant reservations about cabinet's commitment to genuine consultation, others – and not just ministers – voiced the opinion that complaints about lack of consultation were often not really about consultation but about disagreement with a decision or policy. According to one minister, MLAs claim there's not been enough consultation when there is something they don't like: "it's a fallback for delaying or blocking something without coming right out and opposing it". Similarly, a regular member said that on constituency matters, when MLAs complain they weren't consulted it usually means they didn't get what they

wanted. Yet another was even more blunt: “claiming there’s not enough consultation is a way of making excuses for not doing your job”.

Divisions among MLAs as to what ‘consultation’ should entail and as to the cabinet’s willingness to genuinely take regular members’ views into account highlights the limits of rooting decision making in any large government organization in traditional Inuit culture. While this difficulty would exist in any governmental model, it is heightened by the Westminster system’s rigid division between ministers and non-ministers – a division very much in evidence in the Nunavut Assembly, notwithstanding the noteworthy structures and processes enhancing regular members’ power.

Caucus

As a centrepiece of consensus government, Caucus represents an important test for the influence of Inuit values in the Assembly. On one level, bringing all MLAs together on an equal footing to talk over issues large and small in an informal setting is very much in keeping with Inuit governance style. On another level, the apparent confluence of Inuit values and structural adaptation loses much of its significance if Caucus lacks influence, constituting little more than window-dressing for an otherwise conventional, cabinet-dominated Westminster system.

Substantial division of opinion was evident in MLAs’ assessments of Caucus. For some, Caucus represents the embodiment of consensus government and its strongest feature. Others called it as “a waste of time” featuring a great deal of talk but little capacity to accomplish or decide anything of substance. It was universally agreed that in Caucus all MLAs are equal; as one put it, in Caucus “there is no such thing as ministers ... everyone is equal when it comes to feeling free to speak”. While this absence of status divisions within Caucus was seen in a positive light, a sizeable minority of MLAs thought that Caucus did little that was useful. Others, while not claiming that Caucus was the place where crucial policy decisions were made, did say that it performed a valuable function. The following suggest the range of views expressed by members:

Caucus doesn’t make decisions very often; it isn’t much help to ministers in developing or refining policy

“discussions in Caucus can be long and tedious but helpful in resolving issues”; it provides a way of dealing with problems without grandstanding

“it’s a good way to sort out our differences but try to work together”

it’s good that ministers and regular MLAs are able to say what they want as equals, but it doesn’t change anything: “we can exchange views, but so what?”

Affinities between Inuit culture and the essential ideas underpinning Caucus are clear, though it would be stretching the inference to see Caucus as anything like a direct institutional embodiment of Inuit values. The Westminster system's characteristic concentration of power in cabinet, which sharply limits Caucus' decision-making authority, is very much in evidence here.

Powers of the Premier

The premier lacks not only the authority to pick his own cabinet, but also the capacity to dismiss ministers. This despite the clear provision in Nunavut's *Legislative Assembly and Executive Council Act* that ministers "hold office during the pleasure of the Premier". Significantly, the premier's powers are by common agreement effectively limited to assigning and removing ministers' portfolios, though ministers and regular MLAs alike contend that this power is rather more substantial than might be thought. That this consensus on the limits to the premier's power has real-world applicability was illustrated in the case of a minister who defied the central responsible government principle of cabinet solidarity.

In refusing, in a very public way, to abide by a cabinet decision which stood to adversely affect his constituency, in early 2003 the Justice Minister, Jack Anawak, put the premier's powers to the test. Once it became clear that Anawak was not about to abide by cabinet solidarity, Premier Paul Okalik moved to discipline him – by removing his ministerial portfolios. Okalik did not believe he had the authority, whatever the Act may have said, to dismiss Anawak from cabinet and called on the Assembly to render a judgement on Anawak's status, which it did, passing a formal motion to remove him from cabinet.^{xiv}

The Anawak episode was only a few months in the past when MLAs were asked whether the premier should be given the power to pick his own cabinet and to dismiss ministers as he saw fit. With very few exceptions, MLAs were of the view that the premier should not have such authority, that it should be the exclusive preserve of MLAs. A small number of MLAs thought that while the MLAs rather than the premier should select ministers, the premier should be able to dismiss ministers. Ministers and regular members alike considered that the premier's power to assign and reassign portfolios to ministers constituted sufficient power for disciplining and controlling ministers.

Although many of the MLAs were sufficiently astute politicians to appreciate that granting the premier power to choose and dismiss ministers would diminish their political muscle, it was clear that most objections to moving in that direction were based less on a rational, self-interested calculus than on more deeply rooted principles about the acceptability of concentrated power. Otherwise put, Inuit values are strongly in evidence here.

Inuit Qaujimajatuqangit in the Assembly

MLAs were asked directly about IQ in the Assembly – how successful did they think efforts at incorporating IQ into the operations of the Assembly had been as well as whether it was desirable, or even possible, to follow IQ principles in the legislature. Opinions diverged markedly, and not simply between Inuit and non-Inuit. For some MLAs, what they saw as the almost complete absence of IQ from the Assembly stood as a key failing which should be addressed as a top priority. Others maintained that it is unrealistic to expect that IQ could be incorporated into the workings of the Assembly in any significant way and that time and energy directed to doing so could be put to much better use. Still others contended that in limited ways IQ is present in the way the Assembly operates and in the behaviour of MLAs and that further progress is certainly possible.

MLAs' comments about IQ in the Assembly were for the most part quite general; when they were encouraged to cite specifics, they often had difficulty doing so. For example, the MLA who vehemently proclaimed “what we have now [in the Assembly] is the white man’s rules”, adding that MLAs need to be able to use and follow Inuit ways of doing things was unable to explain in any detail either what he found offensive about ‘the white man’s rules’ or how he’d bring Inuit ways into the Assembly.

None of the MLAs interviewed was of the opinion that great strides had been made in imbuing IQ into Assembly proceedings. Some did discern positive signs and were hopeful of further progress. Typical comments:

there have been efforts to bring IQ into the Legislature, for example in seeking advice from other MLAs, expressing views honestly, making an extra effort at working together, attempting to resolve issues quickly – in Inuit culture you deal with problems as quickly as possible; you don’t allow them to fester

“Traditionally the way we ran our communities was that we had a leader who was supported by the whole camp; when someone needed help, everyone would help; the Legislature should be that way with everyone working together.”

the rules are not too formal; there have to be rules otherwise there would be chaos; there is lots of flexibility within the rules – this is in part a manifestation of IQ

for the Assembly, a key IQ principle is that MLAs need to put aside their self-interest (either theirs personally or those of their ridings) and look after the general wellbeing [this MLA was ambivalent of the prospects of this becoming a strong norm]

One group of MLAs put a high priority on bringing IQ into the Assembly, but viewed efforts made in that direction as too limited and largely unsuccessful:

“We do speak Inuktitut and that’s important but everything else is done as if we were in England.”

The rules of consensus government were developed and brought over from the NWT; it’s important to make them Nunavut-relevant; we need to set up own way of doing things in government

‘responsible government’ represents a serious culture clash for Inuit; one special problem is the relationship between MLAs and bureaucrats; some MLAs just don’t understand responsible government and what it means for relations between MLAs and bureaucrats

the basic problem is that the procedures are “alien”, but we have to follow them

Still another group saw IQ as either irrelevant to the operation of the Assembly or as a laudable goal but one which must give way among policy makers to the host of social and economic challenges facing Nunavut. These MLAs thought that IQ should play a prominent role among the public, as a way of Inuit life, but that efforts to incorporate it into the GN or the Assembly were ill-advised. This view did not reflect opposition to IQ, but rather a sense of misplaced priorities: trying to figure out what IQ means in government has deflected too much energy from where it’s really needed. In other words, there are far more pressing uses of MLAs’ time and energy than trying to incorporate IQ into legislative proceedings. The following are illustrative of these views:

“Inuit never had a government so the idea of having IQ in government doesn’t work”

IQ “has no relevance in government or the legislature”; it’s important to understand and follow the traditional ways out on the land but “those [pre-government] days are gone”

“IQ means nothing in the Assembly ... it can’t be integrated into parliamentary government; it will be a long time for IQ to come into the Legislature”

As one MLA noted, “IQ means something different to everybody”, making its application to practical situations or processes problematic. Two examples illustrate the point. First, Question Period: several MLAs pointed out that, even under consensus government, Question Period tends to be adversarial and confrontational – in direct contradiction to important IQ principles. Others, however, saw elements of IQ in Question Period. One minister talked about trying to use IQ in answering questions, by being as helpful as possible to questioners. Another MLA suggested that Question Period provides a good opportunity to engage IQ in the overall governing process in that IQ has a strong educational component and Question Period can be very useful for educating Nunavummiut about policy issues and the workings of government.

The second illustration relates to the central Westminster principle of cabinet solidarity. This topic was very much on MLAs' minds because of the minister's recent removal from office for flaunting cabinet solidarity. The debate on the motion to oust the minister had revealed deep divisions as to MLAs' willingness to accept that ministers in the Nunavut government should be bound to this principle. In interviews, some MLAs maintained that the requirement for ministers to support a cabinet position even if they disagree with it flies directly in the face of IQ. Said one: "If ministers disagree with a cabinet decision, they should not pretend to be what they're not ... in Inuit culture we sometimes have to be quite blunt about the way we feel". Others, however, countered that cabinet solidarity accords well with IQ, a central element of which is the need to work together.

A few members expressed the view that some MLAs' complaints about decisions being made or processes established in contravention of IQ principles were not so much about lack of adherence to IQ as about the MLAs' disagreement with the actual decisions. Other MLAs observed that had IQ been properly injected into the process, the decisions might have been different.

Conclusion

The previous section demonstrated conclusively that those in a best position to judge – the MLAs themselves – saw only limited penetration of traditional Inuit values into the operation of the Nunavut Assembly. Indeed, some doubted the possibility and/or the advisability of applying Inuit values and traditional governance approaches to the Assembly in any meaningful way.

As with the specific issue of IQ, the overall judgment must surely be that, despite noteworthy distinctive features – some of which are consistent with, if not necessarily derived from Inuit culture – the influence of traditional Inuit values on the Nunavut Assembly is limited. This is very much a Westminster parliament, modified in important ways to be sure, but its essence lies in the operative principles of British parliamentarism not in Inuit culture.

The modifications are by no means trivial. Doubtless the most far-reaching is the continuing and unequivocal rejection of political parties, which in their divisiveness and tendency to foster opposition and discord for their own sake, are the antithesis of traditional Inuit culture. So too, the less confrontational, adversarial approach and the efforts at teamwork and sharing – inadequate or trumped by individual ambitions or agendas as they often are – reflect Inuit values. The institution of Caucus and the processes for selecting and removing ministers (including limits on the premier's powers) also constitute significant and distinctive features of the Nunavut Assembly, though as discussed above, directly linking them with traditional Inuit ways is problematic.

And yet, the Assembly clearly bears the hallmarks of governance, Westminster-style: concentration of power; the clear divide between those with substantial power – the ministers –

and those with far more limited influence – the non-ministers; the underlying constitutional precepts – the confidence convention, cabinet solidarity and the like. If consensus government is a blend of traditional Inuit values with the institutional framework of the Westminster system (which of course embodies its own set of values), there is little question which dominates.

What of the future? The genius of the Westminster model is its flexibility and adaptability – intriguingly, prominent Inuit traits – but it is still too early to be definitive on how these characteristics will play out in the Nunavut Assembly. With more experience, reflection and concerted action, will traditional Inuit values become more strongly imbued into the workings of the Assembly? Or will the powerful socializing forces inherent in Westminster parliamentary politics increasingly limit the influence of Inuit culture to the trappings rather than the substance of the Assembly?

NOTES

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- i. The notion of ‘public government’ often strikes those unfamiliar with Aboriginal politics in Canada, especially Northern Canada, as a oxymoron – what else could government be? In many parts of Canada, government could indeed be something quite different: ‘Aboriginal self-government’. ‘Self-government’ takes many forms, many of which have significant exclusionary elements – only Aboriginal people may vote or hold office and many programmes and services are delivered only to Aboriginal people.
 - ii. Ailsa Henderson, “Northern Political Culture? Political Behaviour in Nunavut,” *Etudes/Inuit/Studies* 28 (2004), 143.
 - iii. For a more detailed account of consensus government in Nunavut, see Kevin O’Brien, “Some Thoughts on Consensus Government in Nunavut,” *Canadian Parliamentary Review* 26 (2003-4) 6-10. On consensus government in the Northwest Territories, see Graham White, “Westminster in the Arctic: The Adaptation of British Parliamentaryism in the Northwest Territories,” *Canadian Journal of Political Science* 24 (1991), 499-523 and “Structure and Culture in a Non-partisan Westminster Parliament,” *Australian Journal of Political Science* 28 (1993), 322-39.
 - iv. Some might question whether a Westminster ‘responsible’ government can exist without parties. It is worth recalling that the central principles of responsible government were established before the rise of disciplined parties (in both Canada and Britain.) More significantly, however, the constitutional principles of British-style responsible government – the confidence convention, cabinet solidarity and the like – are all firmly in place in Nunavut.
 - v. Marc G. Stevenson, *Traditional Inuit Decision-Making Structures and the Administration of Nunavut*. Study prepared for the Royal Commission on Aboriginal Peoples, 1994.
 - vi. Nicole Gombay, “The Politics of Culture: Gender Parity in the Legislative Assembly of Nunavut,” *Etudes/Inuit/Studies* 24 (2000), 125-58; see also Jack Hicks and Graham White, “Nunavut: Inuit Self-determination through a Land Claim and Public Government?” in Jens Dahl, Jack Hicks and Peter Jull, eds., *Nunavut: Inuit Regain Control of Their Lands and Their Lives* (Copenhagen: International Work Group for Indigenous Affairs, 2000), 69-75.
 - vii. See for example, Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-six Countries* (New Haven: Yale University Press, 1999).

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- viii. Simone Chambers, "Deliberative Democratic Theory," *Annual Review of Political Science* 6 (2003), 308.
- ix. For an overview of these efforts, see Annis May Timpson, "Stretching the Concept of Representative Bureaucracy: The Case of Nunavut," paper presented at the annual meeting of the Canadian Political Science Association, Dalhousie University, Halifax, Nova Scotia, June, 2002; for an account of IQ initiatives in a single department, see Jaypeetee Arnakak, "Northern IQ," *Public Sector Management* Vol 12, no 1 (2001) 17-9.
- x. The Nunavut Implementation Commission issued a number of substantial reports but its only recommendations relating to the Assembly concerned structural issues such as size and the idea of establishing a gender-equal legislature, discussed earlier.
- xi. Quoted in Timpson, "Stretching the Concept," 33.
- xii. Gurston Dacks, "Politics on the Last Frontier: Consociationalism in the Northwest Territories," *Canadian Journal of Political Science* 19 (1986), 345-61.
- xiii. Comments by MLAs enclosed in quotation marks are direct quotations; those without quotation marks are paraphrases.
- xiv. The matter was, of course, not decided simply on principle; politics were clearly involved, not least in that Anawak had been Okalik's opponent for the premiership and claimed a substantial political following.
Significantly, though, Okalik's stance was subsequently adopted by NWT Premier Joe Handley, when faced with a minister whose reprehensible personal behaviour generated demands for his ouster from cabinet. In this case, the premier stripped the minister of his portfolio assignments but left it to the Assembly to formally remove him from cabinet, maintaining that he lacked this authority; the Assembly dismissed the minister.