The Institutional Representation of the Legislative Assembly of Nunavut

How parliamentary discourses inform the framing of representative claims of a parliament

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The candidate confirms that the work submitted is his own and that appropriate reference has been made to the work of others.

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Abstract

Nunavut is the newest territory in Canada; it was created in 1999. It is distinguished from other Canadian territories or provinces in that an indigenous people – the Inuit – represent the majority of its population. Its parliament, the Legislative Assembly of Nunavut, functions through consensus, contrary to most Canadian legislatures. It presents itself as having integrated the notion of *Inuit Qaujimajatuqangit* (IQ) into its organising framework. This thesis seeks to analyse how this integration influences the institutional representation of the Legislative Assembly. To do so, it mobilises the representative claim theory advanced by Saward (2006; 2010) to discuss the role of non-elected representatives, allowing the investigation of a parliament as a representation. The context of multicultural Canada is key in understanding the context of the creation of Nunavut. Multiculturalism in Canada explains the rationale for the creation of Nunavut from a federal perspective. But, for territorial politicians, the territory is an expression of the Inuit indigeneity. This expression can be found in the Legislative Assembly's debates where its members constantly underline the importance of Inuit traditions and customs as well as IQ. This notion is further analysed in this dissertation considering its importance not only in framing the parliament, but also in its use in debates especially concerning the environment, education, and care. On those topics, Members of the Legislative Assembly (MLAs) are using IQ in efforts to promote Inuit knowledge in those policy areas. The thesis also notes a paradox, which is that there is an agreement on IQ's importance but not on its definition. The project answers this paradox by demonstrating that IQ is a representative claim of Inuit indigeneity. The thesis uses this finding by demonstrating that MLAs are using IQ to reinforce the claim where the Legislative Assembly of Nunavut stands for the Inuit's indigenous identity.

Table of Contents

List of Tables

List of Figures

Chapter 1 Introduction

1.1 A Territory in a Commonwealth Country

On 6th July 2021, the Canadian Prime Minister, Justin Trudeau, announced the nomination of former diplomat Mary Simon as the 30th Governor General (Tunney, 2021). Born as an Inuk in the north of Quebec, she is the first indigenous person to hold this position. The announcement also marked a discontinuation of the alternance between French-speaking and English-speaking people for this position, dating back to the 1960s. It is a recognition of the importance of aboriginal[1] peoples in the country. It comes in a context where Canada has to confront its colonial past with the discovery of tombs of indigenous children, victims of the residential school system (BBC News, 2021). Her appointment is symbolic as it seeks to elevate an indigenous person into a role representing the Canadian monarch (Elizabeth II) in the confederation.

Similar to other commonwealth countries, Canada's Governor General is appointed by the monarch on the proposal of the Prime Minister. The appointment of two immigrant women, Adrienne Jackson and Michelle Jean, as Governor General is symbolic of multicultural Canada, a narrative existing since the early 1970s (Andrew, Biles, Siematycki, & Tolley, 2008b, p. 3). Even if the post "has few real institution powers the appointments were important symbolic gestures that signalled the recognition of Canada's changing face and a desire to see that diversity is represented in our institution." (Andrew et al., 2008, p.3), the individuals holding the post are representatives of the monarch in Canada. Those nominations are often described as tokens for minorities or women in politics (Andrew et al., 2008b, p. 14) but Mary Simons' nomination has been greeted as an acknowledgement of the role that aboriginal people have in Canadian society (Radio Canada, 2021). Meanwhile, activists voiced criticism towards the fact that

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[1] The terms indigenous and aboriginal are used alternatively in this doctoral dissertation.

an aboriginal figure will be fulfilling a role which is rooted in the country's colonial past (2021).

This nomination, where an aboriginal individual takes on a symbolic role which has deep roots in colonialism, echoes the creation of the Nunavut territory in 1999 and its parliament, the object of this thesis.

The Canadian Arctic had been overlooked by the federal government of Canada for a long time until the aftermath of the World War II, when North American governments began to invest and settle in the Arctic for military and strategic reasons (Bone, 2003, p.62). At the beginning of the Cold War, the increase of a military presence led the peoples of eastern Arctic living in the Northwest Territories (NWT) to demand federal representation. Due to the NWT being the largest territory – until the creation of the Nunavut territory in 1999 – and its low and widely spread population, federal representation came in the early 1950s with the creation of a federal riding covering the NWT, which was divided into two in 1979, the first one being based in the west of the NWT and the second one covering the eastern Arctic. Calls for Inuit self-government were made both in Nunavut and in Ottawa, which integrated features of Inuit culture enabling Inuit to distinguish themselves from other indigenous groups in Canada. The creation of the territory is the result of the last and largest claim settlement, the *Nunavut Land Claim Agreement*, between the Canadian government and an indigenous population, the Inuit. Its creation can be seen within a trend of making indigeneity more visible (Cliffords, 2013, pp.18–20). In parallel with that land agreement, Nunavut separated from the Northwest territory and became the third and last territory in 1999, thanks to the *Nunavut Act* passed in 1993.

Nunavut, the newest of Canada's sub-divisions, with 2,038,722 km^2 of land and nearly 36,000 inhabitants (see map 1.1.), is the largest and the second least-populated division in Canada. Its population is formed mostly by Inuit (85%) (Henderson, 2007, p.1; Hicks and White, 2016, p.35). This territory is best described by a *New York Times* article:

> "*…roughly equal in size to the land mass of Mexico its southern boundaries roughly follow the tree line above the province of Manitoba.*

It stretches north to the top of the world. On the east it is bounded by Quebec's Ungava peninsula. Nunavut's uneven boundary was drawn to exclude the city of Yellowknife and the newly open diamond mine near lac du Gras" (DePalma, 1999)

The non-Inuit population is mostly concentrated in larger cities such as Iqaluit, the territory's sole town and capital, and Inuit generally work in administration (Henderson, 2007, p.21; Hicks and White, 2016, p.37). It is also the only territory having Inuktitut as an official language on an equal footing with the two main official languages of Canada, French and English. One of Inuktitut's features is that it forces its user "to state his or her degree of certainty" (Stern, 2013, p.91). As a consequence, it means that, when it is used in parliamentary debates, all politicians know their colleagues' position, if they are sure of their argument or not (when the speech is made in this language) and intent, which makes for smoother proceedings than in other parliaments, as we shall see in this thesis when we analyse parliamentary debates.

Figure 1-1 Political map of Canada

Source: **Elizon** (2015)

To note also the fact that the territory's name, *Nunavut*, means *our land* in Inuktitut, shows the deep importance (Merritt, 1993, p.2; Hicks and White, 2016, p.35) of the territory to its Inuit population. This notion of land is central to any indigenous people (Samson and Gigoux, 2017, pp.75–11); signalling the aboriginal character of the territory in its name. This sits in contrast with the name 'Northwest Territory,' – from which Nunavut was created – which describes the location of the territory vis-à-vis the nation's capital, Ottawa.

Hence, Nunavut represents a territorial claim for the Inuit as well as symbolising the achievement of a fight for self-government in an historical land. Core to this self-determination intent is the way *Inuit Qaujimajatuqanjit* (IQ) – the Inuit knowledge in Inuktitut – is highlighted within the institutional framework of Nunavut and its Legislative Assembly, as we shall see in this thesis.

1.2 Nunavut and its new parliament

The Legislative Assembly of Nunavut, similar to other newly established parliaments, needed to legitimise itself in the view of its population and to other Canadian governmental institutions (territorial/provincial or federal), in order to performs its key functions. Packenham identified three core functions: the recruitment function, the decision-making function, and the legitimation function. The last one, the legitimation function, is defined as "fostering acquiescence in, or support for the moral right to rule of the government among the population at large as well as political elites" (Packenham, 1970, p.527). Parliaments are aimed to sustain the executive. In Nunavut's case, as it is a new parliament, there is no established ground on which the population can consider it as a legitimate body to represent them. The idea behind the integration of IQ in Nunavut's institutional framework was to make the Legislative Assembly of Nunavut more relatable to the Inuit, as they would have to watch parts of their culture integrated into the Westminster model of parliament, which is itself a colonisation heritage. The issue here is how to make the parliament which has its roots in the territory's colonial history relevant to the present population, the majority of which is Inuit.

Integrating *Inuit Qaujimajatuqangit* seems central to the project of making Nunavut's institutions resonate with its population. Indeed, along with the Northwest Territories, from which it was created, there are no political parties in the territorial level; the reasoning was that political parties are too foreign for the native society and culture (White, 1991; 1993; 2006). Still, there is a subtle difference between the two parliaments. The Legislative Assembly of the Northwest Territories has, in the same vein as the Legislative Assembly of Nunavut, no parties and uses consensus as a way to break from the other parliament, but Nunavut's goes further by advancing the use of consensus, which is due to *Inuit Qaujimajatuqangit*. This justification is due to the Inuit majority within the territory. This thesis is interested in how indigeneity can be mobilised as a justification and forms an integral part of this parliament's identity. This requires an examination of how the presence of IQ within the assembly impacts its legitimacy.

From a classical perspective, parliaments are considered to be legitimate as their members are elected, being therefore considered to be representative of the people. The representative process and the legitimation process are interlinked (Judge and Leston-Bandeira, 2021, p.159). The problem with this theoretical framework is that parliaments have their legitimation through election, but what happens after an election or, to be more precise, in between elections, to a new parliament, such as the Legislative Assembly of Nunavut, created in 1999? How can it present itself as legitimate?

The set of theories known as the constructivist turn on representation, especially Saward's theory of *representative claims* (2006; 2010), permits the investigation of non-elected representative, such as institutions instead of people, members, representatives. With IQ influencing the working of the Nunavut legislature, Members of the Legislative Assembly (MLA) can assert that the assembly respects Inuit traditions. Claims need to resonate with an audience on the basis of "existing terms and understanding" (Saward, 2010, p.46). This echoes what Beetham conceives of as one of the dimensions of legitimacy which understands that "power is legitimate to the extent that the rules of power can be justified in terms of beliefs shared by both the dominant and subordinate" (1991, p.17). As it integrates elements of Inuit tradition (contained in IQ), the Legislative Assembly can claim to be legitimate, even if it retains some aspects of the Westminster model (Judge and Leston-Bandeira, 2021, pp.168–169). So, the Assembly's legitimacy rests on how representative it seems to the constituency, which is the Inuit. Therefore, it is critical to analyse the institutional representation of the Legislative Assembly of Nunavut, which considers the institution as a form of representation, and not just its members.

Mostly, representative claims are analysed through what Pitkin defined as symbolic representation, implying that "no resemblance or reflection [between represented and representative] is required and the connection to the represented is of a different kind" (1967, p.11). In integrating IQ, the parliament is not arguing that it is a mirror of the Nunavummiut (n.b. the name for Nunavut inhabitants), which should suggest that it would perform a descriptive representation whereby it

mirrors Nunavut's society (1967, pp.60–91). Besides, IQ is also used in policy debates within the Assembly, hinting that it has more than a symbolic importance. Here, this assumption refers to Pitkin's concept of substantive representation, which she defines as "Representation is a certain characteristic activity, defined by certain behavioral norms or certain things a representative is expected to do" (1967, p.112). This would suggest that, by using IQ in debates, the legislature is doing what it was made for, that is making decisions on Nunavummiut's behalf.

Representation encompasses different dimensions, with institutional representation being centred around the symbolic perspective, as it does not consider the individual representative as the main agent of representation. This concept is key in understanding legitimacy, as seen above. This thesis considers the institutional representation of the Legislative Assembly of Nunavut, a new parliament, which held its first session in 1999. The nature of the population (Inuit majority) was an important factor in the implementation and the design of the territory and its political institutions. The aim was that it would reflect the Inuit culture as well as the British parliamentarian traditions (White, 2006). This leads to the question of how this mixing of both traditions – indigenous and colonial – seems counterintuitive, which can have an impact on the institution's representation.

1.3 Aims and objectives

This thesis's main aim is to understand how the Legislative Assembly of Nunavut can be a form of representation vis-à-vis its territorial population. The main theoretical framework is the representative claim theory as defined by Saward. It enables the researcher to investigate how representative claims can change and how those modifications happen. The claim-making rests on a dynamic notion of representation, it is not fixed, and claims are subject to constant flux. An interesting point of this case study is the fact that it happens in a country

(Canada) that also has a claim of being a multicultural country and that has to reckon with its colonial past.

The thesis is not questioning whether the creation of Nunavut is an advancement for Inuit rights in Canada. Nunavut was established through a federal act in the Canadian parliament. Therefore, it could be argued that it is not a complete act of self-determination (Lightfoot, 2016, p.189), especially when we consider the fact that the territory has no full fiscal decentralisation, which is a strain on the government's autonomy (Falleti, 2005).

Rather, this thesis focuses on the territorial legislature as a form of representation. It must be placed amongst other studies of subnational parliaments (Downs, 2014). It seeks to contribute to this field as it contemplates how a newly created parliament (the Legislative Assembly of Nunavut) is using representative claims in order to be viewed as a legitimate institution representing its population (Nunavummiut, 85% of whom are Inuit).

The methodology used in the thesis is original too. The vast majority of the data used in this research are verbatim written records of the Nunavut Legislative Assembly's debates in Hansard covering the first 20 years of its activity (it amounts to about 40,000 pages). In employing this approach, the researcher deliberately makes the decision to examine how MLAs are using the chamber (where debates take place) to test and define claims about their place of work before offering those claims to the wider public.

Finally, the thesis elects a broader perspective by locating the creation of Nunavut in the context of multiculturalism, a key factor in Canadian politics since the 1970s. Here, the territory's creation is discussed as a self-determination rights for Inuit, instead of an increase of representational rights for them (Kymlicka, 1995). The latter perspective on rights is often discussed when speaking of an increase of visibility at a federal level such as by using quotas, which echoes Pitkin's definition of descriptive representation. By examining potential representative claims, this PhD's approach opens the possibility of rethinking those two rights, self-determination and representation rights, in relation to indigenous people.

This doctoral project addresses those issues by answering the following four research questions that can be summarised as analysing claims by asking 'Why?', 'Who?', 'What?' and '…So?' questions:

Research Question 1: Why was the Legislative Assembly of Nunavut created?

This question covers politicians' rationale for the justifications they have provided when they had to. Those justifications are presented under the formulation of a representative claim.

The answer to this question can be divided into two. First, it needs to examine how politicians at a federal level thought about creating Nunavut, in 1993. Considering that it is a territory, its existence lies only on federal legislation and thus it is necessary to analyse debates of the Canadian parliament to draw out the federal justification for this territory.

However, the second part of this answer is an alternative where Nunavummiut politicians are free to choose to justify retrospectively what the Legislative Assembly should represent and mean. They do so by speaking from the Legislative Assembly itself, which can make them more legitimate, and provide a different rationale for the claims than those formulated by their federal counterparts.

This means that two groups of politicians can differ on a justification but could have a similar claim.

Research Question 2: Who are the different actors involved in the claim-making process surrounding the Legislative Assembly of Nunavut?

The notion of representation is often described as a Principal-Agent relationship where the former (the principal) is the represented and the latter the representative (the agent). Saward's claim-making theory expands this relationship by adding other actors such as a maker and audience, both of which

are critical in this process. This research question rests on this expanded set of actors.

Following research question 1, this question enquires about the identity of the different actors and not only of the principal and the agent. However, this question does not presuppose a fixed set of actors and invites the researcher to think about the claims and their actors as changing according to the context in which the claims are made.

Research Question 3: What role has the incorporation of Inuit knowledge played in shaping the representation of the Legislative Assembly of Nunavut?

This question seeks to understand what importance Inuit knowledge (especially Inuit Qaujimajatuqangit) has for the institutional representation of the Legislative Assembly of Nunavut. As a key feature of claims made about the parliament, it is central for the thesis, to define IQ and the wider Inuit tradition in order to highlight its functions in relations with the Legislative Assembly. This research question suggests that Inuit traditions are critical for the institutional representation of the parliament. As Inuit Qaujimajatuqangit is mentioned in policy debates and in discussing the institutional representation of the Legislative Assembly of Nunavut, the analysis of the Hansard can provide a key insight on what IQ is.

This question interrogates the nature of Inuit knowledge and what it represents for the Inuit and Nunavut. In doing so, it also asks if it performs any function in the claim-making around the Legislative Assembly of Nunavut.

Research Question 4: To what extent does the Legislative Assembly of Nunavut challenge the paradigm of special representation rights in a multicultural context?

Question 4 is the last question and invites the researcher to consider if the case study of Nunavut and its parliament contributes towards a new perspective on self-representation rights, as outlined by Kymlicka (1995). This research question is grounded in the wider Canadian context. This context is influenced by

multiculturalism, which can be considered as an ideology as well as a set of policies.

Kymlicka discusses three different minority rights, one of them being special representation right. This right argues that minorities should have individuals representing them as the only way to have their interests represented. This research question suggests that the case study of Nunavut's parliament can widen the scope of this right by considering non-elected representatives to provide an answer for less represented communities.

1.4 Thesis outline

Following this Introduction, Chapter 2 establishes the core theoretical framework of this thesis. It starts by revisiting Hannah Pitkin's *The Concept of Representation* (1967). Her work is the first comprehensive one on this subject and provides an outline of the different key theories on representation, such as those developed by Burke and Madison. More importantly, she conceives four facets of representation: formalistic, descriptive, substantive, and symbolic. Those four views guide the research in the different perspectives that can be used to consider representation. At the heart of her conceptualisation lies the belief that the constituency or represented exists before being represented. The chapter also introduces a post-colonial critique of this vision of the constituency 'predating' the act of representation.

It continues by introducing the notion of r*epresentative claims* theory, which is at the basis of this thesis's theoretical framework. As part of the constructivist turn, it focuses on how claims allow the discussion of parliament as a representation, of which the Nunavut Legislative Assembly is an example and the object of research in this project. The chapter reflects also on how claims can be discussed beyond the lens of symbolic representation, by introducing the notion of substantive claims. As the project examines representation as enabling legitimacy, this chapter explains the relationship between this form of representation and

legitimacy, which is centred around the audience's acceptance. Furthermore, the scope of political representation is enriched as it is deemed to contain an aesthetic element, just as in artistic representation. The chapter concludes by pondering the importance of public engagement as a way to convey claims to an audience.

Chapter 3 introduces the context in which the case study must be placed. First, it narrates the history of Canada and explains the three main 'founding groups' in the country: English speakers, French speakers and aboriginals. The Inuit belong to the last group. However, they are distinct from other Canadian indigenous peoples. The chapter continues by explaining the concept of multiculturalism, key in understanding society and policy in today's Canada. This concept contains two types of rights which seem to be mutually exclusive: self-determination rights and self-governing rights. Most policies towards indigenous peoples are aimed at increasing their representation amongst the Canadian federation. It is therefore important to understand what makes a people indigenous before discussing their representation.

The creation of Nunavut counters this trend, as it is discussed as an example of self-governance for the Inuit. As the territory is created solely from the Northwest Territories, the chapter continues by reminding the reader about the political development in this territory since World War II which led to its eastern part being separated to form Nunavut. Finally, Chapter 3 concludes by presenting the Legislative Assembly of Nunavut. This account of its functioning is essential to comprehend the analysis developed in the three last chapters of the thesis.

Chapter 4 is the methodology chapter. This chapter bridges the historical and political perspectives explained in Chapter 3, and the theoretical framework developed in the second chapter. Those themes are reflected in the methodological framework, which is based on discourse analysis, as the data here consists of the written verbatim records of parliamentary debates – the Hansard – from either the Legislative Assembly of Nunavut or the Canadian parliament. Considering that Nunavut exists in a territory with a colonial past, the post-colonialism issues need to be taken into account. More importantly, as the doctoral dissertation aims to uncover how a newly created parliament makes

claims, the framework reflects on the importance of analysing the parliament speaking as a whole through Hansard, as a means to uncover how individual MLAs perceive their workplace.

The method used to uncover representation claims is itself an original method and a contribution to the field of legislative studies. Instead of relying on interviews with parliamentarians in order to reflect how claims are communicated to the public, the researcher focuses his inquiry on the debating chamber. This process allows him to be a witness – remote in place and in time – to the testing and formulation of those claims before they are put forward to the wider public.

Finally, the chapter presents the data which is analysed by using the NVivo 12 software. This software facilitates the coding process which will be presented. This coding choice explains key concepts such as Elders and offers an attempt to define Inuit Qaujimajatuqangit. Those codes (nodes in NVivo) help the project in discovering patterns. The process informs how claims are formulated in the debating chamber, which is investigated in the last three chapters of this thesis.

Chapter 5 begins by analysing the Hansard of both Canadian houses of parliament, Senate and House of Commons, relating to the 1993 debate on the *Nunavut Act*, which created the territory. It moves quickly onto the analysis of the Hansards of the Legislative Assembly. By analysing key parts of the Hansards at territorial level, a claim about the parliament can be detected. It is not too dissimilar to a claim that is formulated by federal politicians. In examining the procedures and the design of the Assembly, the chapter is able to highlight how the claims are formulated and reinforced by the Legislative Assembly and MLAs. It builds on the information introduced in Chapter 3, to answer research question 1.

Moreover, Chapter 5 discusses how MLAs regard the notion of engaging with the public, as it is critical for the claim to be expressed to external audiences. At the centre of this debate lies the notion of Inuit Qaujimajatqangit, the role of which is confirmed to be important in the claim-making process, not only as reinforcing the symbolic representation of the Assembly, but also for discussing substantive issues within parliament.

Chapter 6 contemplates the fact that MLAs disagree on a single definition of Inuit Qaujimajatuqangit. Since it is a relatively newly formulated concept, it is a valid point that there is no fixed consensus on its meaning. Yet, it is discussed in relation to policies such as environment, education, and care. The last two policy areas are traditionally devolved to territorial or provincial governments, hence discussion in the Assembly. Nunavut's specificity resides in the fact that those policies are guided by IQ. In this instance, Inuit Qaujimajatuqangit is assessed as the embodiment of Inuit tradition and culture. Still, it arose a few year before the territory's creation (Lévesque, 2000). The Inuit, as is the case with all aboriginal peoples, have a deep connection with the environment and IQ is used in reference to that relationship.

IQ is used in substantive debates as a representation of an idea of Inuit indigeneity. MLAs institutionalised this practice with an act in 2002 (which will be discussed in Chapter 5). The process of using IQ in debates gives an argument for MLAs in their claim on the Legislative Assembly of Nunavut. Being utilised in policy discussions, IQ represents indigeneity in some of the policies' outcomes formulated by the parliament. Therefore, Chapter 6 will provide an answer to research question 3.

Chapter 7 concludes the analysis of the thesis. It tries to map out the different claims that are made either on or within the Assembly. It first delineates the claims on the Assembly. The first claim is made at the federal level and the second at the territorial level. The key difference is the use of IQ in the second's formulation. Here, IQ is also the subject of a claim. And it is this claim that is used as a *complement to a claim* by MLAs to make their claim on the Legislative Assembly of Nunavut. This process enables the Nunavummiut politicians to take ownership of claims on their parliament. Both claims need each other to convince their audience about their validity, which means that they are *embedded* into each other.

By mapping out the claims, Chapter 7 answers research question 2 by identifying all the different actors involved in the claim-making processes surrounding the Legislative Assembly. Those claims enable Nunavut's parliament

to perform both symbolic and substantive representation of the Inuit majority. That process allows Chapter 7 to also answer research question 4 by suggesting that self-representative rights can exist in the context of self-governing institutions.

Chapter 2 Parliament and Representation

2.1 Introduction

Created in 1999, the territory of Nunavut is the newest territory in the Canadian Confederation. It is the sole territory where an indigenous population constitutes the majority of the population. As such, its creation presents "a rare opportunity to explore a creation of a new political jurisdiction within an established democratic state" (Henderson, 2009, p.14). As a sub-division of a commonwealth country, its political system derives from Britain, and Nunavut's political system revolves around its legislature, the Legislative Assembly of Nunavut. The word 'parliament' comes from the verbs *Parler* in French or *Parlare* in Italian that mean speaking (Ihalainen et al., 2016, p.9). Parliament is rooted in the idea of representatives speaking, talking on behalf of others. Political representation supposes generally a form of parliamentary representation. Parliaments are deemed crucial for political systems as they perform various functions: decision-making, socialisation, recruitment and legitimation (Packenham, 1970, p.522). Whilst performing those, they can "underpin political support for [a] political system" (Norton, 2002, p.12). Examining a parliament is thus necessary to understand how a newly created system and parliament define themselves and how those definitions are presented to the population.

A parliament's legitimacy originates from what Pitkin designated as the formalistic form of representation (1967, pp.38–59). It rests on the knowledge that parliamentarians (representatives) are elected. Still, this fact alone is not sufficient to give legitimacy to legislatures. The electorate (the represented) need first to perceive parliaments as legitimate to participate in elections. This logic implies a paradox for a new parliament which can either be subnational (the Legislative Assembly of Nunavut) or supranational (the European Parliament) since there are no prior elections to ground their legitimacy on. Those new legislatures need to think about new ways to ground their legitimacy (Judge and Leston-Bandeira,

2018, p.157) and, to do so, they have to adopt a new perspective on representation.

From a classical perspective, representation refers to the classical account of representation where the emphasis is on making social groups' interests heard (Burke, 1775; Madison et al., 1987). But, representation can go further than making interests heard as it "also facilitates the formation of political groups and identities" (Urbinati, 2006, p.37). Representation can create the identity of the represented. To paraphrase Pitkin, it makes visible identities that are not always visible. The constructivist turn shifts the focus on representation to a dynamic process, where both the representative and the represented are constituted within the act of representation. The represented is not 'out there' waiting to be represented, it exists only through the action of being represented.

This chapter discusses the scope of what can be considered as representation. The German translations of this term (representation) can help in highlighting the dual meaning of representation. Representation can have two main meanings in German: it can either be translated into *vertreten*, meaning 'to speak for', or into *darstellen*, meaning 're-presentation' as in representation as an art (Spivak, 1988, pp.275–276). The representative and the constructive turns depart from the classical account of representation by enabling discussion on non-elected representatives and allow political representation to be understood in both senses, *vertreten* and *darstellen*. Within the constructivist theories of representation, Saward's representative claim (2006; 2010) is generally considered as the most influential theory in the constructivist turn (Disch, 2015, p.487). The claim-making process is a way to analyse political representation. At its foundation resides the necessity for the represented to accept the act of representation. It enables a constituency to accept representation despite not being directly linked to elections. By presenting this theory, Saward furthers the domain of research on representation enabling the study of parliament as it "allows us to move beyond the terrain of non-electoral representation and to prospect the terrain of institutional representation" (Judge and Leston-Bandeira, 2018, p.156); i.e., a parliament (in this case, the Legislative Assembly of Nunavut)

does not only represent the parliamentarians. This chapter outlines what parliaments, especially newly created ones, such as Nunavut's, need to do to define themselves. It explores how, through claim-making, parliaments embed processes of representation. In doing so, this chapter presents a more dynamic approach to the principal-agent relationship within representation theory, which can be employed to analyse how Inuit's indigeneity could be represented in a parliament.

First, this chapter looks at the classical notion of representation using Pitkin's work (1967). Then, it critiques this account of representation by putting forward a post-colonial approach. As an alternative, the idea of representative claim offers a more dynamic point of view on political representation. Finally, the chapter concludes by examining the critical link between parliament and the public.

2.2 The classical view of representation

This section introduces Pitkin's definition of representation and focuses in particular on the concept of constituency. It outlines the four different conceptions of representation that Pitkin has identified. Then it will define the notion of constituency from a classical view of representation.

2.2.1 Pitkin's classification of representation

This section discusses the different types of representation – formalistic, descriptive, substantive and symbolic – outlined by Pitkin in her book *The Concept of Representation* (1967).

The formalistic form of representation considers "a representative is someone who has been authorized to act" (Pitkin, 1967, p.38) by the represented,

who renders some of its agency to the former (1967, p.39). This form of representation encompasses all "the formalities of this relationship" (1967, p.39). The formalistic view refers to all the processes concerning the selection of representatives. Parliaments are regarded as the meeting place of the representatives selected by its associated processes. Indeed, parliamentary rules can set the term limits of the representative, for instance (Thiers, 2018, p.171). Parliament and the procedures surrounding it (such as electoral law) fit within this dimension.

Descriptive representation is defined by Pitkin as the "view that a representative body is distinguished by an accurate correspondence or resemblance to what it represents, by reflecting *without distortion*" (1967, p.60, emphasis added) and representation 'mirrors' the society (1967, p.61). In practice, it advocates that only women can represent women or minorities can represent minorities (Mansbridge, 1999). The main argument for a descriptive representation is that it legitimises the marginalised groups which were previously discriminated. It allows minorities to be more visible at parliamentary level and, in turn, makes those institutions more legitimate vis-à-vis those minorities (1999). Also, the presence of minorities and marginalised groups could lead to better trust. However, there are many reservations on the effectiveness of descriptive representation. It can be argued that descriptive representation as a mirror of society shifts the focus to being something rather than doing something (Pitkin, 1967, p.61). The descriptive view of representation only focuses on the nature of the representation and not on its performance. This poses a problem when elections come, as some voters seek a representative who acts substantively whereas others seek a representative that mirrors their characteristics (descriptive representation).

Substantive representation is sometimes put forward as an alternative to descriptive representation. It is a "view of representation centred on the activity of representation, the role of the representative" (Pitkin, 1967, p.112). This form of representation focuses on how the representative acts on behalf of those they are supposed to represent. Here, substantive representation can find echoes in the

liberal as well as the Burkean view on representation. In *The Federalist Papers* (Madison et al., 1987)*,* Madison perceives a need of representation to embody factions with different interests. For him, a scheme of representation would mean that representation does not imply that they represent a particular identity, but interest. Coming from a different perspective, Burke shares the same view but developed in a different way; he sees the representative's role as not only to defend their constituents as a member of parliament but also to sit in a "*deliberative* Assembly of one Nation, with one interest that of the whole" (Burke, 1775, p.28). The notion of substantive representation enables cooperation in diverse societies where factions exist and where, within those societies, a 'scheme of representation' is needed in opposition to a direct style of democracy (Madison et al., 1987, p.126). Political representation acts as the centre which unifies the different interests of a nation, according to Paine (Paine in Urbinati, 2006, p.175). Therefore, it could be said that "representative democracy 'surpasses' simple democracy" (2006, p.175).

The fourth and last dimension of representation sketched by Pitkin, is the symbolic view of representation where a symbol is "standing for" someone or something (Pitkin, 1967, p.92). This view can be defined as representation through symbolism where symbols have the power to *evoke* emotions and attitudes in the audience they are directed towards (Pitkin, 1967; Schwindt-Bayer and Mishler, 2005; Hayes and Hibbing, 2016). It is because a symbol can evoke or embody a principle that it can be a representative agent (Lombardo and Meier, 2017, p.2). Symbols exist only through "a meaning beyond themselves" (Lombardo and Meier, 2014, p.21). An example of symbolic representation could be the Union Jack as the United Kingdom's flag, but without the meaning implied by being a flag, the Union Jack would be only a piece of cloth and would not stand as a symbol of the country. The symbolic representation could be understood as a principal-agent relationship. It can be summarised as "the representation of the principal through an agent to which certain meaning is attributed" (Lombardo and Meier, 2014, p.4). Symbols which are used as representation are constructed to capture the meaning of the principal which they represent. As an example, the French flag stands as the representation of the French Republic, in the way

France has popularised it through education and civic consciousness. It has led to people accepting the blue, white, and red flag as a symbol of French republicanism.

Academics have examined Pitkin's four views of representation (formalistic, descriptive, substantive and symbolic) either separately or in pairs (Schwindt-Bayer and Mishler, 2005, p.407). This demonstrates that either taken separately or together they can constitute an account for representation (Pitkin, 1967, pp.10–11), and indeed some research has been done on the symbolic effect of both descriptive and substantive representations.

Hayes and Hibbing have studied the symbolic impact of substantive and descriptive views of representations (2016). Their findings were that the increased presence of minorities in seats of power increases the trust of the minorities in those political institutions. This is because, through descriptive representation, the representatives become a symbol for the minorities or a marginalised group. Lawless argues that the increase of women in politics has increased the confidence of women on going into politics as a consequence (2004). Descriptive representation not only suggests that the socio-demographic characteristics of the represented should be represented, but by doing so it enables the representative to also posit to posit themselves as a token or a symbol of the population. Lawless argues that minorities should have a say in government, which would further legitimise the political process.

As such, Lawless's contribution echoes the legitimation function of political representation advanced by Birch where he states that representation can "endow the government with a particular kind of legitimacy" (1971, p.108). This legitimacy is necessary as it is "significant not only for the maintenance of order, but also for the degree of cooperation and quality of performance that the powerful can secure from the subordinate" (Beetham, 1991, p.29). The legitimation function is seen as one of the many functions of a parliament (Packenham, 1970, pp.527–530).

Indeed, Pitkin's contribution to the representative theory resides on delineating the four views of representation. She understands political representation as 'acting for' or 'standing for' and she indicates her preference for the former. She defines political representation as a means of "acting in the

interest of the represented in a manner responsive to them" (1967, p.209). For her, the representative is the focus of representation and the represented is "somehow logically prior" (1967, p.140), which lies at the heart of her conception of representation. Therefore, to study representation, one should focus only on how representatives behave in legislatures. Her focus is on the action of representation and therefore prioritises the substantive representation above the symbolic or the descriptive ones (Lombardo and Meier, 2014, p.4).

The notion of being represented is key in the act of representation. The notion of the represented is confounded with the notion of constituency, which can be defined as a "manner by which the state defines groups of citizens for the purpose of electing a political representative(s)" (Rehfeld, 2005, p. 36). Here, the notion of constituency is a means of selection and legitimisation of representatives, in line with Pitkin's formalistic view of representation.

2.2.2 Constituency and representation

Rehfeld has recognised that this definition of constituency follows the idea of the formalistic view of representation advanced by Pitkin, which she defines as "a kind of 'black box' shaped by the initial giving of authority, within which the representative can do whatever he pleases" (Pitkin, 1967, p.39). A definition of constituency in line with the formalistic representation can be seen in Rehfeld's definition where he states that:

> "*Rules alone do not create representation: they are what an audience uses to recognise a claimant as a representative in the following way. First, an Audience must take these rules to be valid and appropriate given the case. Second, the Audience must recognise that the rules in fact denote an individual claimant. When an Audience recognizes that the rules it uses designate a particular claimant, that claimant becomes the Representative*" (2005, p.3).

For Rehfeld, representation occurs when the audience approves a set of procedures in which the claimant becomes the representative. Here, the link

between a representative and a physical constituency is not mentioned. What matters is that the process is accepted by an audience, prior to the representation happening.

For instance, in 18th-century France, generals were organised in three distinct constituencies, depending on class, between the religious order, the aristocracy and the third estate (Rehfeld, 2005). There, the notion of constituency was not pinned to a given territory[2], but the audiences accepted the way the three estates represented their own respective constituency. Groups are often the main unit for representation to be carried on, as it is more practical to represent a group's interests rather than an individual's interests (Brito Vieira and Runciman, 2008, p.84). Groups can therefore be organised to form a constituency. Turning to the question of representation as a tool for integration, Rehfeld notes that there are different justifications for a group to claim to be a constituency.

Two justifications can be used by aboriginal people to assert themselves as a special constituency, which rests on two justifications (Rehfeld, 2005). The first justification centres around reparations and is aimed at a "subgroup of the polity [that] has been excluded from the political process (or the nation has exacted some other harm upon them) [where] they may have a right to form a separate constituency as reparation for that harm" (2005, p.49). The second justification is similar to Kymlicka's conceptualisation of self-representation rights (1995, p.38), in the sense that they are a minority needing protection through legislation that only an indigenous MP could put forward (Rehfeld, 2005, p.50).

In Canada, three main constituencies can be considered. The first two are former colonies/settlers' groups – the French and the British – who have enjoyed power, whilst the third – the aboriginals – have been marginalised and "overrun and displaced" by Canada's two other main populations (Phillips, 1995a, p.116). This treatment of the aboriginals in Canada is not uncommon whilst speaking about indigenous people. Indeed, scholars have mostly accepted that the term

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[2] In this thesis, the term of constituency will be used for any relationship between a representative and its electorates, but the thesis will also use the term 'riding', which is the Canadian term for the electoral division of a parliamentary constituency.

indigenous people should encompass populations that have long suffered from exclusion and discrimination from the outsiders (Corntassel, 2003, p.78). That exclusion of the political system is core to the indigenous identity, as recognised by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) where it is stated that indigenous people have suffered from "colonization and dispossession of their lands" (United Nations, 2007). The colonisation of the land and the establishment of independent nations like Canada, have translated into a systematic exclusion and lack of policies that would have enhanced their participation in the political process, like the establishment of representative government. An increase in the number of indigenous parliamentarians would help to raise the issues concerning them within a parliament.

This focus on representation within a parliamentary system and centred around a constituted constituency setting is dubbed the "standard account of representation" (Disch, 2012, p.489). This account places the emphasis on a unidirectional relationship from the represented to the representative. This approach to representation tends to focus on electoral representation and does not consider other forms of representation besides electoral. The next section focuses on the representative turn and constructivist approach, which conceives representation instead as a dynamic process not solely linked to electoral moments.

2.3 The representative turn

This section investigates how the standard account of representation based on a presupposed definition of constituency fails in representing indigenous people. The section presents Saward's theory of representative claims.

2.3.1 The problem with the standard account

The standard account argues that representation happens when there is an election (formalistic representation) and where representatives act on the behalf of a constituency (substantive representation). In Canada, only 40 MPs have come from an indigenous background since its independence in 1867 (Morden, 2017, p.1). This is a sign of the lack of representation of the indigenous people at federal level. Indigeneity implies not only a link with a special territory or a culture, but also an experience of being undermined and marginalised through colonisation (Kenrick and Lewis, 2004; Asch et al., 2004). Representation through this mode implies that an indigenous representative(s) would be solely responsible in speaking on Inuit issues, yet it cannot fully represent the experiences that make Inuit indigenous. Following Pitkin's account of descriptive representation, only indigenous MPs would be able to represent an indigenous constituency. This mirroring aspect hides the possibility of competing identities or different interests existing within the aboriginal population. Having indigenous MPs sitting in the House of Commons does not necessarily translate that they are acting on behalf of the indigenous population. An MP can argue that they to represent the aboriginal interests of indigenous people but not specific issues concerning intersectional issues like indigenous women.

Electoral representation assumes that the elected act on the behalf of their electorate. The problem resides in the fact that in a settler state, such as Canada, a surrogate representative would not be able to consider and articulate an aboriginal's interest, as his or her position is dominant in the state. Just like orientalism, indigeneity is framed through the lenses of the colonisers (Said, 2003); and therefore the indigenous cannot be represented in a surrogate sense as it would imply that the latter is the only one who would be able to speak for the former. It could be interpreted that the indigenous cannot speak without the medium of a representative, which places them at the bottom of a power relationship (Spivak, 1988, pp.276–277). The problem arises when individuals and members of different groups have multiple identities, and they are not only

attached to a particular strand of their identity – a young aboriginal or an LGBTQ+ aboriginal with two, or more, different political competing identities, for example. Thus, individuals each have different sets of identities, leading them to have "a distinctive hybrid perspective" (Young, 2000, p.139). Therefore, it renders more difficult the act of descriptive representation where indigenous parliamentarians stand as the representatives of the indigenous population. The standard account of representation by concentrating on the representative's role forgets the role and identity of the represented.

Post-colonial and decoloniality theory can gives provide path to better understand how the standard account fails to approach representation for indigenous communities. The question of the representation of the colonised invites the thesis to consider post-colonial theory. Political representation is difficult for the colonised, as it is often made by those in power, whose view of the indigenous' interests differs from the indigenous' own view of their own interests (Spivak, 1988). For some, the inability for indigenous people to be represented is due to mistranslation in knowledge production between the colonised and the colonisers (Bhambra, 2014, p.128). The idea of knowledge is often associated with modernity. With the start of colonisation, the European powers differentiated themselves from the other cultures (2014, p.130). Accordingly, as the European knowledge became modern, the colonisation made it universal (Quijano, 2007, p.169). It became the standard knowledge and suppressed any other knowledge considered neither modern nor rational (2007, p.169). The Westminster parliament refers to the western knowledge, and, as chapter 3 will show, has been adapted to fit aboriginal knowledge in the Nunavut setting, challenging the power of western knowledge. Mignolo notes that the "limit of Western philosophy is the border where the colonial difference emerges, making visible the variety of local histories that Western thought, from the right and the left, hid and supressed" (2000, p.66). Mignolo also advances the terms of 'Delinking which " means to change the terms and not just the content of the conversation" (2007, p.459). It can be witnessed in the case of Nunavut as it tries to avoid a dichotomy between the colonial system and a system that includes Inuit traditions.

Going back to one of the key assumptions of Pitkin's approach to representation rests on the belief that the constituency existed before the act of representation. As the represented are essential to authorise the act of representation through election, the notion of constitution needs to precede the represented (1967, p.140). Hence, parliamentarians think about their career in terms of representing their constituents, either in terms of descriptive or substantive representation (Rozenberg and Vigour, 2018, p.397), or in what Mansbridge called either promissory or gyroscopic representation (2003). Those views of representation can be discussed as representation as *vertreten*, meaning that "representation as "'speaking for' as is politics" (Spivak, 1988, pp.275–276). The problem is that the represented is assumed to be known and act only during an election; they have no interaction in between elections, being reduced to a passive role. Since the beginning of this century, a new approach to democratic representation has risen in light of transnational issues such as the environment, which exceeds the natural boundaries of a country and its constituency (Näsström, 2011, p.501). Here, the problem resides in the fact that those issues should be dealt with by transnational institutions; this hints at a new type of constituency, a transnational one (Mulieri, 2013).

The representative turn of representation seeks to move away from a standard account of representation (Näsström, 2011; Disch, 2015) and considers that "representation is not just a matter of will, but also a matter of *judgment*, that it is not just constitution, but also *constitutive*, and that representation for these reasons can be *non-electoral* as well as electoral" (Näsström, 2011, p. 502, emphasis in original). As non-electoral representation does not require a constituency, it allows possibilities of representation in different settings, either transnational parliaments or new regional parliaments. The constructivist turn goes further by suggesting that, through representation, the representative gives a portrayal of the represented or constituency (Näsström, 2015, p.1). This view contrasts with the standard account of representation.

This notion of constituency being portrayed within the act of representation, differs from Pitkin's formalistic and substantive account. The representative turn moves away from the authorisation view and allows a more thorough analysis of

symbolic representation. The traditional take on symbolic representation seems to consider it as a by-product of either descriptive or substantive representation (Verge, 2021). By considering symbolic representation as merely 'standing for', it suggests that "a person or a thing does not have to *do* anything in particular in order to 'stand for' something else, only to *be*" (Saward, 2010, p.13 italics in original). This conception of symbolic representation is challenged by Lombardo and Meier, who assert that "there is activity in symbolic representation" (2019, p.134) which can consist in "the activity of constructing the symbol" (2019, p.234).. The representative turn opens the possibility of discussing non-elected representation by focusing on Pitkin's definition of symbolic representation. As it differs from the authorisation, not requiring the represented to authorise something or to allow the act of representation to occur, it denotes that the notion of constituency suggested by Pitkin, as given, is created constitutively within representation. Representation is conceived to be essential to a constituency's existence as "without political representation we are without a conception of what political reality – the represented – is like; without it, political reality has neither face nor contours. Without representation, there is no represented *-and without political representation there is no nation as a truly political entity*" (Ankersmit, 2002, p.115,emphasis in original). The aesthetic side of representation entails that the constituency needs to accept representation's meaning in order to exist through the latter. Here, representation is similar to aesthetic art – i.e., representation in the German *darstellen* sense, referring more to representation" as in art or philosophy (Spivak, 1988, p.245) – as it portrays the represented through an agent; it is constructed. This echoes the point made by Lombardo and Meier when they argue that symbolic representation only exists through its meaning (2014, p.21), in the way the meaning of representation is not only important for the agent, but also for the principal.

The representative and constructivist turns underline the notion of constituency as constitutive of representation because they suppose that "the idea that acts of representation do not *refer* to the represented in any straightforward way but work to *constitute* a represented as unified and (typically) as a bearer of interests and demands" (Disch, 2015, p.490, emphasis in original). Symbolic

representation by being accepted by an audience also defines the constituency. Still, the constructive turn fails to make a case for democratic non-elected representation. Saward advances his theory of representative claim-making to grasp the process of constructing symbolic representation whose dynamic process allows constituencies to accept representation without going through election (Disch, 2015). This leads his theory to be considered as "the most influential state of the constructivist position on political representation" (2015, p.487).

Lombardo and Meier (2014) argue that symbolic representation, even if it performs this function, also provides more than either leadership, system maintenance or popular control (Birch, 1971, p.107). A symbol that stands for representation also provides an identity to the object that it represents. Lombardo and Meir argue that the symbolic representation of women also constructs a certain idea of womanhood. They go beyond what Pitkin regards as a potential source of symbolic representation as this view "can also be discursive and based on language" (Lombardo and Meier, 2014, p.9). Texts and speeches can frame symbols in a particular way, just as a statue or the architecture of a building can be accepted as a symbol standing for a principal. In the case of Nunavut, discourses are sometimes framed to create asymmetry or to create a certain reality (Parel, 1969; Bondi, 1997). The discourse around symbols as agents of those who are represented also gives information on the principals of representation.

This notion of symbolic representation as a construction can be found in Saward's vision of it, as he perceives symbolic representation as "representation [not being] just *there*, a thing. It is made, constructed, by someone, and for a purpose" (2010, p.14).

2.3.2 Representation as claim-making

This section offers Saward's representative claims as the main perspective for analysing the Legislative Assembly of Nunavut. It begins by outlining his theory

and, at the same time, his objections to the standard account. Then, it recognises both substantive and symbolic views within the claims. This section investigates the legitimacy within the claim-making process, before concluding on the aesthetic aspect of the claim.

2.3.2.1 Saward's theory

In his claim-making theory, Saward advances that representation, especially when coming with symbols, involves a process, where "a *maker* of representation ('M') puts forward a *subject* ('S') which stands for an *object* ('O') that is related to a *referent* ('R') and is offered to an *audience* ('A')" (Saward, 2010, p. 38 emphasis in original). In traditional political theory terms, it can be said that "a *maker* put forward an *agent* which stands for an *idea* that is related to a *principal*" (Lombardo and Meier, 2014, p.29, emphasis in original). In doing so, Saward answers what he regards as a flaw in Pitkin's argument of representation, as her work rests on the assumption that political representation is universal (Baker, 2006, p.160). Another suggestion made by him, is that, instead of arguing that representation is "making present in some sense something which is nevertheless not present literally or in fact" (Pitkin, 1967), the representative cannot represent something, someone or a group per se, but only the idea of it (Saward, 2010, p.36). Hence, a dialogue begins between the maker and the audience about what the constituency is. The notion of constituency shifts as "at the heart of the act of representing is the depicting of a constituency *as* this or that, as requiring this or that" (Saward, 2006, p.301, italics in original). The constituency, here, is constituted at the same time as the act of representation. Both the subject and the object of the claims are constituted at the same time. This makes the act of political representation similar to the art of representation, where the maker (or the artist) presents an aesthetic representation of something, just as the claim-maker presents his or her vision of the constituency (or the subject of their art).

Saward's representative claim differentiates the maker of the claim and the subject, i.e., the representative, and allows them to be different. This enables someone other than the agent to make a claim that the latter represents to a principal or at least an idea of it (Lombardo and Meier, 2014, p.30); thus allowing individuals to make claims on the behalf of either other individuals or institutions. More importantly, it facilitates the formulation of non-electoral representatives, which argues in favour of the representative turn by blurring "the distinction between electoral and non-electoral representation" (Judge and Leston-Bandeira, 2018, p.156) and enables the exploration of institutional representation. His constructive approach offers a better understanding of how institutions, such as a parliament, can be presented as a form of representation (2018, p.156). It shifts the focus of studying parliament as a meeting place of representatives to examining "the claim-making *about* parliament as an institution and, more importantly, claim-making *for* the institution and *on its behalf.*" (2018, p.158, emphasis in original). This institutional representation is being employed in uncovering how parliament is framed to represent women in Spain (Verge, 2021). Claims also highlight the constitutive nature of representation.

As seen earlier, representation claims lie on a dynamic process between the subject, the object and the audience of representation. As such, a constituency is defined by the maker and its role in the process is either to accept or reject the claim. The constituency is therefore situated within the audience (which receives the claims), as a sub-audience. The latter embodies the main audience whose approval is crucial for the legitimation of the claim. The audience receives the claim but can be either active or passive (i.e., it happens to be present when the claim is formulated). The term *appropriate constituency* has a more active role (Severs, 2010, p.416), as it is the group to whom the claim is directed, and the acceptance is crucial for any non-electoral representative. In the case of the Legislative Assembly of Nunavut, the audience comprises everyone who lives in the territory and the appropriate constituency is those whose claims are aimed at in particular (as will be discussed in chapters 5, 6 and 7).

The constructivist turn – especially the representative claim – goes a step further by ascribing an aesthetic and cultural element to the act of representation

(Disch, 2015, p.289). Whereas Pitkin regards symbolic representation as a passive activity, the claim-making process highlights the activity behind the symbolic representation (Lombardo and Meier, 2019, p.234; Verge, 2021). The claim-making is dynamic insofar as acceptance is as important as its formulation (2006; 2010).

Emphasising the constitutive nature of representation enables a group, such as women, for example, to be recognised as such and therefore to compose a constituency (Squires, 2008). However, the ability to define the constituency gives too much power to the maker who, through claims, can potentially define the represented and the representative (Bourdieu, 2001). But, Saward's claim-making theory assigns a critical role to the audience (the group that receives the claim): for the claim to work, a maker needs "an 'audience' which receives the claims and accepts, rejects, or ignores them [the claim]" (Saward, 2010, p.37). Contrary to some sceptics, the maker of the claim cannot assign a would-be subject or a would-be object alone. The audience needs to sanction the claim by engaging with it. For example, a person (the maker) puts forward him/herself (the subject) as a representative of his or her country's interests (the object) to foreign powers (the audience). In this instance, the audience can recognise the subject or not, but, if they do not respond approvingly, the leader cannot represent his or her country to anyone. The audience's acceptance of the claim is therefore a pre-condition of any claim. Representative claims explain how a symbol is erected as 'standing for' something or someone. The claim-maker offers a construction of what he or she believes to be a constituency. Therefore, the representative claim is often associated with a form of symbolic representation as the maker offers a *presentation* of a constituency in specific ways.

The representative claim is often associated with Pitkin's symbolic account since it formulates how representation can be achieved without a principal's authorisation. But, within this framework, representative claims can also be discussed as substantive representation as interests can also be framed (Celis, 2012, p.527).

Discursive representation could be seen as a form of claim-making which argues that representation is made through discourses. It is through discourse that

individuals or organisations can make a claim to represent a certain cause or underrepresented group, like Bono (the agent), who claimed to represent the people of Africa (the principal) (Dryzek and Niemeyer, 2008; Saward, 2009). Bono does not formulate a claim that he symbolically represents the people of Africa, but he does claim that he expresses the interests of the people of Africa. More precisely, he claims to voice his own idea of the African people's interest. This is similar to Mansbridge's concept of surrogate representation (2003) to the extent that the agent claims to represent individuals or interests which have no link with their electorate. However, Saward differs from Mansbridge as he does not consider the election as a prerequisite for representation and seeks to focus on non-elected representatives.

Mullieri, whilst discussing global representation, encounters a difficulty on the question of global *demos* (2013). By using a discursive method of representation, the discourse by representative agents enables them to identify their own constituency or demos, and therefore to construct the identity of the constituency they claim to represent (Dryzek and Niemeyer, 2008). Discursive representation involves discourse and speech which are delivered to make a claim about a non-elected representative. The discursive representation enables the legitimisation of the agent as well as setting or at least defining the identity of the principal. The discursive representation refers to the symbolic representation as it aims to evoke feeling and inclination for an object that stands for a principal of representation (Lombardo and Meier, 2014). These forms of representation stand along with Saward's work on claim-making in representative theory as part of the constructivist turn of representation (Mulieri, 2013). The notion of discursive representation as mentioned by Lombardo and Meier (2014) and Dryzek and Niemeyer (2008) can suggest that discourses used by representative agents enable the construction of their principals' identity. The example of discursive representation and the example of Bono illustrate that claim-making can also be discussed in substantive terms as well as symbolic ones.

2.3.2.2 Symbolic and substantive dimensions of the representative claim

This constructivist turn was built upon the representative turn which sought to go beyond the classical study of representation based on elections and authorisation views (Näsström, 2011; Disch, 2015; Judge and Leston-Bandeira, 2018). The representative claim goes a step further by ascribing an aesthetic and cultural element to the act of representation (Disch, 2015, p.289). Whereas Pitkin regards symbolic representation as a passive activity, the claim-making process highlights the activity behind the symbolic representation (Lombardo and Meier, 2019, p.234; Verge, 2021). The claim-making is dynamic insofar as acceptance is as important as its formulation (2006; 2010).

Both the constructivist and the representative turns enable us to envisage non-elected representatives. As a consequence, the representative has no authorisation before asserting them as a representation, as Saward demonstrates with the example of Bono claiming to represent the voice of Africa in relation to the growing poverty on the continent without asking the permission of any other actor before making this assertion (Saward, 2009, p.1). The constructivist turn widens the representative premise by emphasising that there is an aesthetic element that can also be a political representation (Disch, 2015, p.489). Conversely, it allows representation to be considered on a global stage (Mulieri, 2013). It also facilitates representation of indigenous groups, like the Inuit, in a way in which standard accounts of representation are unable to appropriately do so.

Saward's claim-making process relies on aesthetics as the maker makes the subject assign a signification in making the claim. Most crucially, the claim-making process in relation to symbolic representation not only gives a theoretical perspective for non-electoral representation but also enables the study of institutions' potential, such as parliaments, as forms of symbolic representation (Judge and Leston-Bandeira, 2018, p.3); meaning that claims around the Nunavut Parliament would portray the institution as a symbol of the Inuit. Still, claims can be deemed to have substance as well.

Severs theorises (2010; 2012) how claim-making can be examined as substantive representation as well. Representing interests is central to representation as it is "what goes on during representing the substance or the

content of acting for other, as distinct from its external and formal trappings"
(Pitkin, 1967, p.114). In other words, political representation as 'standing for' is
only useful if it enables representation as 'acting for'. Saward does not only
advance a symbolic representation through his claim-making, he also affirms that
the claim-maker also formulates assumptions about the constituent's interests
(2010, p.45). Returning to Bono's example, he does not symbolically claim that he
stands for Africa, but *substantively he does.*

Due to the dynamic nature of the claims theory, interests are constructed by
the maker within the claim's formulation. Still, Saward forgets to give "any kind of
reference to an activity performed on behalf of the represented" (Severs, 2012,
p.173). The presence of substantive claims means that the maker not only claims
for a subject of representation to 'stand for' an object, but also to 'act on' its behalf.
In addition, as claims are put forward by the claimant, this can lead to the
distinction between 'being represented' and 'feeling represented' (Severs, 2010,
p.420). As discussed earlier in this chapter, the constructive turn argues that the
constituency is constitutive of the representation. Within the claim-making process,
the agent and the principal are defined by the maker when he or she formulates a
claim. But, as Lombardo and Meier noted, it is not the principal per se, but an idea
of the principal (2014, p.29). Similarly, a distinction between the maker and the
subject of representation is being drawn in the representative claim. There could
be a distinction between the audience and the object of the claim. As an example,
a constituency (which in the case of Nunavut is also the audience) may accept the
claim on its impression of being represented and not on the act itself. Severs
develops an argument on how a certain audience can argue that the claim needs
to be recognised by the audience or the appropriate constituency in order to be
properly accepted and considered as legitimate.

2.3.2.3 Claims and legitimacy

Here, the notion of legitimacy discussed is not the Weberian view of the
legitimate use of force, but can be seen as a "degree of cooperation and quality of

performance that the powerful can secure from the subordinate; it is important not only for whether they remain 'in power', but what their power can be used to achieve" (Beetham, 1991, p.29). Any political system seeks to have some legitimacy (Judge and Leston-Bandeira, 2021). Hence, representation as an authorisation view (Pitkin, 1967, pp.38–59) can be considered as conferring some legitimacy to a parliament, as the body that houses the representatives, as seen earlier. One of the parliament's functions is providing legitimation to the political system (Packenham, 1970, p.522). Within the standard account of representation, it is the fact that members of parliament are chosen by their constituents that lays the ground for legitimacy.

The relationship between parliament and legitimacy can be conceived through three main types of legitimacy: input, output and throughput (Judge and Leston-Bandeira, 2021, p.161). *Input legitimacy* is often discussed as a linkage legitimacy where it is through authorisation of the electorate that it is deemed legitimate (2021) and most democratic parliaments draw their legitimacy through law. As for the *output legitimacy*, it relies on the capacity to deliver policies. It is used by less democratic parliaments to make a point that they can provide policies to the population. The last dimension of legitimacy, *throughout legitimacy*, tries to navigate between input and output legitimacy. Its focus is on how policies are made within a parliament (Judge and Leston-Bandeira, 2021, p.169). It lies on how a parliament can define and present itself. An analysis of the different aspects of parliamentary procedures and architecture is necessary in order to understand how a parliament can portray itself.

As explained above, the representative claim-making process is a dynamic one. In addition, a newly created parliament cannot rely on grounding its legitimacy solely on election but needs to find new ways to assert itself as a legitimate body. One dimension of the claim-making formulated by Saward is the separation between the concepts of audience and constituency (2010, pp.49–51). The former is to whom the maker speaks when he or she formulates a claim. As previously mentioned, it is what the subject of the claim stands for or at least an

idea of it. The legitimacy of a claim rests on the acceptance of the claim by the audience or constituency.

As claims depart from authorisation as a source of legitimacy, it takes the constructivist turn's view that legitimacy is "*essentially aesthetic*" (Ankersmit, 2002, p.118, italics in original). This considers that political representation is similar to representation in a painting or sculpture; it occurs when the principal recognises itself in the agent. The constructivist turn of representation challenges the framing of representation as only occurring through elections and at the same time changes the viewpoint on what constitutes legitimate representation. Taking into account the constructivist nature of it, "legitimacy has to do more with shared values than a technical application of specific bounding processes" (Prato, 2019, p.30). As legitimacy is based on cultural acceptance rather than on a formal process, it allows non-elected representatives to be considered legitimate.

As seen above, representation claims lie on a dynamic process between the subject, the object and the audience of representation. Conversely, "a constituency is empowered to exercise authorisation and demand accountability, it can then accept or refine the claim that identifies *as* an affected constituency, so exercising self-determination" (Montanaro, 2012, p.1099, italics in original); by accepting the claim, the constituency therefore accepts it to be viewed as such and thus gives legitimacy to the claim. Saward argues that, at the basis of the claim, lies the acceptance or rejection of it by the audience (2010, p.37). The audience's action gives substance and legitimacy to the claim. He goes further, stating that the acceptance of all of the audience is not needed for a claim to be legitimate. Indeed, a claim can be deemed legitimate where there is a "*provisionally acceptable claims to democratic legitimacy across society are those for which there is evidence of sufficient acceptance of claims by appropriate constituencies under reasonable condition of judgement*" (2010, p.146, emphasis in original). The audience receives the claim but can be either active or passive (i.e., it happens to be present when the claim is formulated). It is the appropriate constituency whose acceptance is crucial for the claim to be legitimate.

As legitimacy relies on the constituency to recognise the representation nature of the agent, the representative claim provides an aesthetic element to political representation.

2.3.2.4 Representation beyond 'speaking for'

The constructivist turn – especially the representative claim – goes a step further as it ascribes an aesthetic and cultural element to the act of representation (Disch, 2015, p.289). Whereas Pitkin regards symbolic representation as a passive activity, the claim-making process highlights the activity behind the symbolic representation (Lombardo and Meier, 2019, p.234; Verge, 2021). The claim-making is dynamic insofar as acceptance is as important as its formulation (2006; 2010).

As Saward demonstrates with the example of Bono claiming to represent the voice of Africa in relation to the growing poverty on the continent (Saward, 2009, p.1), for Bono to be discussed as a legitimate stakeholder, he needs others (i.e. NGOs, governments) to engage with and accept his claims.

From a formalistic representation view, parliament is the meeting place of agents of representation. As previously discussed, the presence of a legislature serves as a means to give legitimacy to a political system. The constructive turn departs from the formalistic view, by permitting the analysis of parliament as a representation in its own right. Still, it needs to answer how a parliament can be discussed as legitimate if it is not constituted through elections. The notion of responsiveness is advanced as underlying the dynamic relationship between the representative and the represented. It permits the legitimisation of parliament in between elections (Judge and Leston-Bandeira, 2021, p.165). This responsiveness depends on public engagement from the institution which enables it to seek to link with its constituents. It is critical for new legislatures, such as Nunavut's, to engage with their constituency in order to value how they are defining themselves to gain legitimacy, because they need to construct their legitimacy.

Thanks to Pitkin's work outlining different views of representations, the symbolic view especially allows the consideration of non-electoral forms of representation. Saward, as part of the constructivist turn, has set the notion of representation not only as non-electoral but also as a dynamic process which allows us "to move beyond the terrain of non-electoral representation and to prospect the terrain of institution representation" (Judge and Leston-Bandeira, 2018, p.156). Parliament can therefore be conceived as not as a place where parliamentarians speak, but as an institution that can speak for itself. This perspective of representation engages the research on how the nature of the Nunavut Legislative Assembly in relation to the Inuit's tradition can be framed as a representation in itself.

. This constructivist turn echoes the representative turn which seeks to go beyond the classical study of representation on electoral representation and authorisation views that are traditionally argued (Näsström, 2011; Disch, 2015; Judge and Leston-Bandeira, 2018). This turn argues that "representation is not just a matter of will but also a matter of *judgment* that is not just constitutional but also *constitutive* and that representation for these reasons can be *non-electoral* as well as electoral" (Näsström, 2011, p.502, italics in original). As no authorisation is required for the act of representation to occur, non-electoral representation is conceived as symbolic.

Moreover, the constructivist turn goes a step further by ascribing an aesthetic and cultural element to the act of representation (Disch, 2015, p.289). Whereas the notion advanced by classical theorists of representation like Pitkin, who considers that representation is a passive activity, the constructivist turn regards it as a dynamic activity. Saward believes that the action of claim-making is an active process involving both the represented and the representative, which makes this process a dynamic one where both the principal and the agent of representation are actively making representation (2006; 2010).

Most crucially, the claim-making process in relation to symbolic representation not only gives a theoretical perspective for non-electoral representation but also enables the study of institutions as symbolic representation (Judge and Leston-Bandeira, 2018). The concept of the

institutional representation of parliament discusses how parliaments are not only hosts of representatives but also forms of representation in themselves, as "representation is not confined to person-to-person or group-to-group interactions but encompasses a second systemic institutional dimension of political representation" (2018, p.155).

In addition, concerning the Inuit, the lack of representation is more pressing. As discussed previously, the Inuit have often been assimilated with other indigenous populations, especially the First Nations, despite differences in definition and origins (Grammond, 2009). As will be seen in the next chapter, the Inuit were not recognised as a distinct indigenous group in Canada until the end of World War II; adding to the lack of recognition for them (Morse, 1985, p.5). This translated into a lack of recognition as a separate indigenous group in Canada. In the context of multiculturalism, this recognition is crucial for those minorities to be fully acknowledged and accepted as a large part of the Canadian society.

Pitkin acknowledges the fact that her work on representation missed the point of unelected representatives (Pitkin, 2004), joining in part Saward's critique of the standard account of representation, as reviewed above. The formalistic view of representation encompasses different processes through which representation is legitimised rather than the *idea* of representation. Another problem with the representation of minorities, advocated by Kymlicka (1995; 2014), is that representation has not been granted to them in the first place. When Kymlicka argues for representation rights in a multicultural context, he underlines the homogeneity of a minority. How a minority, or a marginalised group, can access representation as a group and at the same time consist of an aggregation of individuals who could potentially have multiple identities is problematic.

Consequently, the experience of oppression and marginalisation also shapes what being 'aboriginal' means. Considering that those experiences of oppression are at the heart of aboriginal identity and interest, they render the notion of representation as 'acting for' impossible as a representative cannot adopt the interests of the represented as he or she is still in a dominant position. The latter makes the descriptive representation difficult due to the intricacy of mirroring indigenous experiences.

For the Inuit to be represented, what constitutes an 'Inuit' must be defined. Keiichi Omura argues against Kuper's take on indigeneity by stating that the Inuit "continually redefine their ethnic imagery in everyday life in accordance with changing conditions in an effort to construct a positive ethnic identity." (Omura in Kuper, 2003, p.396). This constant redefinition of the Inuit means that this identity is not transferred through a kinship relationship, which dissociates them from the First Nations in Canada (Grammond, 2009). Therefore, attempting to define a constituency for the Inuit on a legal basis would miss the indigenous characteristic of the Inuit and their need for reparations for the harm done in the past, and to protect their interests in the future, as outlined above (Rehfeld, 2005).

The Inuit can claim to form a constituency because of their unique indigenous experience. But its definition is difficult to pin down. If the Inuit wish to be constituted as a constituency, they need to recognise the claim formulated on their behalf, for them to be defined as such. As this section outlined, a constituency is produced through a claim-making process and its acceptance is critical for the Legislative Assembly of Nunavut's legitimacy, considering that this parliament and the territory are framed as a proof of Inuit self-determination. By accepting the legitimacy of the Legislative Assembly, the Inuit accept it as an act of their self-determination. This issue is common with newly created legislatures which, contrary to established parliaments, have to engage with an audience, and need "to be proactive in generating their own institutional claims" (Judge and Leston-Bandeira, 2018, p.157). By engaging with the public, parliaments seek to resonate with the public as well as to define themselves to the outside world.

2.4 Parliament and the public

Most institutions seek to engage with the public as the underlying supposition is that this will raise trust and engagement from the citizens towards the political institutions (Clark and Wilford, 2012, p.340). Parliaments have an

interest in building a relationship with the public. This engagement towards the public is key in order to develop trust and confidence in those institutions (Leston-Bandeira, 2016). It is especially true and important for a newly formed parliament such as Nunavut's. They seek to connect with citizens. By moving away from the authorisation relationship between the voter and the parliament, symbolic representation begs the problem of how an institution can resonate with its citizens, especially in between elections (Judge and Leston-Bandeira, 2021). Moreover, with the rise of various legislatures either at sub- or supra-national level, different parliaments can have the same constituency and have the same way to claim legitimacy. Hence, symbolic representation helps each parliament to distinguish itself from other legislatures.

The Legislative Assembly of Nunavut was created in 1999, based on the Westminster system. That same year, Scotland and Wales were each granted their own parliament. Those parliaments were created from laws passed by their common central government, i.e., the UK parliament. Parliaments that are created cannot define themselves. They are first defined by lawmakers who allow for the creation of those institutions. Sometimes there are consultative groups that can help in the creation process before the parliamentarians define parliaments. Between the adoption of the Scottish Act in 1997 and the creation of the parliament in 1999, a consultative group laid out four key principles for the new parliament (Brown, 2000, p.549; McLaverty and MacLeod, 2012, p.549). New parliaments, which can also be supra-national, similar to the European Parliament, are first defined by those who create the institution. Then, members of these new institutions can redefine what their institutions mean for them and what they want the public to see. The symbolic intent that preceded the formation of the Legislative Assembly of Nunavut does not bind Members of the Legislative Assembly to the first attempt to attach a particular claim to the assembly. They are empowered to change claims made on the behalf of the Legislative Assembly, as symbols' meaning can change (Parkinson, 2012)..

For some of those institutions, the main problem is the view that they lack legitimacy due to the fact that some are non-elected, such as various African

regional parliaments (Ogbonnaya and Ogujiuba, 2015). Leston-Bandeira pointed that the European Parliament, needed to increase its public engagement in line with the new power acquired with the Lisbon treaty. The need for public engagement is explained that the treaty made the parliament's legitimacy more critical than previously. Public engagement can manifest itself through five steps: information, understanding, identification, participation and intervention (Leston-Bandeira, 2014, pp.418–419). Saward's theory on claim-making mechanisms helps parliament to make claims about themselves in order to be considered as legitimate. Claims enable a parliament to be legitimate in between elections and solidify a parliament's symbolic representation (Leston-Bandeira, 2016, pp.505–506). As a newly formed parliament, the Legislative Assembly of Nunavut demands that claims must be formulated on its behalf, in order to be considered as legitimate.

2.5 Conclusion

The constructivist approach advocated by Saward rests on the representative claim where the claim-maker presents the subject of the claim to an audience. As seen in this chapter, the key here is that the latter can choose to either accept or refuse that claim (Saward, 2006, p.303). Saward's theory of representative claims (2006; 2010) advances that representation is a dynamic process during which the constituency is defined, not prior to the act of representing (2010, p.25). More importantly, Saward's claim-making theory follows the steps of the 'representative claim', which seeks to go beyond the classical assumptions around political representation. What he implies is that it moves the question of representation beyond the fact of only being sanctioned through elections. It also highlights the constructivist aspect of representation where the representative is dependent on being recognised as such by its constituents.

Nunavut was created within a particular context in Canada in the 1990s. The intent behind the creation of a new territory was not only a matter of

indigenous self-determination, but also a need to be understood within the context of Canada and its multiculturalism policy. But when installed, the Nunavummiut politicians were free to redefine their workplace whilst engaging with the wider public. Within this history, the Inuit stand in a particular place. The subsequent chapter will introduce the Legislative Assembly of Nunavut by placing it in the Canadian context.

Chapter 3 The Creation of Nunavut in Multicultural Canada

3.1 Introduction

Having established the theoretical framework laid out in the previous chapter, this chapter explores the context in which the Legislative Assembly of Nunavut was created. Issues around representation and public engagement have to be understood within the context of the creation of the Canadian Confederation. The Canadian Confederation gained independence from the United Kingdom in 1867. As its name indicates, it is ruled by a federal system which:

"*is a compound policy combining constituent units and a general government, each possessing powers delegated to it by the people through a constitution, each empowered to deal directly with the citizens to exercise a significant portion of its legislative, administrative, and taxing powers, and each directly elected by its citizens*" (Watts, 1998, p.121)*.*

Canada is composed of 10 provinces and three territories and its newest territory – Nunavut – is the only territory with an indigenous majority – the Inuit – and their language, Inuktitut, is recognised as the territory's official language. Those features single the territory out within Canada. Furthermore, within its institutions, it recognises its indigenous population by integrating its heritage (*Inuit Qaujimajatuqangit* – IQ – meaning Inuit knowledge) in the framework of its parliament. Nunavut must also be placed in the context of Canada which, since its foundation, includes three founding peoples: descendants of French and of English settlers, and aboriginal people (Phillips, 1995b).

In theory, the three groups are considered as equal; but the *British Canadian Act* in 1867 recognised the special place of the French speakers vis-à-vis the English speakers. As for the aboriginal people, the *Indian Act* maintained their colonial position of subordinate (1995b). The transformation of Canada into a multicultural country implies that every minority should be granted the same status

especially when it comes to its founding people. This chapter will address the history of Canada and especially the relationship with aboriginals and the creation of what the Inuit have called their land, Nunavut.

The status of indigenous people in Canada appears to follow the colonial relationship between them and the colonists. However, a group of aboriginal Canadians, the Inuit, have managed to obtain their own territory, Nunavut, as a form of self-governance. This achievement must be understood in the context of the development of multiculturalism in Canada, which has opened new rights for minorities. To understand the creation of Nunavut as a self-government right for the Inuit, the context of a multicultural Canada and the different rights assigned must be addressed.

This chapter will first sketch out key elements of Canada's history, especially in terms of its framing as a multicultural country. Then, it will examine the status of indigenous people within Canada. The chapter closes with a deeper introduction to Nunavut, its people, and its Legislative Assembly. This chapter lays the groundwork for answering research question number 1.

3.2 Multiculturalism in Canada

This section centres on the creation of Canada, which relied on the two main settler groups, the French and the English, whose dynamic was central to the country's development. After World War II, the Liberal Party of Canada pushed for a new policy – multiculturalism – that would impact various minorities.

3.2.1 The creation of Canada

Canada can be defined by the creation of two language groups: the French and the English. Both are official languages and bilingualism has been an official

policy since 1967. The different waves of colonisation, French and British, have made the Canadian population a distinct society. Traces of both colonisations can be found at the creation of the confederation in 1867. Indeed, Canada was originally the name of a specific region in British North America: today's Ontario and Quebec (Ajzenstat, 2003, p.261). The confederation was initially centred on those two provinces as well as the Maritime ones. This duality between the French and English speakers is a recurring theme on the ontological assumption of Canada.

Philips notes that different societies and groups in Canada have experienced cohabitation difficulties. She argues that the problems revolve around the "unresolved relationship between the 'three founding peoples': the Aboriginal peoples, who were overrun and displaced initially by French and later British settlement; the minority French-speaking settlers, who were incorporated by conquest into a British colony and the dominant English-speaking majority" (1995b, p.117). That coexistence between these different peoples could be seen as being disadvantageous to the French-speakers. Indeed, both French- and English-speaking populations are believed to be at the origin of the Canadian Confederation. Romney outlined that "the provincial compact sees Canada as a union of equal provinces and the national compact sees it as the work of two founding peoples" (1999, p.21). Canada is centred on two nations, the French and English, where the latter forms the majority. Even Philips acknowledges that her own statement is not proven in acts. The Canadian constitution includes special provisions allowing Quebec to continue to deliver a Catholic education and follow the Napoleonic Code – two key aspects of Quebec's society (Canada, 1867). As for native Canadians, the *Indian Act* can be regarded as a reproduction of a colonial framework (Phillips, 1995b). Those two pieces of legislation place both minorities, the French-speaking population and the indigenous population, on an unequal footing vis-à-vis the English population. There are some discrepancies on how Canada approaches the three 'founding peoples' as it seems to reproduce a colonisation pattern.

The polarity between English provinces and Quebec is central to Canada's identity dynamics. After World War II and the Quiet Revolution in the 1960s[3], Quebeckers espoused a more intervening role for the government than do other provinces, hence the creation of a specific political culture suited to their own province (Heintzman, 1983). Moreover, the independentism movement in Quebec or special status either as a distinct 'nation' or 'society' was fuelled by a royal commission report published in 1956 (Gagnon and Lachapelle, 1996, p.191). The electoral success of the Parti Quebecois (PQ) is testimony to the realignment of Quebec's politics and renders the political culture of the province unique in the confederation (Henderson, 2004). Just like the SNP in Scotland, the PQ claims to defend Quebec's distinct cultural and social values (Newman, 1997) and that claim led to the independence referendum in 1980. During the referendum, the prime minister, Pierre Elliott Trudeau at the time, made "a solemn declaration to all Canadians in other provinces, we, the Quebec MPs, are laying ourselves on the lines, because we are telling Quebeckers to vote No and telling you in the other provinces that we will not agree to your interpreting a No vote as an indication that everything is fine and can remain as it was before" (1993, p.282). In other words, he used Quebec's referendum to advance his policies on a multicultural Canada as a translation for his vision of a modern Canada.

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[3] The Quiet Revolution is the period that started with the victory of the Liberal Party of Quebec in the 1960 provincial elections and translated into a change of mentality from a social conservative society to a progressive one (Sloan, 1965).

40000 years ago approx.	Arrival of the first indigenous people
4000 years ago approx.	Arrival of the ancestors of the Inuit
17th century	Arrival of the French and first English settlers
1670	Founding of the Hudson Bay Company
1761	Treaty of Paris
1867	*British North American Act*
1876	*Indian Act*
1921	Creation of the NWT Council
1939	*Re Eskimo* Case in the Supreme Court of Canada
1939-1945	World War II
1947	Change of the name of the *Department of Resources and Development* to the name *Department of Northern Affairs and Natural Resources*
1960	Enfranchisement of indigenous people
1962	Creation of a riding in the Arctic
1967	P. E. Trudeau becomes PM
1969	White Paper *Statement of the Government of Canada on Indian Policy*
1974	First proposal from the Inuit Tapiriit Kanatami (ITK) presented to the Canadian Government
1975	ITK adopt their position for a land claim agreement
1977	Proposal for the establishment of Inuit Rights between the Inuit in Nunavut and the Government of Canada
1979	Creation of a second riding in the Arctic: Nunatsiaq
1980	Referendum on Quebec's independence
1989	Repatriation of the Canadian Constitution with the *Charter of Rights and Freedom*
1992	Nunavut Land Claims Agreement
1993	Nunavut Act
1995	Second referendum on Quebec's independence
1999	Creation of Nunavut
2013	Increase from 19 to 22 MLAs in the Nunavut Legislative Assembly

Table 3-1 Timeline

3.2.2 Canadian Multiculturalism and the Liberal Party

The policy of multiculturalism was adopted in 1971 and transcribed into law with the *Canadian Multiculturalism Act* in 1988 (Biles, 2014, p.11). But multiculturalism is more than just a policy, as it can be taken as either "descriptively (as a sociological fact), prescriptively (as ideology) or politically (as policy)" (Canada, 2009, p.1). This informative document from the Canadian state lays out some different approaches to multiculturalism. At first, it advances the notion that it is a reality, yet it also presents multiculturalism not only as a political fact but also as a sociological or ideological stance. This dichotomy raises questions on how Canada considers this topic, either as a fact or a political reality created through policy.

From an ideological perspective, multiculturalism can be defined, according to Isajiv, "as a value [that] can provide a basis for a new kind of universalism which legitimizes the incorporation of ethnic diversity in the general structure of society" (Isajiv in Kallen, 1982, p.51). In the 1950s and 1960s, a new wave of migrants and aboriginal people developed ties with their southern neighbour, the United States, and led Canada to develop a policy that distinguished them from this neighbour. Multiculturalism was a means for Canadians to define Canada internationally (Gagnon, 2000, p.20) and to claim that they have a distinct way to structure a society between various groups. Internationally, this policy is celebrated and seen as a great success for Canada, receiving praise from western European liberal newspapers such as *The Guardian* and *Le Monde* (Dhombres, n.d.). The Canadian government used multiculturalism to present Canada as a liberal, open country. The claim resides in the belief in progress "as a linear evolution: past injustices have been rectified, and Canada is now travelling progressively toward more and more inclusiveness" (Winter, 2014, p.61).Thus, multiculturalism is a way to cut short demands for special treatment (Légaré, 1995, p.350). The logic is that, as a multicultural country, Canada embraces many differences among its peoples. This would deter any drive towards independence as each people would be recognised in the confederation.

Kymlicka, however, highlights that, with multiculturalism, minorities can ask for three different types of rights: the self-government right, self-accommodation right and representation right (1995; 2014). The self-government right is designed in order to devolve "power to small or political units so that a national minority cannot be outvoted or outbid by the majority on decisions that are of particular importance to their cultures" (Kymlicka, 1995, pp.38–39). Self-accommodation rights, or polyethnic rights, aim at special arrangements for special cultural practices from religious or migrant groups, like allowing Sikhs to wear a turban, for example (1995, pp.41–42). He defines the representation right as incorporating policies that aim for the Canadian political process to be more representative of Canadian societies. This right is based on Pitkin's descriptive view (as seen in Chapter 2), whereby having quotas for minorities in a parliament would make it more representative. Kymlicka notes that, if self-accommodation and self-government rights are aimed at different groups, representation rights ought to be sought by every group.

In 1982, the Canadian constitution was repatriated, meaning, from then on, that it would be changed by Canadian parliamentarians instead of British peers and MPs. Many in Canada, especially amongst the Canadian Liberal Party, saw the British parliament's legislative power over Canada's constitution as a reminder of colonial power, both substantively and symbolically. For liberals under P. E. Trudeau's leadership, taking this power to Canada's legislatures was a way to assert Canada's status as a fully independent country. The repatriation that was enacted in 1982, with the Constitution Act, officialised the independence of Canada as it is the Canadian parliament, and not the British one, which holds the power to modify the constitution. The Liberal Party of Canada, especially under the leadership of P. E. Trudeau, sought to redefine Canadian identity centred on multiculturalism and individual rights, as opposed to the Canadian Tories' vision of the country, who sought to define Canadians as descendants of the English and French settlers (Winter, 2014). The repatriation was motivated by the will to appease independence demands from Quebec and to win an electorate amongst the new voters from immigrant backgrounds. The new liberal and multicultural identity of Canada culminated with the passage of the *Charter of Rights and*

Freedom which, by providing a "universal Basis of identity across Canada" (Gagnon, 2000, p.21), meant that all Canadians had their individual rights guaranteed in the annex of the constitution, enshrining in the constitution a core principle of the Canadian Liberal Party. Multiculturalism, as a way to define each individual, is at the core of the Liberal's ideology and is reflected in those policies.

This section outlined how, since the 1960s, Canada has been pinned to multiculturalism as an ideology; the next section will present multiculturalism from a policy perspective.

3.2.3 Multiculturalism in practice

Since the adoption of the *British North American Act* in 1867, Quebec has acquired more powers than the other provinces and has enjoyed a special status within the confederation as the unique French-speaking province. Quebeckers and ethnic minorities have also been at the centre of party competition and their emergence helped within an always-changing party system in Canada. As for native Canadians, their representability in parliament is less present than that of others, and many think that their inclusion would call for more self-government like Quebec rather than an inclusion in representative bodies in Ottawa. Their strategy is to have numerous representatives at a federal level to influence policies at this echelon.

French speakers and the Quebeckers also have issues with the new formulation of multicultural Canada. With the Quiet Revolution in the 1960s (Gagnon, 2014), Quebeckers realised their unique identity as one of the founding nations of Canada (Romney, 1999). This was met by incomprehension by English-speaking Canadians, who were overly concerned by this new-found assertion (Sloan, 1965, p.11). The disparity between Quebec's affirmation and the rest of Canada's reaction led to the creation of both Parti Quebecois (provincial party) and the Bloc Quebecois (federal party) as well as to two independence referendums, which were held in 1980 and 1995. The shift can be seen with the

dissatisfaction of Quebeckers and Francophiles who saw the charter passed in 1982 as "a vehicle for imposing pan-Canadian values and identity" (Phillips, 1998 p. 127). As it protects individual rights and not the French-speaking community, Francophile Quebeckers saw the separatist movement as a way to lay a claim that they have a unique place in Canada, as the only non-English group in the country. At the same time, Canada is reinforcing its claim of being a multicultural country.

Indeed, since 1867, Quebec's place as the only former French colony has been acknowledged in the British North American Act. Its civil law traditions were maintained in the newly independent country, as well as its power on education and culture (Gagnon, 2014 p. 96), following the Treaty of Paris in 1763, when the French ceded Quebec to Great Britain whilst guaranteeing the settlers' rights relating to freedom of religion and speaking the French language (Phillips, 1998).

The Quiet Revolution, as well as the rise of multiculturalism, allowed Quebec's government to adopt the Gerin-Lajoie doctrine, which states that Quebec has the legitimacy to put forward its own diplomacy distinct from the one put in place by the federal government (Balthazar, 1999 pp. 158–157). This para-diplomacy by a sub-state entity was a way for Quebec to promote itself domestically as a separate "nation within a nation" (Person in Bélanger, 2002 p. 208). With the multiculturalism agenda seeking to redefine Canada as an amalgamation of different nations, Quebec moved to reaffirm the fact that it is a distinct society (Gagnon, 2014) by engaging with organisations such as the Francophonie[4]. Even if, at the start of that new doctrine, the Canadian Liberal government was sceptical about para-diplomacy or proto-diplomacy, the government, led by the conservative progressive Brian Mulroney, an English Quebecker, allowed Quebec to be a member of the Francophonie organisation in 1986 alongside Canada (Balthazar, 1999 p. 161).

This move by the government in Ottawa indicates that it believed, within the framework of multiculturalism, that Quebec could be allowed power in policy areas

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[4] The *Organisation International de la Francophonie* or *Francophonie* is an international organisation which regroups united states and sub-states (such as Quebec) that share an interest in promoting the French language across the world.

traditionally reserved for central government and which other provinces do not enjoy, such as on matter of immigration for example. That reinforces the notion of an asymmetric federalism in Canada where different provinces have different levels of leverage and power between different sub-state entities. When, in a federation, different entities entertain different powers, i.e., some units of a federation have more prerogatives than other units, the federalism system is qualified as 'asymmetric' (Gagnon, 2001 p. 343). Since the multiculturalism policies, and with the various constitutional debates taking place in Canada with repatriation in the 1980s, Quebec has gained more and more power as Quebeckers want to acquire further recognition within Canada. As the multiculturalism policies originally aimed at countering Quebec's wishes for independence from Canada, this distorted the vision of biculturalism and binationalism and the compact theory that was at the foundation of the confederation (Gagnon, 2001). This led to an asymmetry originally with the recognition of civil law and education, provisions especially aimed at Quebec (Gagnon, 2001; Phillips, 1998). The multicultural policies were seen as reinventing a narrative in order to counter the independence or, at least, more autonomist inclinations from Quebec (Jull, 2001a; LaSelva, 2014; Légaré, 1995). Furthermore, there was a move for more independence and more recognition of the place of Quebec in Canada, as it "claims to be [the province] better equipped to embody the French essence of Canada" (Balthazar, 1999 p. 155). In 1995, the liberal government led by Jean Chretien passed a resolution which re-affirmed the distinct societies within Canada.

The special place of Quebeckers and French speakers in multicultural Canada is not only being upheld through asymmetric federalism or special policies towards the population of the province. At the federal parliament, the representation of Quebec's special interests and identity has been the subject of party politics which led to Quebec having parties and MPs and the parliament being able to look out for the interests of its communities (Andrew et al., 2008a). As French speakers are part of a much larger and federal country, the issue is how to protect and advance their interests within the federal framework of Canada. Yet, multiculturalism in Canada is not only to accommodate the French-speaking

minority dominated by the English speakers. Canada is a diverse society with different minorities such as the aboriginal groups or other minorities.

This diversity suggests Canada's will to integrate the newly arrived population in their political framework and to include them, and thus seek to have them represented in parliament. This diversity of population (migrants, settlers and aboriginals) can be treated as a mirror or numerical representation (Andrew et al., 2008a) built on the descriptive representation advanced by Pitkin (1967). Kymlicka advances that the notion of *group representation* is a form of mirroring society through representation. For him, group representation – as part of multicultural representation rights – is designed for visible minorities (1998, p.116), i.e. non-white migrants. This is mainly due to the rise of candidates from ethnic minorities and from immigrant backgrounds (Black, 2008; Black and Hicks, 2006). Quotas are often used to integrate representatives of minorities or marginalised groups within a legislature (Rehfeld, 2009) and it can be down in drawing riding (the Canadian term for an electoral constituency) with high proportion of those groups in ridings. The Canadian electoral system is inherited from the British system of First Past the Post. It supposes that every MP acts as a representative of their respective riding. Where there is a high proportion of minority voters in a riding, this fact incentivises politicians to defend this minority's interests (substantive representation) or political parties to put forward members of those communities as candidates (descriptive representation).

The Westminster model, which provides the institutional framework of Canadian politics, is based on territorial representation (Henderson, 2007 p. 67), where each MP is geographically attached to his or her riding and to the votes needed to be elected. Therefore, where in a particular riding, especially with the urbanisation of Canada, there are a lot of Canadians from an immigrant origin or from a visible minority to form a critical mass, it means that, in order to win that riding, it is necessary to win the majority of the population which makes the riding (Andrew et al., 2008b p. 15). This must be understood in light of the function of political parties, which echoes Madison's notion of factions (Sartori, 1976, p.3; Stokes, 1999, p.241). For indigenous representation to take place, it would require

that aboriginal groups form or shape parties, in order to gain influence, such as the Maori Party in New Zealand.

As rational actors, parties seek to maximise their gains by competing for votes. Therefore, in the case where the election is based on geography, there is a race to appeal to each population of every individual riding. Rational choice theorists like Moe (2005), Tsebelis (1990) and Shepsle (1989) adopt the view that, in political science, each actor has some choice to make according to the information and after calculating the cost benefit within the institution in order to maximise their gains. Political parties need to win votes in order to "stay[ing] in the market and a *means* for enacting policies." (Sartori, 1976, p.292, italics in original). Parties therefore have to compete by appealing to highly concentrated areas (Black, 2008; Black and Hicks, 2006). By targeting different minorities, political parties in Canada see them as part of the electorate and treat their needs the same as any other groups, either French or English. This applies even to the Conservative Party, which is proud to be considered as the successor of the Toryism created by MacDonald and whose vision was opposed by the liberal vision of multiculturalism led by Pierre Trudeau (LaSelva, 2014). Despite the Bloc Quebecois having adopted an anti-minorities rhetoric, especially during the last referendum on Quebec's independence in 1995 (Black, 2008 p. 252), and having acknowledged that "its sovereigntist orientation limits the party's appeal to ethnic voters, most of whom are federalist" (Black, 2008, p.252), this party has shown interest in filing minorities' candidates since the 2004 general election (Black, 2008, p.252).Therefore, the demographics tend to put minorities and immigrants in specific ridings, which makes them a critical mass to win for any party seeking to win an election in Canada.

Also, elections can be the place for retrospective choice. Mansbridge suggests four types of representation in light of elections. She defines the term 'anticipatory representation' as "from the representative's perspective, retrospective voting does more than provide the potential retribution for broken promises. It also generates what I call anticipatory representation, in which the representative tries to please future voters" (2003 pp. 516–517). For the last 20

years, parties in Canada have competed for minorities and immigrants' votes and, as such, have put forward candidates from those groups to appeal to the electorate. The result is a greater diversity in the House of Commons which reflects the multicultural ideal of Canada and can be seen as what Pitkin suggested as descriptive representation (1967). The idea that voters will judge a party candidate on their responsiveness to the issues of their electorate makes the representation of a riding also a substantive one as, in order to maximise their chance of winning the next elections, they need to address their constituents' interests as they are judged on their achievements in office (Mansbridge, 2003 p. 516). Therefore, due to the continually evolving party system in Canada, immigrants and ethnic minorities found themselves represented by parties who regarded them as potential voters and, as such, needed to present candidates to whom they could relate and who would also take policies aimed at them into account.

The special representation right within multiculturalism is centred around the notion of party-political system and parliamentary politics. It relies on the fact that parties need to have incentives to cater for indigenous interests in order to gain votes in elections. They can resort to two different views of representation: the descriptive, whereby parties put forward indigenous candidates in ridings in which the indigenous vote is critical, or the substantive, where they claim to represent indigenous people on substantive issues. Still, those two views of representation cannot function, considering the groups and diversity among the indigenous populations, which renders representation difficult if it is viewed through the standard account explained in Chapter 2. This challenge can only be explained by understanding how indigeneity is different from other minorities.

3.3 Indigenous peoples in Canada

This section explains the importance of indigeneity in Inuit identity by explaining how aboriginal groups have a distinct place in society. After having

pinned down a definition of indigenous and indigeneity, we will examine the characteristics of aboriginal Canadians, first through the lens of their relationship with the Crown and then through parliamentary representation.

3.3.1 Definition of 'indigenous'

Indigenous identity is more profound than just being a minority due to the fact that it places emphasis on a minority's history and geographical locations (Corntassel, 2003).The United Nations have started a process towards an international and consensual definition of the term *indigenous.* It is intended to be a response to the indigenous peoples' international movement encompassing various aboriginal groups around the world. It is a movement for recognition of a particular set of populations facing discrimination and oppression (Kenrick and Lewis, 2004, Merlan, 2009). The former UN Secretary General Boutros Boutros-Ghali pointed out common issues faced by indigenous populations such as being at the periphery of a country and having a strong element of self-perpetuation (Kuper, 2003, p.389). Martinez-Cono's report (1982) provided the basis for a draft of an UN definition for indigenous people and can be summarised through four points :

> "*(1) Priority in time, with respect to the occupation and use of a specific territory; (2) the voluntary perpetuation of cultural distinctiveness; (3) self-identification, as well as recognition by other groups and by state authorities, as a distinct collectivity; and (4) an experience of subjugation, marginalization, dispossession, exclusion or discrimination, whether or not these conditions persist.*" (Kenrick and Lewis, 2004, p.5)

This definition is widely accepted and appreciated for encompassing different aspects of Aboriginal people, especially their colonial and historical dimension (Asch et al., 2004, Corntassel, 2003, Kenrick and Lewis, 2004, Kuper, 2003, Merlan, 2009, Stamatapoulou, 1994). The term indigenous is a form of political identity.

Political identity enables individuals who identify with a specific trait or issue and rally around it to make an assertion of belonging to a particular identity.

As an example, an ethnicity is political when people start mobilising – such as organising a party – as they feel discriminated against due to their shared identity. Defining the terms Aboriginal and Aboriginal group is crucial in understanding why aboriginal peoples are dissimilar to other groups in seeking special representation rights.

The term 'indigenous' derives from the old Latin which means "born or produced from within" (Cliffords, 2013, p.13). The term emerged in opposition to settlers. Indeed, for many indigenous peoples, especially in America, the '1492 moment' was key for them to be discussed as indigenous (de Costa, 2016, pp.25–26). This relational dimension between them and an 'other' (Merlan, 2009, p.305) is similar to Said's view on how Europeans approached the 'orient' (2003), i.e., how Europeans describe indigenous people that are present on the land prior to their arrival. Aboriginal people are defined as aboriginal at the point of meeting the colonisers. Yet, not all people who have been 'conquered' are considered as 'indigenous' and what constitutes an aboriginal people is rooted in deeper differences between those populations and the rest of the world (Kenrick and Lewis, 2004; Asch et al., 2004).

It seems that the indigenous populations are people who lived in a land before a colonisation era, and who claim that they have a clear link with the land they live on, just as the Inuit who, by naming their territory as their land, assert their clear connection with the territory they have successfully claimed as self-governing. Those people have been the subject of domination by the colonisation force and suffer from discrimination. Aboriginal people seek to maintain their customs pre-dating the colonisation era. Furthermore, building on Touraine's work on post-modernity, Yashar argues that indigenous people identify themselves as 'indigenous' to organise themselves. In order to become politically active, they have to recognise that they share a common identity and therefore can make political claims (Yashar, 1997).

It would be tempting to consider indigenous peoples like any other ethnic minorities. Yet, there are fundamental differences between what indigenous and ethno-nationalist groups are. The pre-colonisation dimension, i.e., the recognition

that aboriginal people lived prior to the European conquest, keeps them (the aboriginal) close to their traditions as it is their sole link to the past (prior to the conquest). It is this attachment to traditions that connects them to their past that makes aboriginal people a distinct identity, different from an ethnic group. Whereas the latter, along with nationalism, seeks a land and independence as a form of self-determination, the indigenous people take another perspective. They approach self-determination as a means to safeguard their culture. Aboriginal people generally "see greater self-rule as autonomous entities within the framework of their host state(s)" (Corntassel, 2003, p.80), as opposed to independence, a demand for a self-government by which it can be considered an "attempt to reconcile the presence and sovereignty of a country [Canada] with the continuity nationhood of Aboriginal People" (Belanger and Newhouse, 2008). Self-government can also be a way for a group to reach recognition of its particular place in a society, as pointed out by Kymlicka with his minority rights conceptualisation.

In Canada, aboriginal people have been classified into different categories: mainly the First Nations, made up of native peoples inside the provinces, and the Inuit, concentrated mainly on the Arctic Ocean's coast[5]. The Nunavut agreement (1993) defines the "Inuk as a person who meets customary rules as well as both self-identifying and having links to an Inuit community" (de Costa, 2016, p.33). That definition differs from the one used by the First Nations, which prioritises genealogy as a basis for defining who is indigenous and who is not. That difference singles out the Inuit who were, to the government's eyes, no different from other Aboriginal groups. For the Inuit, the issue here is to distinguish themselves from other indigenous groups as well as the need for self-governance. The development of the Northwest Territory – where they make up a third of its population – alongside the politicisation of its population, enabled Inuit to gather and start advocating for a distinct recognition. By the mid-1970s, they had started

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[5] For more detail, see the Canadian Ministry of Indigenous and Northern Affairs' website <https://www.rcaanc-cirnac.gc.ca/eng/1100100014187/1534785248701 > accessed on September 23rd, 2021 (Canada;, 2009) (Government of Canada; Indigenous and Northern Affairs Canada; Communications, 2009).

to put through proposals that led to the creation of Nunavut, with the Nunavut Act and the land claim agreement between them on one hand and the Northwest and the Canadian government on the other. By doing so, the Inuit managed to set up their own territory, as well as affirm their special status within the indigenous people in Canada.

3.3.2 History of Aboriginals and government relations in Canada

The Aboriginals in Canada are divided into multiple tribes (Cree, Mohawk, etc.) and four legal statuses: the 'status' Indians, the 'non-status' Indians, the Metis and the Inuit (Fleras and Elliott, 1992, pp.13–15). The status Indians are the dominant group of native Canadians and they can be "defined by (a) admittance to a general registry, (b) affiliation with one of the 597 bands[6] (although membership is not automatic), and (c) jurisdiction under the Indian Act" (Fleras and Elliott, 1992, p.14). The second legal group is the non-status Indians who lose their status due to the fact they have been 'married out'. Indeed, Grammond (2009) notes that First Nations' membership is carried through the male line, meaning that women often lost their Indian status when marrying non-status Indians. The Metis are from "mixed Aboriginal European unions" (Fleras and Elliott, 1992, p.15). Metis are formally recognised in the Canadian constitution but excluded from the Indian Act, and there is confusion around whether or not they have access to rights as Indians. The last category is the Inuit who live mostly in the northern part of Canada and, since the late 1960s/beginning of the 1970s, have started to be politically organised and have worked towards the creation of Nunavut (1992, p.15). The relationship between the Indians and the Canadian authorities is a complex one often viewed through the prism of treaties between the Canadian Crown and a particular tribe.

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[6] Bands are synonyms for tribes, often used in a North American context to describe native populations.

The *Calder Case* judgement by the Canadian Supreme Court in 1973 confirms that the Aboriginal title that existed prior to the confederation is still valid (Asch et al., 2004, p.50) and therefore enshrines the principle of land claim policy for various aboriginal groups. As it is the Confederation's top court, Canada's Supreme Court functions as it is trying to "balance the unity and diversity of the federation with the autonomy and diversity of its constituent governments and peoples" (Kelly and Murphy, 2005, p.217). The supreme court decision asserted indigenous ownership of land where jurisdiction is not clearly defined. It pushed the federal government to strike land agreements with different aboriginal groups in order to avoid this jurisdictional void (Lightfoot, 2016, p.171). As a consequence, it made possible a greater devolution towards band councils, which provided more authority and autonomy for status Indians (Fleras and Elliott, 1992, p.45). In legal terms, the case enabled every First Nation to fight for recognition of them being the original inhabitants of the land, central for indigenous identity (Nakatsuru, 1985, p.920). In other words, this landmark case confirms the indigeneity of the native people in Canada.

As Jull (2001a p. 10) highlights, efforts towards multiculturalism were made to undermine nationalist or ethnic claims from Quebec. Hence, the indigenous groups were side-lined as a consequence of those policies. As Légaré and Gagnon point out, Aboriginal identity is in conflict with the idea of two founding nations (Gagnon, 2000 p. 13; Kallen, 1982 p. 53). Indeed, as the main constituent nations, the French and the English speakers assert themselves as being Canada's two 'founding' peoples. However, Aboriginals could make a counter claim as they were the first inhabitants of Canada (Légaré, 1995 p. 355). But, with the new constitutional arrangement in 1982, treaties that previously ensured Aboriginals' rights were incorporated into the 1982 Constitution Act (Vicaire, 2013, p.650). Still, Gagnon notes that the inclusion of special arrangements for native Canadians in the 1982 Charter and constitution is misleading as:

> "*With regard to the Aboriginal population, the 'to be defined' clause simply led to future tension in negotiations. The Trudeau government increased the expectation of the First Nations while never fully intending to include any notion of special status in the constitution which would*

*correspond to the Aboriginals' demand for the recognition of an
inherent right to self-government*" (2000 p. 21).

What Gagnon suggests is that, despite a move towards the recognition of the
aboriginals' special status, it does not go as far as they (the indigenous) initially
believed what the new constitution would deliver for them. As Vicaire points out,
the inclusion of aboriginals' rights in the Constitution was followed by the
enforcement of their rights, but this does not increase the depth of their right to
self-government (2013 pp. 652–653).

This illustrates the duality in the multicultural agenda put forward by
Trudeau. There are indeed tensions between two different discourses. The
government's multiculturalism policy, embodied in the Charter of Freedoms, states
that the two founding nations welcome new arrivals (immigrants). At the same
time, policies in favour of native Canadians, enshrined in the constitution, are not
put into practice. Even on the occasion of Canada's 150th birthday in 2012, and
although since its foundation the country has been a diverse nation with three
main population (Phillips, 1995b, p.116) its indigenous peoples were relegated to
the background of the celebration (Palmater, 2017).

Thus, despite the three constitutive peoples being fundamental for the
identity of Canada, Aboriginal people are often side-lined concerning policies, and
the government tends to be centred on the other two. The relationship that the
Canadian government entertains with its indigenous groups is a difficult one as, on
one hand, treaties theoretically guarantee those groups' rights and a special
status, but on the other hand they are rarely met with concrete measures.

It is in that context of constitutional development that native Canadians
started the process of making claims for self-government, i.e., the right for
indigenous people to rule themselves in a given territory or for certain policies to
be enacted within the Confederation (Nakatsuru, 1985, p. 72). Often, self-
government and self-determination are conflated. The latter means that people
seek either a greater autonomy or independence. Self-government defines a form
of government where the local population have power over policy areas.
Concerning indigenous, the notion of self-government refers also to a desire that

their institutions take into consideration their culture and tradition (Boldt and Long, 1984, p.545). And they are often granted through treaties between them and the crown. Treaties or pacts "derived from the mutual consent of the First Nations' sovereigns and the British sovereign, were independent, *sui generis* sources of transnational law" (Henderson, 2008, p.20, italics in original). Those treaties date from the colonial era. They are devices that recognise the precedent nature of customs, prior to colonisation, and enable each First Nations tribe to sign a treaty with the Crown to keep some tradition of ruling within their historical land. Treaties' rights are a device enabling the coexistence of different groups within Canada and recognising a duality between the colonisers (British and French) on one hand and the colonised (the Aboriginal groups) on the other. Treaties can be seen as conciliation agreements between First Nations bands and the Canadian Crown to ensure the continuity of indigenous sovereignty within the imperial framework of a colonised Canada (continued after the independence) (Henderson, 2008). They guarantee government services and land protection for tribes' historical land, as well as the recognition of band councils as part of the institutional framework even if it "sits at the bottom of the hierarchical structure" (Nakatsuru, 1985, p.75) .

However, the policies concerning treaties seemed to be in contradiction with Trudeau's government's initial move towards a multicultural Canada. Indeed, the 1969 Statement of the Government of Canada on Indian Policy marked the end of the treaty status (Fleras and Elliott, 1992, p.43) by proposing to the parliament the repeal of the *Indian Act*. The aim was to suppress a special status for indigenous people in order to coincide with the Liberal Party's agenda to treat all citizens as equals (1992, p.43). The intention seemed to be honourable at first, granting everybody in Canada equal rights without mention of their origin. But, for the Aboriginal people, the white paper's proposal threatened the core of native Canadians' indigenous identity: them being first on the land. Indeed, the end of the status meant that they had no more historical claim than descendants of French or British settlers. It also meant an end to the government obligation towards the indigenous population with the loss of their special status (1992, p.43). The multicultural turn in Canada does not only affect the narratives on what constitutes the Canadian society, but also policies towards the natives such as specific

funding programmes being suppressed. The new 1982 constitution, section 35(1), is the only article upholding the native Canadians' rights (Nakatsuru, 1985, p.79). However, it mentions the word 'existing', an ambiguous term which, as Nakatsuru argues, obstructs the path towards the acquisition of new rights (1985, p.92). The guarantee of the existing rights seems to exclude the creation of new ones. Here, we can find criticism of the 1982 constitution expressed by Vicaire (2013), who considers that the constitution does not build on new rights. Even if it enshrines the existing treaties into laws, it seems vague concerning the opening towards new rights.

Those policies towards recognition mostly concern First Nations and to a lesser extent Metis and Inuit. Indeed, the Inuit population was not awarded the same advantages as those enjoyed by First Nations. The context of moving towards multicultural Canada by the Liberal Party from the 1960s allowed the government in Ottawa to promote diversity across the country. However, it sometimes goes against the natives' claims of being the first people to have populated Canada. Indeed, the recognition of a multicultural society did not coincide with more recognition for First Nations or Inuit at first glance at the heart of their agenda. Interestingly, it is within that context that the Inuit, a distinct indigenous group, successfully managed to claim not only a land but also the right to be granted self-government.

The non-Inuit population is mostly concentrated in Iqaluit, the large settlement and the territory's only town, and generally works in administration (Henderson, 2007, p.21; Hicks and White, 2016, p.37). It is also the only territory that has Inuktitut as an official language on an equal footing with the two official ones in Canada. The creation of the territory is the result of the last and largest claim settlement (*Nunavut Land Claim Agreement*) between the Canadian government and an indigenous population, the Inuit. In parallel with that land agreement, Nunavut separated from the Northwest Territory and became the third and last territory in 1999, thanks to the Nunavut Act passed in 1993.

Nunavut can be considered as an example of Kymlicka's self-governing rights for the Inuit. Kymlicka argues that, in a multicultural society, minorities can

be granted some other rights such as either representation or self-government (1995). The former implies that minorities ought to be represented at a different level of government for a country to truly reflect its diverse nature. The latter concerns giving power to a minority in a land where they are the majority. Along with immigrants and French speakers, native Canadians are considered as a minority in Canada. As Canada is seeking to be a truly multicultural country, minorities must have either self-government or representation rights. As seen earlier, Quebeckers and ethnic minorities have enjoyed representation in the Canadian House of Commons through general elections. Consequently, those minorities have their interests defended at federal level. It is not the case for aboriginals, at least not at the same level of government. The Northwest Territory can be said to be a model of a self-governing territory for indigenous people; however, different groups make up the territory. One of them is the Inuit, who started demanding a land of their own in the 1960s. That land would be later called Nunavut.

Inuit living in Canada saw themselves as having less recognition than other aboriginal people, as the Indian status excluded them despite including the First Nations. It was only in 1970 that the Canadian supreme court "acknowledged that 'unextinguished aboriginal title' might still exist in areas without treaties and accepted the need to settle the outstanding claims of the aboriginal people who had never signed treaties" (Hicks and White, 2016, p.42). That court case compelled the Canadian government to reconsider the issue of the Inuit, who had been assimilated with the First Nations. As both First Nations and Inuit retained customs dating back to a period prior to colonisation, both groups must be considered as Aboriginal.

The difference between the Inuit and the First Nations dates back to their origins. Indeed, as their name suggests, the First Nations came from a migration wave from Asia prior to the Inuit and descend from a genetically different Asian population (see the timeline in Grammond (2009)). Consequently, animosities between those two aboriginal groups developed. With the *Indian Act* and treaty, various Aboriginal groups were able to have access to government funds and to

have parts of their land protected. The Inuit did not have the opportunity to have access to new treaties guaranteeing the access to their land or protection vis-à-vis the Canadian government. One reason that could highlight the difference between the First Nations on one hand and Inuit on the other, might lie with the C-31 bill, passed in 1985 in the Canadian House of Commons, which renders the definition of Aboriginal to the indigenous groups. The bill outlines two models on how to define indigenous in Canada: "'the *First Nation model'*, which resorts to the usual basic method of membership for indigenous people – transmission of status through descent – and the *'Inuit model'*, which refers to the Inuit customs to membership" (Grammond, 2009, p.132, emphasis added). Those two different approaches do not translate into a contrast in the groups' relations with the Canadian federal government.

3.3.3 Indigenous representation in Canada

There are fewer indigenous representatives in the House of Commons than MPs from an ethnic minority background. However, has still been progress in the representation of indigenous people in the House of Commons. In the 2015 election, among 330 Canadian MPs only 10 parliamentarians were indigenous (Morden, 2017). Also, aboriginal people's participation in the electoral process is lower than that of non-aboriginal people (Fournier and Loewen, 2011; Ladner and McCrossan, 2007). The determinants of the non-participation appear to be similar to the explanation for non-aboriginal voters (Fournier and Loewen, 2011). This low turnout underlines the problem of the parliament in Ottawa to represent a key component of the country's identity and society.

Indigenous populations have to rely mostly on other MPs to advance their interests, which could be seen as a form of substantive or surrogate representation. Indigenous issues raised during question time in the House of Commons increased between the 37th parliament and the 41st from 43 to 311

(Morden, 2017 p. 7). Most of the issues that are raised in relation to indigenous people are made by opposition MPs. Those MPs want to claim that they represent the interests of the indigenous population. When making the claim (Saward, 2010), they are portraying themselves as protectors of the indigenous people and their rights to their audience, which is not only composed of indigenous people but also of their own electorate.

The issue is not only the number of questions raised in parliament but also the nature of those questions. Morden describes most questions put forward in parliament as centred on "Poverty, poor health, inequality in the provision of education" (2017 p. 17). Those questions are essential to social conditions that affect the indigenous population in Canada. However, the critical issue of recognition of the indigeneity characteristics of the people is yet to be addressed. Indigenous people could be defined as descendants of people who were present before colonisation and continued to maintain their customs and heritage as well as resisting the domination or assimilation of the colonised powers (Wilmer, 1993 p. 97). Therefore, if those issues of colonisation and appropriation of lands are not debated in parliament, it is hard to argue that indigenous people are integrated into and represented in parliament, which can be regarded as "the site where non-indigenous politicians debated policies of domination and assimilation- but where indigenous people themselves have been mostly absent of these proceedings" (Morden, 2017 p. 1).

If the House of Commons, and the Canadian parliament more broadly, symbolise the domination and the continuity of the colonisation, there is an inherent tension between the institution and the willingness to include indigenous populations in multicultural Canada. Therefore, self-governance or self-determination is identified as a good way to recognise the different indigenous groups' contributions to multicultural Canada, as it could mean that self-government could be a way to represent the indigenous population (Murphy, 2008 p. 201). In analysing Canada as a multicultural society, Kymlica also adds that some populations can demand self-determination rights, with the indigenous people being amongst those, as:

"*groups demand certain powers of self-government that they were not relinquished (initially involuntary) incorporation into the larger Canadian State. They want to govern themselves in certain key matters, to ensure the full and free development of their cultures and the best interest of their people*" (2014 p. 24).

This can only echo the definition of indigenous people as it makes reference to the existence of a way of life prior to their integration into Canada and, as for the multiple people in Canada, this began with colonisation. Self-determination or self-government is seen as the best way to apprehend and to integrate Canada's indigenous population into the political framework (Phillips, 1998).

Both Quebec and the French speakers on one hand and the ethnic minorities on the other have representation at the different levels of government. However, concerning the indigenous population, Morden notes that, even if there is some progress in the issues raised in parliament concerning indigenous populations with regard to education or health (Morden, 2017, p.18), key issues for indigenous like land claims and self-determination are still overlooked despite being at the core of Indigenous identity. In multicultural Canada, indigenous people seem to have been seeking only self-governing rights, according to Kymlicka's notion of minority rights in a multinational Canada. Nunavut, which means *our Land* in Inuktitut – the language of the Inuit – is one example of self-governance granted to aboriginals in multicultural Canada.

3.4 Nunavut, the newest territory of Canada

It is within this context and history that Nunavut has been created. Indeed, the territory's name means 'our land' in Inuktitut, the Inuit language. This section discusses how the Northwest territories evolved after World War II until 1999, when Nunavut was created Then, it focuses on how the Inuit are a distinct indigenous group in Canada. Finally, this section reviews the creation of Nunavut and explains its political institutions.

3.4.1 Development in the Northwest Territories

The Northwest Territory is situated in the Arctic. Its population is one-third non-Native Canadians, one-third First Nations' Aboriginals (most of them are from the Dene, one of the First Nations) and the last third are the Inuit. The Territory of Nunavut was created in 1993 in order to accommodate the demands of the Inuit third living in this territory.

The Northwest Territory, as its name suggests, is a Canadian territory and not a federal province. In practical terms, territories do not derive from the constitution but from a federal law as they were created by the Canadian government, and they have less power than the latter, especially on taxation issues (Henderson, 2007, p. 57). Falletti argues that, without a fiscal decentralisation, the power dynamics between the federal state and a territory would be unbalanced in favour of the central government (2005), as the control of the budget by Ottawa would allow it some control over how the territorial government used the funds allocated to it.

The Canadian Arctic has been overlooked by the federal government for a long time, until the aftermath of World War II, when governments from North America began to invest and settle in the region, for military and strategic reasons (Bone, 2003, p. 62). At the beginning of the Cold War, the increase in military presence in the eastern Arctic led to an increase of population diversity where non-natives started to coexist with Aboriginals either from First Nations or Inuit. This led to a modification from the Ottawa government and increased involvement in these regions, for strategic reasons at least. As American troops were stationed in the Arctic for the duration of the Cold War, the treatment of the region's population would be more highly scrutinised, especially from a key ally's standpoint. As a consequence, the government in Ottawa started to adopt policies that were favourable towards the population in order to protect its reputation with its southern neighbour (Dickerson, 1992, p. 61). In parallel with the development of the Cold War, Canada started to seek portrayal as a progressive nation. Since the creation of the United Nations, the Canadian government has been eager to

express criticism towards colonial power in Africa with regard to human rights. Hence, the need for Canada to improve its own policies towards native populations – especially in areas where they are dominant – for Ottawa to have more coherency between its domestic policies and international positions (Dickerson, 1992, p. 62). Dickerson further claims that the involvement of the federal government was also ideologically driven as most of the policymakers were in favour of more interventionist policies from the state in the country and in the economy (1992, p.62). A policy shift towards the territories began and, most notably, the change of name from the *Department of Resources and Development* to the *Department of Northern Affairs and Natural Resources* (Dickerson, 1992, p. 63) signalled Ottawa's new policy focus as it places a regional priority on the north in the title of a government department. This government reorganisation is a testimony that the issue, at the outbreak of World War II, focused mainly on an administrative approach to the political integration and problems met by the North and its inhabitants. But, with those policies, demand for self-government and greater autonomy grew in the regions and forever changed the politics of the Northwest Territory (NWT) (Dickerson, 1992, p.87)

Due to the Northwest Territory's large area – until the creation of the Nunavut territory in 1999 – and its low and widely spread population, federal representation only arrived in 1962. The Northwestern council, which was previously only composed of nominated members, saw – in 1951 – its first elected member, meaning a democratisation of the institution (Henderson, 2007). The eastern part of the territory did not have a representative within the council due to the difficulties of access and the low density of the population, meaning that the logistics of holding elections in the region proved to be too difficult. However, the NWT council ensured that they went to all parts of the territory to make sure that its whole population was considered. In the mid-1960s, indigenous people were enfranchised and granted an election at federal level with the creation of a riding covering the whole of the NWT. In addition, the position that an election held in the territory could not be possible – due to the difficulties of access and the spread of the population in the area – was lifted and, in the 1962 federal election, an MP was elected for the first time to represent the Northwest Territory (Henderson,

2007, p.61). In the 1979 general election, the creation of a second MP, for the eastern Arctic, paved the way for a differentiation between the territory's two regions and two peoples. Calls by organisations such as the Inuit Tapsiras Council (ITC) for Inuit self-government were made both in Nunavut and in Ottawa, which integrated features of Inuit culture enabling the Inuit to distinguish themselves from other indigenous groups in Canada.

The 'western culture' was brought to the Inuit in the context of settlements, especially economic interests, like the fur trade by companies such as the Hudson Bay Company (Bone, 2003, p.45). After the creation of Manitoba and Alberta in 1905, the Northwest Territory was located around the polar circle and populated by aboriginal groups, including the Inuit, concentrated in the eastern region of the territory (Henderson, 2007). The Northwest Territory has long been overlooked by politicians and civil servants but, with the outbreak of World War II and due to its geographic position, it became a strategic focal point during that war and afterwards, during the Cold War. This changed the federal government's perspective of the territory from a distant periphery to a strategic outpost in global politics. The development of the DEW line[7] as part of countering a potential Soviet threat meant the presence of US and Canadian troops. Their presence, alongside federal employees, influenced the Inuit way of life (Lévesque, 2000, pp.23–24). It also helped in the building of infrastructures and led to the recognition of the difficulties faced by those populations, paving the way to some recognition from the federal government (Duffy, 1988, p.196).

In parallel to the general development in the NWT, Inuit living in communities in the NWT were granted a specific Eskimo Council in the late 1950s/early 1960s (Henderson, 2007, pp.74–75)[8], where they could discuss their own issues, distinct from a council which would involve every component of the territory. Eskimo councils were created to give Inuit a chance to be involved with

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[7]The Distant Early Warning (DEW) system was put in place in the Arctic and managed by US soldiers to prevent any missiles entering the Western Hemisphere, during the Cold War.

[8] As 'Eskimo' is widely viewed as a derogatory slur towards Canada's Inuit, this body's name is reflective of a lack of knowledge of Inuit society.

local politics, and also to "put to rest the notions that Inuit had homogeneous visions of their own political integration" (Henderson, 2007, p. 78). Indeed, some matters, such as education, created divisions between the population as some Inuit were inclined to adopt a more modern approach, similar to the rest of Canada, whereas others wanted to retain their specific identity (2007, p.78). The Inuit population's increased political awareness led also to a divide with other parts of the Northwest Territory, of which they occupied the eastern part (which would later become Nunavut).

3.4.2 Differences between Inuit and First Nations

3.4.3 The creation of Nunavut

The meaning of Nunavut in Inuktitut, as mentioned above, shows the deep importance (Merritt, 1993, p.2; Hicks and White, 2016, p.35) of the territory for its Inuit population. It contrasts with the name of the Northwest Territory – from which Nunavut was created – which describes the location of the territory vis-à-vis the nation's capital, Ottawa. Furthermore, as Fleras and Elliott note: "'Nunavut' has the same emotional connotation for Inuit as *mon pays* has for Quebecois" (1992, p.107, italics in original). Nunavut differs from the territory that it was created from, by insisting on being a territory where a minority, the Inuit, enjoy self-governing rights which could be conceived as comparable to Quebec's status.

Hence, Nunavut represents a territorial claim for the Inuit as well as a symbol of the achievement of a fight for self-government in an historical land. One aspect of that self-determination is the presence of *Inuit Qaqujimajatuqanjit* (IQ) – the Inuit knowledge in Inuktitut – within the institutional framework of Nunavut and its legislative Assembly, as self-determination also means reaffirming their identity. IQ is the heritage of knowledge between different Inuit generations. In addition, it

is a knowledge that predates colonisation being, therefore, central to the indigeneity character of the Inuit.

Inuit populations have strong links with their way of life. The social practices, when reproduced by each individual, make this individual an Inuit. The protection of their customs and traditions on their land is an essential part of their claim to self-governance. Their claim is not only to acquire sovereignty over their land but also to have the right to govern, which means having their own territory, separate from the Northwest Territory. That claim started with the politicisation of the Inuit through Eskimo councils and enfranchisement.

In the mid-1960s, with the transfer of the Northwest Territory Council from Ottawa to Yellowknife, the capital of the NWT (Dickerson, 1992, p. 70; Duffy, 1988, p. 231), the Inuit became more involved with the work of the Eskimo Councils and elected members were Inuit, which in turn increased the involvement of the population in local politics. In addition, the Eskimo Councils, created in 1959, enabled Inuit to participate freely and to comment on policies that mattered to them (Henderson, 2007, p. 75). With the improvement of education and welfare standards, thanks to policies implemented after World War II (Dickerson, 1992), the population became more comfortable in taking part in the political process. However, as Duffy notes, Inuit are less inclined to participate in municipal politics not because of disinterest in local politics but because of the "electoral procedures and decision-making styles which are inconsistent with *traditional* ways of doing things" (Drury in Duffy, 1988, p.232, my italics). Despite efforts to involve them in the decision-making process, Inuit still felt less engaged even in local politics because the political institutions did not reflect the Inuit society, which places the importance of community and traditions at its core.

The *Calder Case*, as well as the political development of territorial institutions like the Eskimo Council, reinforced their feeling of being part of the Inuit nations (Henderson, 2007). In 1970 and 1971, meetings of Inuit, not only from the Northwest Territory but also from Yukon, Quebec, Newfoundland and Labrador, resulted in the creation of the *Inuit Tapsiras Council*, which aimed at the recognition of an Inuit identity and the preservation of Inuit traditions. One of the

initial purposes of this council was the creation of a territory designed for the Inuit population (Drury, 1988, p. 236). In November 1975, members at one of the Inuit Tapsiras Council conferences passed a resolution allowing the start of negotiations with the Canadian government for a land claim agreement in which they "asked for outright control over 250,000 square miles on the basis that this was the only absolute minimum that would enable them to what was left of their culture, identity and way of life, and, at the same time, to integrate them into the Canadian society as equal participants." (Drury, 1988, p. 238). Therefore, the purpose of the land claim is mainly to protect and to reaffirm the Inuit's identity and traditions that are at the core of their identity, and which make them a distinct aboriginal group in Canada.

In that process, the 1979 general elections saw the creation of Nunasiak as a riding covering the eastern region of the NWT, which would later be Nunavut. The riding's MP, Peter Ittinuar, was a powerful advocate for the creation of a new territory in the Canadian House of Commons and "his office became an Inuit outpost in Ottawa" (Jull, 2001b, p.1). After the Liberal government led by P. E. Trudeau had backed the idea of a Nunavut territory, he switched from the New Democratic Party to the Liberal Party of Canada ("Nunatsiaq News,".). It is his advocacy for a dedicated territory coupled with the lobbying of groups like the Inuit Tapiriit Kanatami (ITK)[9] that started the process that would eventually lead to the creation of a new territory in 1993 with the *Nunavut Act*; becoming the largest land claim between the Canadian government and one indigenous population. As the thesis established earlier, the creation of a new and distinct territory for the Inuit represents the recognition of their unique place not only in a multicultural Canada, but also amongst the various groups that compose the native population in Canada. Nunavut is considered a territory where a minority (the Inuit) is enjoying self-governing rights,, according to Kymlicka (1995, p.30).

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[9] The Inuit Tapiriit Kanatami is the new name of the Inuit Tapirisat of Canada (ITC) (the name change occurred in 2001). It is an organisation that historically pursued Inuit land claims in Canada (Stern, 2013, pp.89–90).

One other particularity of Nunavut is that its Legislative Assembly integrates part of Inuit Qaujimajatuganjit (IQ) in its design alongside the Westminster tradition (White, 2006), as will be analysed in more detail below. In its literal translation, IQ means knowledge in Inuktitut (Wenzel, 2004). IQ's importance in Inuit culture resides in the fact that IQ is what predates the knowledge imported from the colonisation. Thus, it is the link between the past and the present, essential for the Inuit to claim their indigeneity (Laugrand and Oosten, 2009). However, it does not translate into an opposition to the settlers' knowledge. Indeed, in some cases, they merge techniques in order to improve their way of life, like in hunting (Kuper, 2003). IQ can be summed up as "knowledge that had proven to be useful in the past and is still useful today" (Laugrand and Oosten, 2009 p. 116). Hence, IQ is a means of preservation of their identity. In adopting tradition within the Assembly's daily work, the self-governing parliament of the Inuit is perpetuating elements of its indigeneity in one of its key institutions.

3.4.4 Representation in a sub-division of Canada

This chapter has explained the creation of Nunavut and it will now move on to discuss the issue of representation in the territory. This section lays out the context seen above with the theories of representation and the context in which Nunavut was created. It will first discuss political representation within the Canadian context. Then, it will present the Legislative Assembly of Nunavut. Finally, it will consider what this parliament's institutional representation could be.

3.4.4.1 Representation in the context of multicultural Canada

The creation of the Nunavut territory and its political institutions must be understood within a multi-level governance system. It aims to improve services for the Inuit, who were overlooked in Canada for some time, as discussed above

(Alcantara and Nelles, 2014). That distribution of powers is driven by a desire from indigenous people to acquire self-governance or self-determination. Indeed, Papillon notes that minorities such as the different indigenous people in North America "either chose not to participate or were forcibly excluded from the original compact" (2011, p.2). When discussing minorities' rights, minorities who are concentrated in a given territory have the right to claim self-determination. Indeed, those self-government rights are often provided through federalism and in the name of the UN Charter in which the right of self-determination is entrenched (1945). This process only applies when "a minority forms a majority in one of the federal subunits" (Kymlicka, 1995, p.29); of which Nunavut, mostly populated by Inuit, is an example (1995, p.29). The claim here rests on the collective nature of the self-governing rights where a distinct national minority is exercised in a distinct sub-unit of the federalist system (Van Dyke, 1982, pp.24–30).

The Inuit, when they were granted a separate distinct territory, Nunavut, became a majority within their land. Here lies the distinction between the different rights, articulated by Kymlicka (1995). The aim of self-governing rights is for a distinct minority to exercise power where this minority is the majority in a given territory. In Canada, the indigenous people were often granted rights either by treaties or land claim agreements like Nunavut's (Henderson, 2008; Alcantara and Nelles, 2014, p.183) whereby they have the power to legislate only in certain domains. As aboriginality lies on marginalisation as an inheritance of the colonial past, the problem that faces the Inuit resides in their capacity to claim to be marginalised, given that they have a territory within the framework of Canadian federalism. Still, at federal level, the Inuit, inside the newer territory and outside of it, still have few representatives, so do other Canadian aboriginal people. Considering that Nunavut's status territory comes from a federal law, the *Nunavut Act*, it is necessary to have as a corollary some "self-representation rights" (Kymlicka, 1995, pp.32–33). For Kymlicka, special-representation rights are not sought by ethnic groups and minorities that are able to govern themselves in a federalism structure, like the Quebeckers in Quebec or the Inuit in Nunavut.

Nunavut fits the self-governing models of rights as it is a devolved territory. Its creation comes from a push driven by organisations such as the Inuit Taspiriit

Kanatami (ITK) seeking a land for the Inuit in the name of the principle of *self-determination* guaranteed by the UN charter. In the multicultural context enunciated by Kymlicka, their representation is obtained through the government within intergovernmental relationships. For him, self-determination can be associated with representativeness if representation goes through the government of Nunavut. The Nunavut government acts on behalf of its citizens in representing their interests to the Canadian government. This mode of representation can be included in what Pitkin refers to as an authorisation view of representation (also known as formalistic), as the government can act on behalf of its citizens (1967). It can be rationalised and conceptualised through inter-governmental relations between the Canadian federal government and the Nunavut's territorial government.

As discussed in Chapter 2, Saward's theory on representative claim-making (2006; 2010) clears the path for the analysis of non-electoral actors as forms of representation, such as a territory or one of its political institutions. It leads to the suggestion that Nunavut and its Legislative Assembly can be regarded as a form of representation in their own rights, as the perspective on representation shifts from principal-agent to a constructivist one. Therefore, it opens the possibility for a parliament to be discussed as a form of representation in itself.

3.4.4.2 The Legislative Assembly of Nunavut

Similar to any Canadian territories or provinces, Nunavut has a parliament at the centre of its political system. And parliament is central in the political system in Canada. As a former British colony, Canada has kept a parliamentary system based on the UK's at federal, provincial and territorial levels (Ward, 1987, p.6). The Westminster model rests partly on the responsible nature of the cabinet, the executive or the cabinet being responsible to the parliament or the legislative branch (Rhodes et al., 2009). In practice, parliaments across the Westminster system have been structured around political parties. Indeed, representation through political parties is regarded as essential to the democratic life of countries

(Stokes, 1999; Lipset, 2000), especially in Canada's political system (Henderson, 2007, p.117).

However, this view of representation through parties is western centric. Representation studies have mostly focused on western democracies and few have focused on different modes of representation of small countries (Veenendaal, 2013). Island states in the Pacific Ocean operate without parties and still have high scores on the democratic index. One of the explanations advanced is that the Pacific islanders have long-standing indigenous traditions which coexist with democratic institutions (Anckar and Anckar, 2000, p.241). The premise is that traditions of the aboriginal countries do not correspond to a political system based on political parties. They promote a form of collective decision-making which differs from the basis of a western model of political parties (2000, p.236).

By being part of a Commonwealth country, Nunavut has adopted the Westminster style of parliament (Ward, 1987; Rhodes et al., 2009). As the Nunavut parliament 'reproduces' the British parliament, it deconstructs and modifies the model, and is not exactly the same model (M'rad, 2019, p.238). The Legislative Assembly deconstructs the colonial model as it operates without political parties, which is a key feature of British parliament especially since the 19th century (Norton, 2002, p.20). Instead, the 22 Members of the Legislative Assembly (MLAs)[10] sit as independents and seek consensus in their decision-making (Henderson, 2007, p.112), and they are elected through a single member constituency under the First Past The Post rule. However, the Assembly maintains a high level of influence from the British parliament framework as there is the principle of a responsible cabinet and a neutral speaker (White, 2006, p.12).

The absence of political parties within the territory could find its explanation through logistical reasons. Considering the large size of the territory and the sparse distribution of the populations inside it, the different constitutive communities have different interests and concerns, thus rendering it impossible for parties to campaign across Nunavut; which is one of the explanations for the

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[10] It was 19 until 2013, when the increase in population translated into a three-seat increase in the Assembly, making it a 22-member assembly.

absence of parties (Henderson, 2007, pp.120–121). However, the explanation also lies in the fact that the Legislative Assembly adopts a consensual model based on Inuit Qaujimajatuqangit (IQ), which can be said to mean the "Inuit knowledge and ways of doing things" (White, 2006, p.17). In practice, the Legislative Assembly has adopted an Inuit-style approach, which is less confrontational and more dialogue-based (2006, p.16), and the territory's ministers are not chosen by the premier but by the whole Assembly. A particular feature of the Assembly is the *caucus*, which "brings all MLAs together on an equal footing to talk over issues large and small in an informal setting is very much *keeping with Inuit governance style*" (2006, p.23, my italics). Similarly, in the Pacific islands, the justifications given for the absence of parties are cultural ones.

The speaker and members of the executive (the premier and the ministers) are selected during sessions of the Nunavut Leadership Forum (NLF) where every MLA has a vote. The NLF is a more relaxed format where MLAs gather and select their executive and it is chaired by the Speaker, who is also elected through this setting[11]. This is an innovation from the Westminster model directly linked to the absence of parties. In the Westminster system, the leader of the largest party forms the government. Instead of having parties selecting the territory leader, Nunavut's parliamentarians gather in a meeting where they choose one of their own as the territory's premier in the setting of the NLF. Those forums are public in order for the population to witness the selection of the premier, with records being available on this Assembly's website.

The Inuit parliament is divided into five standing committees. Those committees are composed of as many regular members as the Assembly decides and at least three alternate members, who can replace a regular member if one is not able to sit at a committee meeting. Any member can ask for a standing or special committee to be formed and any MLAs can participate in a committee's proceedings, regardless of whether they are a member of the committee or not.

The five standing committees can be divided into two groups. The first encompasses the Standing Committee on Legislation and the Standing

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[11] When the NLF is in the process of electing the speaker, the clerk of the House acts as chair.

Committee on Rules, Procedures and Privileges. Both can be considered as internal committees, as they deal with matters on procedures and how to pass laws, a key function in any legislature. Considering that the latter regulates the legislature's activity, it gives it a sense of legitimacy, as discussed in Chapter 2. Those rules enable the Legislative Assembly to argue its legitimacy. Another important committee is the *Committee of the Whole* and it is sometimes referred to as such[12] (a feature common to any Westminster-style parliament), which scrutinises bills at their second reading. The second group is composed of the Standing Committee on Oversight of Government Operations and Public Accounts, the Standing Committee on Social Wellness, and the Standing Committee on Community and Economic Development. Those 'departmental' committees scrutinise different executive departments and perform another aspect of the legislature role, which consists of scrutinising the executive. All five standing committees play key roles within the legislature, enabling it to perform its key functions, either by giving assent to laws or by scrutinising the executive.

Consensus government and the absence of parties does not only occur in Nunavut but also in the Northwestern Territory from which it was created in 1999 (White, 1993), though there is a subtle difference between those two consensus systems. The latter is a territory composed of a more diverse population and the consensus system is based on a consociationalism where different communities share power between the Dene, the white Canadians and the Inuit (Dacks, 1986; White, 2006). Nunavut's Legislative Assembly has a consensus in order to integrate the indigenous characteristic of the territory's population within the parliamentary institution. The Drury Commission concluded that the Inuit failed to engage with a form of local government inside the Northwestern Territories (Duffy, 1988). The Commission argued that this failing was due to the fact that the Inuit did not relate to the NWT's institution (Duffy, 1988, p.232). The rationale behind the creation of Nunavut was to design a territory that Inuit can relate to. The difference between the two territories' systems lies in the fact that, for the former it aims to bridge different interests in a consensual way, whereas in the latter it aims

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[12] All regular members are members of this committee.

to emulate the population's traditions. It can be interpreted as trying to tie indigenous tradition within a self-governing territory with a western framework. Saward's representative theory provides a better framework to enable us to understand how the Legislative Assembly acts as a form of representation, as we shall see further on in this thesis.

3.4.4.3 The institutional representation of the Legislative Assembly

When the UN refers to the notion of self-determination, it is based on a Westphalian perspective where the state and the nation should be sovereign. The aboriginal people's approach to the notion of sovereignty of a state and thus the status of self-determination is based on the community and its self-preservation (Boldt and Long, 1984). For the Inuit, IQ refers to the link with the community as it defines the knowledge of their nation. This knowledge, transferred through generations, becomes a symbol and a defining feature of their indigeneity for the Inuit (Wenzel, 2004; Tester and Irniq, 2008; Laugrand and Oosten, 2009). Self-determination differs between a western perspective, in which is often amalgamated as a transfer of power, and an indigenous perspective, which places self-determination as a means to reaffirm the indigenous characteristics of each people. The difference between those two conceptions lies on the importance of identity reaffirmation for the indigenous population. As Cassidy suggests, indigenous people consider that self-government is more than governing themselves but designing policies that reflect their aboriginality (1990, p.80).

As discussed earlier in this chapter, indigeneity is a matter of self-definition and moreover of construction of an identity that is built against marginalisation inherited from the colonisation era. In fact, the main difference between indigeneity and autochthony is that the former suffers from marginalisation whereas the latter fears suffering from it in the future (Gausset et al., 2011). The standard view of representation would assume that there is a constituency 'out there' which precedes the act of representation; so that the Inuit in terms of their indigeneity would be defined in relation to the main dominant group in Canada. As

a consequence, it would lead to some misrepresentation of the indigenous group (Bhambra, 2014, p.120). There, the marginalisation of the population, like the Inuit from the colonial powers, means that they are inclined to reaffirm their identity contra to the colonial state. IQ, meaning Inuit knowledge, is passed on through generations and is opposed to the *Qallunatt* knowledge, which often refers to other knowledge or, in that context, the scientific knowledge that is associated with the settler groups (Tester and Irniq, 2008). Implying that the constituency is prior to the act of representation reproduces the dynamic of the colonisation, where the Inuit's identity is being defined from the point of view of the colonial state. For the Inuit, IQ is an integral part of their indigeneity as it encapsulates the knowledge acquired before the colonial period and thus defines them as indigenous. While determining the self-determination that the creation of a dedicated territory affords – fulfilling the promise of Kymlicka's self-governing right – Nunavut has integrated part of IQ in its institutional design. As a consequence, Nunavut means more than a self-governing territory. Institutions are not fixed and can be adapted, which is critical when indigenous people want to reclaim institutions inherited from the colonial past. By including IQ in the rules of the Nunavut Legislative Assembly, the Inuit have not only reclaimed a colonial institution but transformed it as a representation of their own traditions. Hence, if Nunavut, or one of its institutions (its Legislative Assembly) could claim to be a non-elected representative of the indigeneity of the Inuit, it would also be defining what it means to be Inuit and would offer a definition of their indigeneity within the claim.

Whilst approaching the different rights that minorities can claim in a multicultural context, Kymlicka seems to conceive representation rights through a classical view of representation, either descriptive or substantive (Kymlicka, 2014, pp.30–31). For him, representation of minorities is understood to aim at making parliament a better mirror of the society. It can be discussed as a position similar to the one ascribed to Pitkin's descriptive view of representation (1967). Those discussions around visible minorities or marginalised groups such as women have been largely studied (Celis and Childs, 2008). Symbolic representation, on the other hand, has lacked attention in the field of legislative studies (Leston-Bandeira, 2012), especially in the context of multiculturalism. Representation can

also be discussed in terms of the represented identifying himself/herself with someone or something which can be considered as a representative (Brito Vieira and Runciman, 2008, pp.80–81). It

The integration of IQ as part of the institutional design of Nunavut's Legislative Assembly *does not only* translate into the self-determination project from an autochthonous point of view, which differs from an ethnic or other national minorities like the Quebeckers (Corntassel, 2003); it also changes the nature of it. Indeed, representation can be expressed by an institution (Judge and Leston-Bandeira, 2018, p.155). As this parliament incorporates a key element of the indigeneity of the Inuit, it *de facto* makes the indigenous characteristic of the population visible and institutionalised. This institutionalisation also plays a role in the identification of the Inuit. Since representation is a dynamic process where it is not the referent that is represented but the idea through the object (Saward, 2006, p.302), what the institutionalisation of the Inuit knowledge represents is the idea of indigeneity, which is at the core of the claims from the Inuit to gain special rights. The institution can be discussed as a representation in itself and not only as a meeting place for representation.

The crucial point for the Legislative Assembly resides on the integration of the concept of Inuit Qaujimjatuqangit. IQ can be defined as more than encompassing the Inuit's set of "values, world-view, social organisation [knowledge], life skill, perceptions and expectation" (anonymous in Wenzel, 2004, p.240). This definition is similar to the definition of Traditional Ecological Knowledge (TEK), which is a concept advanced by academics as an attempt to classify indigenous knowledge in contrast to western or scientific knowledge. It can be defined as:

> "*a cumulative body of knowledge, practice, and belief, evolving by adaptive process and handed down through generations by cultural transmission, about the relationship of living being (including humans) with one another and with their environment*" (Berkes, 2012, p.7).

Considering the TEK's definition above, Berkes draws similitudes between those two concepts (2012, p.8).

Indigenous knowledge appears to be understood as a fixed set of beliefs, which goes against the idea of knowledge as its production is inherently dynamic

(Narayanaswamy, 2013, pp.1067–1068). The mistake resides in the belief that tradition stands in opposition of any idea of change, which places it against the idea of knowledge. IQ is, as such, a knowledge which has to evolve with time, in opposition to a specific idea of 'western' science which established itself as resting on modern methods for determining it. Western science is pinned to a rhetoric of modernity. In turn, as opposed to this form of science, IQ can be presented as the opposite, meaning backward. Here, a logic of coloniality of power emerges (Bhambra, 2014, p.138). The two notions of modernity and of tradition are opposed, as they are part of the power structure of colonisation, i.e., meaning presenting the colonised as having backward notions as opposed to the colonisers. However, the notion of tradition, in addition to resting on prior knowledge, is not an anathema to change, rather "the reason for such longevity is precisely because their ability to incorporate new observations and information kept them fresh and relevant" (Pierotti, 2011, p.11). If the Legislative Assembly's representativity rests on traditional knowledge which evolves, it too has no fixed meaning. The Legislative Assembly of Nunavut's institutional representation can only be examined through the lens of the constructivist turn, as it enables the integration of a dynamic element of representation, an evolution of what is represented and what or who is the representative.

3.5 Conclusion

This chapter concludes with the creation of the territory of Nunavut in 1999. The chapter positions Nunavut within a broader Canadian context. Since the formation of Pierre Trudeau's government in the late 1960s, multiculturalism has been a key pillar of Canadian politics, not only in terms of domestic politics but also in terms of international relations. Multiculturalism advocates that different groups can live in the same country and prescribes different remedies – either self-government, accommodation, or special representation rights – for minorities in order for them to be included in Canada. Self-government and representation can be linked. Kymlicka states that there is a correlation between representation

and self-government rights insofar as the "self-government that the national minority be guaranteed representation on anybody which can interpret or modify its powers of self-government" (Kymlicka, 1995 p. 33). What Kymlicka considers to be the link between representation and self-government rights is a liberal view of representation centred around interests. Kymlicka's minority rights can be interpreted as mutually exclusive. Self-governing rights are deemed to be designed to accommodate minorities like the Inuit. In 1999, when Nunavut was created, it seems that the Canadian government had granted them self-government.

Within Canada, the indigenous groups stand out as one of the three 'founding peoples' in the confederation. However, since its creation, the rights of aboriginal people have not equated to those of other groups within the confederation. This chapter acknowledges the special place of indigenous people within the literature of minority groups. This particularism is rooted in the indigenous people's experience of colonisation, which distinguished them from other minorities. This unique experience gives indigenous people a particular standing and a link to the land they live on. As for the Inuit, they occupy a special place amongst aboriginal groups in Canada, as they are considered separate to First Nations peoples and Metis in Canada. This particularity is critical in understanding the creation of the Territory of Nunavut.

Created in 1993, from the Northwest Territory, Nunavut was given more political rights after World War II, in the context of the Cold War. It has been designed to accommodate the Inuit by giving them a territory of their own where they were the majority. What distinguishes Nunavut from other sub-divisions in Canada, is that its Legislative Assembly, along with the Northwest Territory's, has no parties and functions by seeking consensus. As this chapter explained, the Inuit traditions – embodied in Inuit Qaqujimajatuqanjit – influence the proceedings of the Legislative Assembly. Before the analysis of the Hansard in chapters 5 to 7, the next chapter – Chapter 4 – lays out the methodology by bringing together the theoretical framework (Chapter 2) and the context, outlined in this chapter.

Chapter 4 Methodology

4.1 Introduction

The previous chapter discussed Canada's colonial history and how colonisation played a critical role in defining who are the indigenous populations. It also situates Nunavut within the context of Canada's development, after World War II. It is in the context of the Cold War that the Arctic became the focus of the North American government's policy. At the same time, the country had begun to implement multiculturalism in the 1960s. The creation of Nunavut must be seen through this context and it is advanced by Kymlicka as a form of 'self-government' for the Inuit (1998). In addition, Chapter 2 explains the representative claim as part of the constructivist turn which is based on the dynamic relation between the subject and the object of representation (Disch, 2015, p.489). It allows for the study of the Legislative Assembly of Nunavut as a form of representation (Judge and Leston-Bandeira, 2018, p.158). The issue is to uncover who or what are the object and the audience of the claims where the Legislative Assembly is the subject.

In order to conduct this investigation, this project undertakes a textual analysis of key official documents, enabled by the NVivo 12 software. This software empowers the researcher to compile all his data (in this case Hansard and bills) and to code it. NVivo provides an easy interface, as this chapter will explain, which facilitates the analysis of the data.

This chapter navigates between a constructivist approach of political representation and a notion of indigeneity dependent on colonisation in order to uncover how claim-makers formulate their respective claims. Since the Nunavut creation process, Inuit and non-Inuit policymakers have considered various aspects of the new institutions such as the parliament and its rules. Debates provide information that enables the exploration of how politicians think about Nunavut and its parliament. As in the Legislative Assembly, traditional knowledge is a topic for debate. This fact indicates the importance of the indigenous character

to define its territory and its institutions. Besides this, it can also indicate if policymakers thought of the Legislative Assembly as a way to engage with the Inuit population.

The challenge of this project is to analyse data in order to see how the Legislative Assembly is presented as representing (or not) the Inuit. The chapter will discuss how the analysis also considers post-colonial and decolonial perspectives. As the majority of the population of Nunavut is indigenous, questions of colonial history were raised during the creation of the territory, and after, in the parliament's debates. The issue is how Inuit indigeneity fits with the question of Inuit representation. This chapter seeks to explain how the methodology reflects the theoretical framework seen in Chapter 2 and the context of the territory's creation in Chapter 3

This chapter starts by laying out the methodological paradigm of the thesis. Then, it presents the methods used in this project. It concludes with an explanation of the data and the coding of it.

4.2 Methodological framework

This thesis will be conducted through discourse analysis and a post-structuralist view of representation and indigeneity. In addition, as Nunavut is a territory with an aboriginal majority, the Legislative Assembly will also be examined through the lens of post-colonialism and decoloniality before analysing it as a representation. Crucially, as this thesis revolves around the Legislative Assembly, the legislative studies' approaches are a key component of the methodological framework.

4.2.1 Discourse analysis and post-structuralism

Discourse theory through a constructivist and post-structuralist lens enables the examination of politicians' discourses, in order to uncover their views on the Legislative Assembly of Nunavut (LAN). Their views can be translated and formulated into representative claims. This analysis needs to bear in mind the context in which it is pursued. The territory and its institutions were created for an indigenous people (the Inuit) in a multicultural country (Canada). This context pushes this doctoral project to be placed also in a post-colonial perspective and decoloniality theory.

The focus of the thesis is to produce evidence that the Nunavut Legislative Assembly also performs a role of symbolic representation of the Inuit in the territory. It also aims to observe how the Assembly is perceived by different political actors. Symbols, as vehicles of representation, appeal to a form of construction of meaning, as discussed earlier; the French motto '*liberté, égalité, fraternité*' is a symbol and, for people in France or outside France, those three words represent a sense of the French Republican ideal despite the fact there is no rationale behind this symbolism. By putting those words at the top of every official building, e.g., schools, town halls, and emphasising it in the civic education programmes, the motto became a *de facto* representation of republican France (Willaime, 1993; Parkinson, 2012). It is worth noting that the association of the two concepts (motto and republic) has been constructed through discourse. What the French example illustrates is that symbolic representation must not be understood through a positivist lens, but rather through a more critical perspective.

Chapter 2 outlined the dynamic nature of political representation. With the constructive turn, the maker of the claim defines the representation and who or what he or she represents (the object related to the referent). Therefore, the represented is constructed within the act of representation in itself. The policymakers are those who define the object through speeches in parliament. To understand the Legislative Assembly as a representation, this project uses a constructivist analytical framework in examining the discourses of various actors.

Constructivism suggests that the world is viewed from the perspective of social facts (Parsons, 2010). Those facts are constructed by individuals and groups, like a community, in order to view the world. Different groups and individuals cannot share the same interpretation of the world as they use different acts (social facts) as a basis of their interpretation. Social facts must be placed within the context in which they occur. As an example, in the 19th century, in Britain, suicides were often recorded as 'acts of madness' (Mauss, 1969, p.33); thus, once suicide became a classification for death in the 20th century, which may be one explanation for why the rates of British suicide rose then. Mauss argued that the act of suicide was constructed as a sign of madness, then it was this deconstruction process of the term that provided an explanation for the rise in the suicide rate. Likewise, to understand the dynamic of debates in the LAN, one must recognise the indigenous and colonial context, seen in Chapter 3. Here, social constructivism departs from the positivist account (Mauss, 1969; Durkheim, 1981) as constructivist do not separate fact from culture or metaphysics, but are drawn from them. Post-structuralism philosophers, such as Foucault, suggest that a phenomenon must be placed within a larger context, like an epidemic, to understand a cause (Foucault, 1963). Hence, in order to understand the importance of IQ in the Legislative Assembly, the indigenous characteristics of the Inuit must be explored. Foucault draws upon Nietzsche's conception of history to advance his theory of 'genealogy of knowledge' (1969). For him, genealogy transcends different disciplines in order to have a holistic view of the subject and is "*plutôt qu'un domaine marginal, un style d'analyse, une mise en perspective* [rather than a marginal subject, it is a style of analysis, a new perspective]" (1969, p.186, author's translation). In the context of researching the integration of IQ in a parliament, it is critical to go beyond the realm of political science to ask what IQ is, as it involves a deep understanding of indigeneity. The concept of indigeneity calls upon various social science traditions such as anthropology or sociology. By studying a parliament and the influence of indigenous heritage, we need to trace back the origins of the indigeneity characteristics of the population and how critical they are for the development of the Assembly.

The discourses advanced by organisations such as the Inuit Tapiriit Kanatami (ITK), or other indigenous organisations, aim to reclaim their place within Canada and, by doing so, challenge the main argument in the multiculturalism discourse, as it both includes and excludes the aboriginal peoples in Canada within policy narratives (Legare, 1995).

In the case of Nunavut, the thesis places the parliament as part of a wider context which started with the initial demand for an Inuit majority territory within Canada, as discussed in Chapter 2. The context is the development of Canada willing to be seen as a multicultural country. From P. E. Trudeau's government to the creation of the territory, the idea of Canadian multiculturalism was endorsed by all main parties (Jedwab, 2014, p.2). Nunavut can be an illustration of the cross partisanship on this issue, as it was a Progressive-Conservative government that passed the *Nunavut Act* and the *Nunavut Land Claim Agreement*, and a Liberal government that oversaw its enactment. Moreover, with the *Canadian Charter of Rights and Freedom* in 1982, the Canadians rethought their philosophical corpus by underlining the right of individuals and the community as well as guaranteeing the rights of native Canadians established in Treaties. Those political developments must be pondered whilst analysing the establishment of the territory which should not be thought about through only the prism of self-determination from the Inuit. In addition, to understand the discourses, the thesis needs to consider the context of Canadian multiculturalism. The Charter institutionalised this concept; then Canadian federal institutions (such as the library of the Canadian parliament) published documents providing information about what multiculturalism is from a federal perspective. Speech and discourse create knowledge, but using certain words, adopting a specific vocabulary, create a meaning to the institution. Derrida regards the concept of language and writing as a science, which suggests the creation of a reality (1967, p.42). The words which are meant to describe reality are, in fact, creating it. It is therefore necessary to analyse discourse not only as a method but also as a methodology.

4.2.2 Post-colonialism and decoloniality

As the brief history of Canada in Chapter 3 shows, the country is a form of settler colonialism (Tuck and Yang, 2012, p.5) in the sense that there is no spatial distinction between the colonisers and the colonised. Here, the descendants of the settlers (the French and the English)[13] occupy the power at the centre. The indigenous population (Metis, Inuit and First Nations) remain the colonised. The power relationship is similar to the one exercised during the colonisation period. Inuit are colonised and therefore placed in a subaltern position within the state. This relationship leads to the mystification of the coloniser vis-à-vis the aboriginal population in a way where the former is believed to be more 'advanced'. As such, the colonised is seen as the 'universal' person and indigenous people have to aim to become the former so they can be fully people (Fanon, 1952). Coming back to the LAN, if the Inuit's aim is to become like another Canadian region, it should reproduce the Westminster model in its framework.

The discourse analysis will focus on how Inuit politicians – either MLAs in Iqaluit or the MP for Nunavut – portray the Inuit and how they distinguished themselves from the rest of the population, especially the non-indigenous Canadians. By doing so, the study will show whether the creation of Nunavut has enabled a change of rhetoric in the way Inuit, or their representatives, describe themselves vis-à-vis the rest of the confederation.

This project will examine the Hansard of Nunavut's parliament (explained below) on whether parliamentary debates enable the framing of the Legislative Assembly. By de-linking the Nunavut institution from the coloniser's knowledge (Mignolo, 2007), Nunavummiut politicians try to cast their workplace as a symbolic

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[13] In that context, the settlers can be extended to the immigration considering that their position fits Canada's multicultural narrative, as seen in Chapter 1.

representation of Inuit indigeneity. Both themes, post-colonialism and decoloniality, help the researcher with his discourse analysis as they give a better understanding of the context in which the Legislative Assembly was created. Methodologically, the discourse analysis starts at the beginning of the territory and its institution, as it aspires to explain the MLAs' rationale for Nunavut's legislature and, thus, creation.

4.2.3 *Legislative studies* as a guide for discourse analysis

The field of legislative studies emerged in North America, especially in the United States. It examines either parliament as a whole or, more particularly, the interaction between actors and how parliamentary rules affect individual actions (Benoit and Rozenberg, 2018, p.304). Parliamentary rules and procedures are crucial in understanding the behaviour of a legislature or parliamentarian activity, as they are the guiding principles which constrain what a representative, in our case an MLA, can and cannot do. Instead of analysing the rules as such, the project will analyse the adoption and the debates surrounding the rules and procedures. This will give an insight on how rules have been thought about and debated by the MLAs who passed them. Heurtin argues that a debate about the rules and procedures of a parliament is a test of how those rules can be accepted (2013, p.52). However, the project does not find the rational choice and positivist approach of the classical American *congressional study* (Rozenberg and Thiers, 2018, p.47) as useful to uncover the institutional representation of the Legislative Assembly of Nunavut. It rather reflects the term *legislative study* as a study of the institution being an actor in its own right.

Parliaments offer a lot of written content, especially transcripts of debates, which takes the form of Hansard in this context (Slapin and Proksch, 2014, p.127). Debates in legislatures can take different forms where parliamentarians speak in order to contextualise, explain or ponder on a particular topic such as contestation, or present their own reasoning (Deville and Lord, 2018, p.638).

When deliberating a topic such as the rules of the Assembly, MLAs are testing and adjusting the different claims they could make on the Assembly's behalf (2018, p.639). Furthermore, by being publicised, those speeches are made available to the wider public so the audience is not only those sitting in the debating chamber, but also a third-party audience, which leads to formalised arguments that could affect how MLAs perceive their workplace (Rozenberg, 2013, p.299). As those discourses take place within the parliamentary chamber, they are aiming to change their colleagues' minds, as:

> "*By debating ideas and opinions, proposals and counterproposals, parliamentarians are discursively problematizing and (re)shaping current conceptualization of values, identities and relationships that lie at the basis of collective decision-making. After all, the end goal of parliamentary debates is to affect the audience's beliefs and opinions in order to motivate them to act in a certain way with regard to real-life issues.*" (Ilie, 2016, p.134)

Examining parliamentary discourse uncovers the different claims that each Nunavummiut politician is making, and, at the same time, it provides a unique opportunity to observe how those claims are received by other politicians.

A final utility in examining parliamentary speeches is that they are used to legitimise MLAs within the debating chamber (Rozenberg, 2013, p.304). In making a statement in the Assembly, an MLA is making a claim to be legitimate by representing his or her constituents' interests. As this project seeks to examine the legitimacy of the Assembly by analysing the speeches of MLAs, it becomes clear how utilising this methodological approach will help us to understand the extent to which MLAs are legitimising the institution through their speeches.

4.3 Methods

The thesis's predominant source of data is the Hansard of the Legislative Assembly of Nunavut. It provides the analysis with information on the different dynamics and approaches of different minorities in multicultural Canada. This thesis will use the discourse analysis approach. Different methods exist to analyse

discourse – which must be understood in a wider context, as it includes laws, speeches, and reports – but we have used Fairclough and Fairclough's approach (2012). Political discourse must be "understood as the analysis of political discourse from a critical perspective, a perspective which focuses on the reproduction and contestation of political power through political discourse, and this definition can be taken to underlie our own approach... a notion of context is essential to the understanding of political discourse" (Fairclough and Fairclough, 2012). Discourse analysis stresses not only the textual analysis of the document but also the historical moment in which this discourse is produced. The context sheds light on the meaning of a text.

Discourses that are found in documents, for example the various reports of the Nunavut Implementation Commission, should be studied as documents that can provide an insight into the thinking behind the creation of the Nunavut Legislative Assembly and the integration of Inuit knowledge in its framework. Documents like reports and rules provide information which could help in the mapping of the intention of making the legislature a symbol for the Inuit. Those documents provide information on the rationale of different actors and on the justification made by the Royal Commission on Aboriginal People (RCAP) for the integration of key indigenous features in the Assembly.

The discourse analysis gives information on the design of the Assembly through the reports of the Implementation Commission. The advantage with discourse analysis is that it does not only provide information on the report's authors but also raises questions about its audience. This audience provides insight on what the audience of the claim-making would be. If the document presents the Legislative Assembly as a way to evoke the Inuit to Nunavut's overwhelmingly indigenous population, it will indicate that the latter is the intended audience. Examining the RCAP's reports can give an indication of the intent behind the creation of Nunavut and the design of its institutions. Also, the discourse analysis method provides the methodological space to examine how discourses assign the Assembly a symbolic dimension in its framework.

Textuality and discourse techniques articulate a story. Derrida advances the idea that language creates a reality. He states that the writing form of language signifies a word in the speaking form of language which translates into a reality (1967). The language used in texts and by individuals is critical in identifying the reality in which the different policies have been developed. Hansen suggests a linking technique where different words are associated with each other (2006). Those processes are defined first as a process of linking and second as differentiation. The term 'indigenous' is often associated with terms such as 'traditions', 'resistance', 'self-preservation', as those words depict a westerner's view of an indigenous reality. The concept of indigeneity is connected to the notion of 'settler', like the terms 'Occident' and 'Orient' are connected (Said, 2003). The term 'indigenous' relates to the term 'settler' or 'coloniser' as they live in the land 'discovered' or 'conquered' by the latter. Indigenous people are indigenous only in relation to colonisation. So, any analysis of the data needs to consider terms associated with western settlers ('modern', 'scientific') in order to contrast with terms associated with aboriginality. Considering the process of claim-making as a dialogue between the maker and the audience, discourses are useful as they have an audience too.

Two types of texts will be considered for this thesis: official documents on one hand and, on the other, statements (e.g., speeches, questions in the Legislative Assembly) from politicians. The first set includes laws, policy documents (i.e., white papers) and research reports. Their detailed study will reveal how the views of indigenous peoples, and the Inuit in particular, have been described by law and the type of language described in policy documents (for instance, the paternalistic tone and vision towards indigenous people which characterised the colonial relationships). Policy documents can be useful, especially those coming from the Nunavut government. Those documents convey information on how the Nunavut administration seeks to integrate IQ in different policy areas such as education or environment protection. Policy documents are official government statements and thus have a certain gravitas ingrained in them. Statements and policy documents from the Canadian government provide knowledge from the federal perspective on the indigenous population in Canada

and on the Inuit especially. The second group of texts are speeches made by politicians or reports which are in the public domain by advocacy groups like ITK.

The audience to which the claims are formulated, and their setting, will also have an influence on the text, and thus inform us on the context in which these documents are produced. The texts should not be studied externally but through their context as it influences the content of the speech. The texts could be either speeches or reports. Those speeches, found in the Hansard, range from main policy speeches by heads of government to speeches delivered by MPs or senators on various bills or motions concerning policies about the creation of Nunavut. They cover the 20 first years of the Nunavut Legislative Assembly's life (1999 - 2019), and they reveal how individual political actors (individuals or organisations) regard the importance of indigenous traditions in the design of the territory of Nunavut through the design of its Legislative Assembly, as well as within multinational Canada. Those interventions reflect how MLAs approach the Legislative Assembly as a representation of the territory. Reports, such as the one made in 1996 by the Royal Commission on Aboriginal People, will be studied as they are surveys made by the Crown and the government of Canada in order to improve conditions and relations with Native Canadians. As they informed policymakers on how to design the agreement and thus the Nunavut's institutions, the reports can help to explain how the government developed its strategy towards different Aboriginal groups.

The key acts or other official documents consist of two categories. The first are documents relating to policies on indigenous people in Canada such as the Indian Acts. Those documents shed light on how the government of Canada has thought out its policies towards native Canadians. The second group relates to act or policies directly linked with the creation of Nunavut (e.g., the Nunavut Act). Comparing both documents will aim to survey if there is a discontinuity in the discourse of various Canadian governments towards aboriginal people or if there is a contrast between discourses according to indigenous groups.

The Rules and Procedures of the Legislative Assembly is a critical document for the parliament's daily functioning. The rules could show the

integration, or not, of Inuit Qaujimajatuqangit within the rules of the Assembly. By doing so, the document can enable MLAs to draw a comparison with other territorial or provincial legislatures. Studying the Nunavut Assembly's rules compared to other rules at the same legislature level will provide a space to analyse and uncover elements of indigenous heritage within the rules of the legislature.

Policy documents from the Government of Nunavut like the one on the 'Education Framework: Inuit Qaujimajatuqanjit for Nunavut Curriculum' provides us with an insight on how Nunavut's politicians view IQ. This can not only offer a better understanding of IQ as a concept but also allows a better view of how the government of Nunavut considers and defines IQ. Those written documents reflect and provide information on the creation of the territory and of its institutions. However, they do not reflect how the Legislative Assembly is perceived and how it stands as an institutional representation or the claim-making.

If the claim-making representation process is a dynamic one, then documents and news items presenting Nunavut can also be considered as a claim-making process. Institutions like the Nunavut Legislative Assembly, and various governments, have promoted and made claims about the Assembly with the integration of IQ (either through the release of information documents or on websites). Through those sources, discourse analysis can help to uncover the different claims around the Legislative Assembly and IQ. Media such as CBC News[14], the national publicly funded Canadian broadcaster, reporting on the Nunavut political system (CBC News, 2017) can also make claims around the parliament. Here, discourse analysis is used to discuss how those news items present the Assembly and if they emphasise or not the presence of IQ in its framework. Also, those discourses could seek a larger audience rather than being only aimed at the Inuk population. Discourse analysis will assist in answering questions around the symbolic intent behind the integration of IQ, as well as the intended audience.

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[14] CBC News is the news division of the Canadian Broadcasting Corporation (CBC), which is largely a publicly financed media company in Canada.

All the previously mentioned documents provide an insight on how the integration of IQ into Nunavut institutions is working. The preliminary reports provide information on how the integration of IQ was considered in designing institutions for the territory of Nunavut, in order to see its symbolic intent. The official documents state how this integration is translated in practice and within the norms of the Assembly. As for policy documents, they give an insight on how these institutions engaged with IQ with regard to policies. In addition, the discourse analysis of the information provided by institutional actors and news reports on the Assembly enables the mapping of claims made on its behalf.

4.4 Explanation of the data analysis codebook

As discussed in Chapter 2, the process of representative claim-making is a dynamic one. A claim-maker advances a subject which is claimed to represent an object to an audience (Saward, 2010, p.38). The data collection seeks to uncover the claims that are made on behalf of the Nunavut Legislative Assembly. Here, the aim is to present the different claims and their makers. The questioning of the audience will occur during the analytical and discussion chapters. Claims on behalf of a parliament are made in the chamber; the Hansard of the Legislative Assembly, which is the verbatim official record of all the archives of the legislature's debates, is thus a primary source to uncover any discourses from politicians that may include a claim or a reference to the territory's indigenous characteristic. In addition, documents that help in the understanding of the creation of the territory of Nunavut are also studied as they provide information that was used in formulating policies or indicate the arguments leading to Nunavut's creation. First, the different categories of the textual data will be presented before the explanation of the coding strategy that has been applied in the analysis.

4.4.1 Data

The data analysis will consist of the surveying of documents, which are themselves divided into two categories. The first set is mostly composed of secondary sources as they informed the research on various positions on indigenous people, Nunavut, and the Assembly. Reports give information on how a government (territorial or federal) receives information prior to policy decisions (e.g., reports from the Royal Commission on Aboriginal People, RACP). Press articles from publications such as *The New York Times* relating to the Nunavut Legislative Assembly give an insight on how the media portrays the parliament to the wider public, which is an audience for any claim that is made on behalf of the legislature. Those documents are used as data as the first group provides information on the rationale of policy-making and the second group is a medium for representative claims.

The second set is Hansards from both chambers of the Canadian parliament and of the Nunavut Legislative Assembly[15]. Hansards are reports of parliamentary proceedings which aim to be *verbatim*, which is the 'gold standard' to record parliamentary debates (Gardey, 2013, p.75). Originally, one of the main rationales in taking verbatim reports was that they highlighted the procedural aspects of debates more than by publishing them (2013, p.77); as a consequence, analysing them enables the researcher to investigate how Inuit indigeneity is considered within the framework, of the legislature, influences the different proceedings or debates. Those reports are essential because they provide the closest transcriptions to what was said and enable research on parliamentary debates (2013). The vast majority of the data consists of the 38,823 pages of the Legislative Assembly's Hansard. Those pages correspond to the first four assemblies and the first session of the 5th assembly, covering the first 20 years of the legislature's existence, 1999 - 2019. The 20 years of Hansard are analysed to give an insight on how elected MLAs developed their view on their newly created institutions. As for the federal parliaments' Hansards, they were selected according to whether they contained debates on the *Nunavut Act* and the *Nunavut*

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[15] The Legislative Assembly's Hansard is analysed in English. Given that some MLAs spoke Inuktitut in debates, they are directly translated in the Hansard and the analysis in based on that translation.

Land Claim Agreement, the two documents key in the creation of the territory. The analysis of those exchanges seeks to uncover any intent in institutionalising the Inuit's indigeneity by integrating the newly formed territory's government institutions. The analysis of these debates explores whether there is any symbolic intent behind the creation of the assembly. Those documents are primary sources as they provide information about the positions taken by politicians on Nunavut and how they constructed a narrative around the territory and its political institutions, especially the Legislative Assembly.

Moreover, acts either passed at federal level (such as the *Nunavut Act*) or at territorial level (such as the *Legislative Assembly and Executive Council Act*) are analysed as they provide insight into how the law constrains the institutions. They enable a space where representative claims can be based. Finally, Nunavut Legislative Assembly factsheets (found on and downloadable from their website: http://www.assembly.nu.ca/) complete this set. Those documents, produced by the Assembly, inform the public about itself, and therefore make a representative claim about the parliament.

4.4.2 Coding strategy

This section explains first how NVivo helps in analysing the data. Then, it explains the coding choices, before outlining how those inform the project.

4.4.2.1 The coding process with NVivo 12

Coding the documents is done using a bottom-up approach. This means that the codes are not predefined and applied, but the reverse: commons threads, detected whilst conducting the analysis, are put into codes. The codes are analysed using the NVivo 12 software. Documents are divided into folders reflecting the relevant categories of documents (i.e., the folder 'Nunavut Hansard'

encompasses all the Hansards of the Legislative Assembly) and a sub-folder for the Youth Nunavut Legislative Assembly's Hansard. Thus, this facilitates any word search for different themes within each document category.

Coding in the software is done through nodes where each node equals a theme. Where a theme can be divided into sub-themes, child nodes reflect those themes. Consequently, where there is a sub-sub-theme, the same method is replicated at this layer of nodes[16]. References can be coded multiple times, as nodes are not mutually exclusive. Consequently, this simplifies the mapping of the relationship between different concepts. Auto-coding is a feature of the software; however, the analysis will not use this feature, as it would also code debates which carry no significance to the project, thus rendering the coding strategy unintelligible for the researcher. On the other hand, a manual coding is convenient as it enables the detection of any form of more subtle use of language, such as sarcasm or humour, on behalf of an MLA. In addition, as references of indigeneity in relation to claim-making on behalf of the institution can be present in all debates, a manual coding approach is more appropriate.

Themes or nodes are created through a process of reading every Hansard document for the Nunavut Legislative Assembly. This process is based on an efficient reading so that no debates that could present the legislature or its members as a representation are missed, i.e., a look at the summary of each session provides an indication of what that particular day's Hansard would contain. There are three dates which the researcher has examined with more attention. Those are the inaugural session on April 1st, 1999, the 10th anniversary, on April 1st 2009, and the session of February 27th 2002, as it contains the legislative process's main three readings of the Legislative Assembly and Executive Council Act (Nunavut Legislative Assembly Hansard, 2002). On that day, rule changes were debated in order for the Assembly to vote on its own rules and not be governed by laws that were rolled over from the Northwest Territories at the creation of Nunavut. During the reading, MLAs' reflection on the meaning of the

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[16] In this thesis, a Child node will designate a child node of a main node. A Sub-node will designate a child node's child node.

Legislative Assembly for the Nunavummiut and for the Inuit occurred (the coding reflects this occurrence). The analysis of those debates enables the identification of themes in politicians' speeches regarding their view of the Legislative Assembly. Coding those help in recognising any representation of the Legislative Assembly of Nunavut (LAN) made by any of them.

The coding is therefore conducted in two steps. The first step identifies the key document that initially highlights preliminary codes which will be used in coding during the next step. The systematic reading of all Hansards of the Legislative Assembly session chronologically, between April 1st 1999 and April 1st 2019, enables different codes to appear subsequently to those determined in the prior stage of the document analysis. Reading chronologically opens the possibility to uncover that there are different ways to make claims about the LAN and indigeneity according to the period of time when they are made. As an example, a claim made at the beginning of the 1st Assembly could be different to one made in the 3rd Assembly. This can also inform the researcher on the development of claims on the institution and the evolution of how those are constructed.

4.4.2.2 The coding choices

This section explains the codebook produced through the nodes in the NVivo 12 software (see Appendix A), and dwells on some nodes that are key in the study of the Legislative Assembly of Nunavut.

Two nodes ('traditional knowledge' and 'Inuit Qaujimajatuqangit') appear to be similar as IQ is understood as the way things have been done before and therefore equates with the mention of traditional knowledge (Wenzel, 2004). Yet, there is a subtle difference between those two concepts. The former refers to the ancient knowledge that is being passed through generations of Inuit. One use of IQ can be illustrated when traditional knowledge helps in informing scientists about the Arctic environment (Riedlinger and Berkes, 2001, p.316). In contrast,

traditional knowledge is constructed in opposition to non-Inuit knowledge or 'white' knowledge (the knowledge from the colonisers) and encompasses the Traditional Ecological Knowledge (TEK). It is said to be an important aspect of the Inuit's indigeneity; hence, this node is a child node of the 'Inuit indigeneity', as it deals with the role of tradition in defining Inuit identity in the Legislative Assembly's debates. Also, the child nodes under 'Inuit indigeneity' refer to themes that are common in definition with aboriginality, which resonate in the debates and define what MLAs consider to be Inuit society. Those nodes reflect the importance of IQ. However, as discussed, Inuit Qaujimajatuqangit (IQ) has a more holistic approach as it not only includes traditions but also "values, world-view, social organization, [knowledge], life skill, perceptions and expectations" (anonymous in Wenzel, 2004, p.240). This enables IQ's integration within the Nunavut institution as a key feature of the development of the territory and its institutions (Lévesque, 2000, p.2). This critical aspect in respect to the development of the Legislative Assembly justifies Inuit Qaujimajatuqangit having its own node. Also, it emerged with the Nunavut Social Development Council in 1998 (Lévesque, 2000, p.38) as an attempt to create a notion embodying the Inuit customs and traditions. Berkes noted that IQ has a broad meaning and is preferred to the concept of Traditional Ecological Knowledge (2012, p.8).

Furthermore, as there is no formal definition of Inuit Qaujimajatuqangit, debates on IQ not only focus on its integration but also reflect on what IQ is. It can be said to be a sort of Traditional Ecological Knowledge (Berkes, 2012, p.8), but the difference with the latter is that it is created by the Inuit and not by science. As a form of knowledge, its production is dynamic and must be put into perspective (Narayanaswamy, 2013, pp.1067–1068); this will be investigated in the analysis developed in the subsequent chapters. According to Lyotard, the question is not what is known, but rather *how* it is known (Davis, 2004, p.66). In the context of this thesis, the question of how knowledge is known is crucial especially if, in turn, this knowledge is used to shape the institutional representation of the LAN. If the knowledge comes from an aboriginal perspective, it can be an indication of the indigenous characteristic of the parliament.

The dialogue between MLAs offers an opportunity for each of them to explain their view on the concept and how it can be translated in practice. Child nodes from 'IQ' such as 'education', 'care' or 'environment', illustrate the variety of ways in which IQ can be mentioned in policy debates. Through those nodes, the researcher can interpret how IQ is mobilised in a particular policy area, which will be the subject of Chapter 6. Thus, they are all individual child nodes within the 'Inuit Qaujimajatuqangit' node. The child node 'knowledge as a constructive process' illustrates that point. One child node differs from the others, which is 'IQ as not used as a lip service', which was created from observation of the occurrence of this expression (for explanation of the node see Appendix A).

The difference between 'colonialism' and 'post-colonialism' is that the former code mentions colonisation as a defining moment for the Inuit, whereas the latter focuses on the affirmation of Inuit identity in the context of multiculturalism and by challenging the colonial settlement of Canada. The 'cooperation of knowledge' node reflects the dialogue between different approaches. It echoes Omoura's statement on the capacity of the Inuit to embrace modernity and different knowledge and transform society by integrating this knowledge (Kuper, 2003, pp.395–396). This node also includes reference to the hybrid design of the Assembly as it takes its roots from two competing knowledges.

Elders are frequently mentioned during debates in the Legislative Assembly and in different contexts. They are perceived as holding knowledge from the past and they have the power to educate the younger generations about Inuit knowledge or IQ (Lévesque, 2000, p.70). The node 'Elder' creates a silo for any reference to Elders in relation to their special place in Inuit society and consequently highlights one of the particularities of Nunavut's culture and the consequences for its institutions. This node is not based on any prior reading on the theoretical framework, as the theme was picked up during the data analysis. The risk is that the node captures any mentions of Elders in relation to a debate on elder care. Thus, thanks to manual coding, the node includes only when Elders are discussed in relation to their position in Inuit society. This code also

encapsulates proxy words such as 'ancestors' and 'grandparents'. For the latter, the context in which it is used determines if it is coded or not.

Also, this node captures when a parliamentarian mentions a specific person and presents them as an Elder. By doing so, he or she gives this individual an authority not only as an individual, but also as a representation of a certain authority within the Inuit society. As a consequence, the MLA could build on the Elder's life experience to advance his or her point in the chamber.

The question is why the elders are perceived to hold the Inuit knowledge, and what constitute an elder in this context. An elder is an Inuk who is seen to know the Inuit's way of doing thing prior to the influence of the whites. Despite the influence of Europeans dating back to the 19th century, the influence of white Canadians on Inuit culture began to grow in the aftermath of World War II (Duffy, 1988; Lévesque, 2000). As discussed in Chapter 3, with the Cold War and the installation by the USA of the DEW system in the Northwest Territories, the contact between the whites and the Inuit changed practices and living conditions for both communities, especially for the latter (Lévesque, 2000, pp.22–24). Elders are those who have experienced at least their early years living according to Inuit traditions and customs with minimal external influence in order to transmit this knowledge to future generations. But a question arises in regard to this characterisation today. Elders can also mean the Inuit who are seen to have a prominent position in a community given their experience. Consequently, Elders' knowledge is considered as legitimate if Inuit are continuing to reference it. Within the Legislative Assembly, as MLAs often reference them, it means that parliamentarians respect their knowledge as such. The notion of Elders is present also in discussions of representation and within the Nunavut context in general.

Sub-nodes under the banner 'Nunavut Legislative Assembly' child node reflect how the legislature functions or how its apparatus is shaped by both the Westminster model and IQ. Even if the project focuses on how the integration of IQ enhances the institutional representation of the Nunavut Legislative Assembly, it is critical to also code references to the Westminster model of parliament. As the particularity of the Assembly is that it integrates both traditions within its

framework, it is important to code references to those traditions. Both sub-nodes 'IQ' and 'Westminster style' reflect their influence. In the first node, the child node 'consensus government' resides. This code is justified as consensus government is one of the main aspects of the distinctiveness of the Nunavut government and parliament put forward by both academia (White, 2006) and the Nunavut Legislative Assembly. The academic view of institutions informs the western knowledge. Thanks to this code, any dialogue between a western knowledge of the LAN and an indigenous one can be highlighted. This code is essential as it does not only capture how consensus works in the institution but also how consensus is used in making claims about the legislature or used as a symbol within the legislature. Political parties are coded in a node separate to any other nodes ('political parties'). The absence of political parties is, like consensus, put forward as a particularity of Nunavut's political system. This node is coding how political parties are mentioned within the legislature during the debates. This strategy seeks to uncover how parties are viewed in the legislature and how MLAs justify their absence in comparison to most other legislatures in the country.

The node 'representative claims' also encompasses statements of representation. However, in opposition to the 'representation' node, the researcher codes representation claims that are general statements that can be common to all parliaments across the world, or where there is an explicit mention of representation and the name of the institution. Hence, it facilitates the mapping of relationships in the third stage of document analysis. 'Public engagement' is a child node that specifically refers to actions undertaken by the Legislative Assembly to engage with the public. It can range from documents taken from the legislature's website to reports of activity found in various Hansards. Public engagement is essential to understand how the Legislative Assembly can be presented as a representation either of Nunavut or of Inuit. As discussed in Chapter 2, public engagement is critical for the maker, so it can inform about the constituency of a claim in order for the former to accept or reject it.

The node 'public engagement' is not part of the 'Nunavut Legislative Assembly' node as it considers any specificities of Nunavut that are mentioned by

MLAs during the debates. Those distinct features of the territory are used as a tool in order to make a representative claim for the territory. The node also informs the research of the uniqueness of Nunavut from its creation to its assembly and helps to take a holistic view of Inuit and Nunavut throughout the project.

The node 'representation' encompasses every mention of representation within the Nunavut Legislative Assembly's debates. Those quotes encompass different views of representation, which are reflected in the child nodes. They can be divided into two categories. The first one reflects on the nature of representation ('representative claim', 'constituency representative', 'institutional representation', 'surrogate representation' and 'symbolic representation'), and the nodes are drawn from the works seen in Chapter 2 (Pitkin, 1967; Rehfeld, 2005; Judge and Leston-Bandeira, 2018). The second one focuses more on the subject or the object of representation (Saward, 2006; 2010). The nodes on the subject of representation are 'Nunavut government as representation', 'IQ as representation' and 'role of Nunavut MP'. Those codes translate how those institutions or concepts are put forward by MLAs as representation either of Nunavut or of the Inuit population within the Assembly.

The node entitled 'Nunavut for Inuit' codes the Inuit as the object of representation when the maker puts a claim where the Nunavut Assembly or the government is the subject of representation. It is important as it attempts to define the project behind Nunavut and the Legislative Assembly as representing mainly Inuit and not the Nunavummiut. Those statements seem to contradict the intent behind the territorial creation. Indeed, it was stated in the House of Commons that the Nunavut government would "be elected and fully responsible to all the residents of the new territory, aboriginal and non-aboriginal alike" (Canada HoC. Hansard, 1993, p.20393). This is an example of how the coding can highlight discrepancies between the design and the claim-making in the Nunavut Legislative Assembly. It is indicative of a debate on the way some MLAs view the territory for the Inuit, which can be translated either as a self-determination endeavour or a self-government one.

Those two concepts have different meanings, as discussed in Chapter 2; both nodes reflect those differences. Both nodes are useful and separate as they each underline the different perceptions that MLAs have on the territory of Nunavut. Yet, it must be indicated that the two concepts are not mutually exclusive. The point of differentiation is to uncover if both concepts are used as a basis for making different representative claims on the territory and the Legislative Assembly or not.

4.4.2.3 Coding as a means to uncover the Legislative Assembly's institutional representation

The thesis seeks to understand the institutional representation of the Legislative Assembly of Nunavut, which relies on integrating some form of Inuit knowledge into its design. This project does not seek to understand the root of Inuit knowledge and tradition and therefore will not use any methods of indigenous studies such as an ethnography (Strong, 2017, pp.35–36). Those methods would have been helpful if the project's aim had been to define or explain the indigeneity.

Rather, the focus is on how the parliament is using the notion of indigeneity in its representative claim-making. This study centres on how members of the Assembly think about the parliament and how they try to define it with the help of Inuit Qaujimajatuqangit. Simultaneously, the analysis will explore how MLAs view the Legislative Assembly. As the thesis focuses on the institutional representation of the Legislative Assembly of Nunavut as a whole, it will be analysing MLAs' speeches and interventions during parliamentary debates. In using parliamentary debates, the research is able to understand how MLAs are advancing the norms and values in the territory in the Assembly's debates (de Galembert et al., 2013b, p.15). With the first 20 years' worth of the Assembly's Hansard being analysed, the thesis studies how the first MLAs have defined their workplace within the debating chamber. By putting them in perspective with reports and articles as well as with other debates (at federal level), it allows a codification of the thesis which

uncovers how the Legislative Assembly, through the debates of its members, is defining itself and presenting itself to audiences.

The coding framework helps in detecting what is important to members vis-à-vis the Legislative Assembly, their representation and also the indigenous knowledge. It eases the reading of the issues which were on the MLAs' mind in the first 20 years of the territory's life. The analysis of MLAs' interventions as a collective draws out the institutional representation of the Legislative Assembly.

4.5 Conclusion

The coding framework informs the analysis of documents for this thesis. It enables the identification of themes that are important and recurrent as well as mapping out the evolution of those topics which have been discussed in the chamber in the last 20 years. As they are constructed through the project and not predetermined, the codes and themes are moving and changing themselves, throughout the project. Coding in social science is an interactive approach. It is the dialogue between the researcher and his or her project that makes the codebook.

The framework's nodes also reflect the epistemological and ontological choices made in this thesis. The nodes reflect the constructivist approach on how knowledge and representation can be conceived through the speeches of politicians. Chapters 2 and 3 suggested that the Inuit can be discussed as the constituency of the Legislative Assembly of Nunavut. By analysing its Hansard, the PhD project seeks to understand how it is manifested within MLAs' discussion. Chapter 3 discussed the creation of Nunavut and the indigenous population in light of the Canadian context. And, in Chapter 2, the thesis explored the constructivist turn of representations. Those themes developed in the previous chapter are reflected in the coding framework.

The nodes highlight the various themes used to define what Inuit identity is. This helps with the framing of Inuit as a constituency and, as a consequence, allows the research to explore the idea of the Legislative Assembly of Nunavut as

a form of representation. Both the federal and the territorial Hansards show how parliamentarians have defined Nunavut and its parliament, but also how they have created their vision of/for whom the territory is designed to cater. This is reflected in the nodes which underline the various notions of representation that feature in the data. The role of the coding is to stress how representatives discuss the institution –the Legislative Assembly of Nunavut – and construct it as a representation. Discourse analysis reveals the construction of the claim surrounding the LAN and the nodes help in identifying the themes that are critical for this process.

The following three chapters will use this methodology to analyse the data to identify the various claims made by politicians in the Legislative Assembly of Nunavut. The coding framework helps with the mapping of how those claims are formulated and constituted. The next chapter, Chapter 5, will focus on how different actors have viewed the Legislative Assembly of Nunavut before and after its creation. It also shows that Inuit parliamentarians are using IQ in order to define the Assembly. In that chapter, the debates about the rules of the LAN will be examined closely as those debates usually reveal parliamentarians' standpoint on their Assembly (Heurtin, 2013). Along with other parts of the data, it will seek to understand how politicians (MPs or MLAs) conceive of the Nunavut Legislative Assembly.

Chapter 5 Setting up the Legislative Assembly

5.1 Introduction

Chapter 4 outlined how parliamentary debates can exhibit how parliamentarians regard the institution, in a collective sense. As previously considered, two parliaments have discussed the creation of Nunavut and its Legislative Assembly. The first one is the parliament of Canada and its two chambers (House of Commons and the Senate), the second one is the Legislative Assembly of Nunavut itself. In those debates, there are different visions on the role of Inuit indigeneity within the territorial political institutions. This variation implies more than one claim about the Legislative Assembly of Nunavut. Following the constructivist turn of representation (Disch, 2015), representation becomes a dynamic process especially with the work of Michael Saward on the representative claim (2006; 2010). As Judge and Leston Bandeira (2018, p.156) indicate, the claim-making process enables the collective side of representation to be shown.

The Nunavut territory was formed under a Westminster-style government. As Chapter 3 noted, there was also an effort to integrate Inuit traditions within the Assembly. Due to its status, the law creating Nunavut and its constitution was debated at federal level, which reflected the concern about how to adapt the English parliament system to Nunavut. Since the creation of the territories, the Members of the Legislative Assembly (MLAs) have had some agency, enabling them to define their own institutions and provide, for some, direction on the public engagement strategy of the institutions.

Those politicians view the Legislative Assembly as critical for the integration of the Inuit's indigenous character which, as discussed in Chapter 3, is a contentious issue in a settler colonial system. The challenge is how to balance the institution inherited from the Empire and the unique traditions of its population, so

that the parliament represents not only the interests of the Inuit, but also their indigeneity.

First, this chapter will look at the symbolic intent behind the creation of the Legislative Assembly. Then, it will illustrate how Inuit Qaujimajatuqangit and the Westminster model are present in the day-to-day proceedings of the parliament. Finally, Chapter 5 will conclude by explaining how MLAs are conscious of its importance as a parliament to engage with different audiences.

5.2 The symbolic intent

This section will survey different stages where politicians have outlined their intended frame for the Legislative Assembly. It will begin with a discussion leading up to the creation of the territory in Canada's parliament. Then, it will expose how Nunavummiut politicians are framing their place of work.

5.2.1 The creation of Nunavut as a historical process

On June 4th, 1993, the Canadian House of Commons started discussing the bill C-113 *Nunavut Act*, paving the way to the creation of the Nunavut territory in 1999. The Minister of Indian Affairs and Northern Development, the Progressive Conservative Thomas Siddon, introduced the bill. In his speech, he underlined the sense of history carried within this bill by reminding his fellow MPs that:

> "*… the Inuit of eastern Arctic without their commitment to settling this land claim, we would not have reached the critical stage we are today… the TFN [Tunngavik Federation of Nunavut] land claim is the largest in Canadian history. It encompasses approximately one fifth of the entire Canadian land mass an area of some two million square kilometres in the central and eastern Arctic as well as adjacent offshore area*"
> (Canada HoC. Hansard, 1993, p.20353)

In this instance, he claims that this bill is historic given the nature of the territory. He stresses that the territory is unique in the confederation, as the majority of its population is composed of a single indigenous community within its borders (den Toonder, 2016, p.20). In addition, the bill sheds light on how the territory was created between the Canadian government and the Inuit by acknowledging the *Nunavut Land Claim Agreement* which, after the *Nunavut Act*, can be considered as Nunavut's second constitution (van Dam, 2016, p.92). Both documents have forged the institutional framework of the territory – he Act as the public side and the land claim as the private side (2016).

Following the speech, the Nunnatsiaq MP[17] Jack Anawack replied by reminding him "that Inuit do not just assert title to Nunavut. *Our title is real.* It is the government of Canada that asserted title to Nunavut. Our title *predates* any claims by the government whether the government recognize it or not." (Canada HoC. Hansard, 1993, p.20359 my italics). Here, the unique elected representative of what would become Nunavut affirmed the colonised status of the Inuit and their territory. As a matter of fact, the Inuit had their homeland taken from them through the colonial doctrines of, for example, *terra nulius* (Lightfoot, 2016, p.18). Anawack underscores that the Inuit are the victims of colonisation as it was the colonial power (Canada) which ruled over the Inuit and the territory's creation must be seen as Canada facing its colonial past (Engle, 2010, p.21).

Another interesting aspect of MP Anawack's speech is that it was delivered in Inukitut, underlying again the importance of the creation of Nunavut for the Inuit and their identity. By using a language other than the two Canadian official languages in its legislature, he asserted that the Inuit language has the same legitimacy within Canada as the languages of the two historical coloniser populations. His change of language was sanctioned by the Deputy Speaker, who pointed out that, "For the benefit of hon. members, there is English translation on channel five and there is someone translating from English to French so that all members can understand what the member is saying on *this special day*" (Canada

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[17] Nunnasiaq is the name of the riding which covered the area of Nunavut at the time of the debate in 1993.

HoC. Hansard, 1993, p.20357, my italics). With her consent, Anawack drew attention to the fact that the creation of Nunavut was not just a withdrawal of an internal territorial border within the confederation, but an act of decolonisation whereby the federal government recognised the historical nature of one of the aboriginal groups.

It is critical to understand the creation of the territory of Nunavut with the *Nunavut Act* along with the signing of the *Nunavut Land Claim Agreement* (NLCA), which is a treaty between the Inuit through the NTI and the Canadian government. And it is with the NLCA that a territory with an Inuit majority will be created (van Dam, 2016), as it states that "the government of Canada will recommend to parliament, as a government measure, legislation to establish, within a new Nunavut Territory with its own legislative Assembly and public government, separate from the government of the remainder of the Northwest territories" (Government of Canada; Indigenous and Northern Affairs Canada, 1993b). By mandating the Canadian federal government to create a third territory, the agreement places the Nunavut territory as a representation of a special treatment of the Inuit within the confederation. Even for the confederation it is significant, as a New Democrat Party (NDP) MP, Robert Skelly, said:

> *"The Nunavut Claim settlement and the creation of the territory of Nunavut is something of which all Canadians can be proud…. We should be recognizing it as a great event in the progress of Canada's confederation and Canada's political development. This is the first political boundary change in Canada since the addition of the province of Newfoundland and Labrador in 1949*" (Canada HoC. Hansard, 1993, p.20383)*.*

It is the scope to create Nunavut and the context in which it occurred that gave it a historical dimension and made it historic for the Canadian Confederation as it creates a territory with its own institutions, thus expanding the realm of a traditional land claim between an aboriginal people and a state. Granting a territory to an indigenous population who would be the main community within its land represents a shift in policy towards Indians in Canada. In acknowledging this fact, the NDP parliamentarian highlights the significance of the territory's creation for Canada, as well as for the Inuit and indigenous communities more broadly.

The creation of Nunavut, as a territory, sets itself as a historical achievement for a Canadian aboriginal group. Following the adoption of the NCLA, with the debates in 1993 on the *Nunavut Act*, Canada's parliament reflected on a potential form of indigenous self-government. In the House of Commons, Minister Siddon reflected that "given the Inuit predominance in the region, this new public government will naturally reflect and be responsive to their aspirations and way of doing things" (Canada HoC. Hansard, 1993, p.20393). He conceded that the 'western system' was not fit for Inuit self-governance, as it was noted in the Drury report in relation to the election being foreign to indigenous custom (Duffy, 1988, p.232), as discussed in Chapter 3. This understanding also appeared in the Senate when liberal Senator Charlie Watt – an Inuk senator from Quebec – argued that, "since the Inuit constitute 80 percent of the population in Nunavut, the new territory will very much reflect and accommodate Inuit culture, values and aspirations" (Canada Senate Hansard, 1993, p.3449). Both houses of the Canadian parliament reflected Inuit knowledge in debating the creation of Nunavut. By doing so, they believed that creating a territory with an Inuit majority had a symbolic intent to make the territory of Nunavut a symbol of Inuit self-determination, as most of the people that would be holding office would be Inuit, according to the descriptive representation. In having Inuit ruling Inuit, the intention is to make Nunavut a symbol of indigenous governance in Canada. To achieve this objective, both houses conceded the need to integrate Inuit tradition into its institutions (the Legislative Assembly and its executive) so they could be regarded as a representation of the Inuit and their self-determination.

During the 1993 debates, the view of integrating elements of Inuit values into the territory was interpreted by bearing in mind various elements of Inuit society. When the NDPMP Ray Funk explained, "where people work together, pool their resources, work in the self-help and democratic kind of way, has been developed by the Inuit people to a larger extent than virtually any other people in this country… I hope this provides a model for the way the new government of Nunavut and the people of Nunavut will conduct their business in the future" (Canada HoC. Hansard, 1993, p.20403). Here, the co-operative model is put forward as a more consensual style of politics, contrasting with a political party

model proper to the Canadian politics and inherited from British politics. In addition, the NDP MP seems to put forward a model which is similar to the cooperative movement that is part of the ideological foundation of his own party. The mention of the importance of the Elders for the Inuit in the creation of Nunavut was tantamount to enabling the Inuit Elders "to feel secure and at peace in the knowledge that the land, the people, the culture and the language are strong and will survive" (Canada HoC. Hansard, 1993, p.20401). This argument puts the emphasis on the fact that, for Inuit, the creation of Nunavut is a way to preserve their tradition and way of living. Yet, the debates also revealed the intention from the parliamentarians that the government of Nunavut would not depend solely on indigenous concepts.

The government of Nunavut, created by the *Nunavut Act*, is a public form of government and, as such, is not solely for the Inuit population (van Dam, 2016, p.95). Parliamentarians warned about this element when they stated that "The government of Nunavut will be a public government, open to the participation of all residents, Inuit and non-Inuit. The legislative assembly will be elected by all residents. So it is not aboriginal self-government in the sense of a government exclusively for and by aboriginal people" (Canada HoC. Hansard, 1993, p.20397). This reveals that the notion of self-government does not equate to the exclusion of non-aboriginal people in political life. It indicates that, if Nunavut is a form of self-government, the specificity resides in a distinct feature which makes the Inuit represented more numerous than non-Inuit but, at the same time, does not exclude non-Inuit from the political process.

During the Canadian House of Commons debates, this concern – of allowing indigenous tradition in Nunavut's institutional framework without repudiating the Westminster parliamentary tradition – was relayed by the government when it argued that there "is [was] an appropriate structure of government to be established within our traditions of Parliament" (Canada HoC. Hansard, 1993, p.20394). Here, the parliamentary tradition that is being talked about is the Westminster system, inherited from the British colonisation (Ward, 1987). In reply, the sole MP of what would become the Nunavut territory, Jack Anawack, stated:

"*When the non-Inuit arrived in our homeland when Canada was confederated, no one asked for our opinion. No one asked for our consent to the terms of the union. No one asked for our advice. No one asked us how we felt.*

Foreign governments and foreign laws and foreign regulations were imposed to us. For years we have lived with the burden of an alien system.

With the establishment of Nunavut, we hope we will be able to get out from underneath what has been imposed upon us. For Inuit, the Nunavut political accord and this Nunavut bill are essentially our terms of unions, the framework for our entry into the Canadian federation" (Canada HoC. Hansard, 1993, p.20396)

So, the Nunavut MP – speaking again in the Inuit language as opposed to one of the two federal official languages – argued that, for the Inuit, to assimilate their territory with the imposition of a political system that is alien to the Inuit tradition would be perceived as another form of colonisation. The backbencher Robert E. Skelly tried to bridge the gap between the Westminster and Inuit traditions by stating that:

"*There are a lot of things in this type of parliamentary and government structure that do not make sense to use who are modern Canadian living 400 or 500 years remote from the time in which this institution was established. Many of us would like to bring it up to date and more culturally in line with the way North American think, act and believe.*

…

[he] hope[s] that there might be some flexibility on the part of the people who drafted and will pass this legislation to allow the people of Nunavut to put their own cultural stamp on their legislative and government institutions so that they do not necessarily reflect the kind of institutions we are trying to pass on to them from here in Ottawa.

If there is that kind of flexibility in the legislation, then I definitely am prepared to support it and I know that our party will support it. Again, we look forward to the successful implementation of a public government in the territory of Nunavut over the next six or seven years" (Canada HoC. Hansard, 1993, p.20402).

This MP expressed hope that the discussion of the bill would lead to a better and whole recognition of indigenous traditions. It also reminded his fellow MPs that, with this act, Nunavut's institutions would be modelled on the Westminster model (Ward, 1987; Ihalainen, 2016). He points to the fact that Canada as a whole has

institutions inherited from the colonial system and has sought to supress the indigenous knowledge and replace it with its own (Mignolo, 2000, p.66). He uses the debate of this bill to challenge the institutional arrangements within the confederation.

Both the Nunavut MP and a left-wing MP[18] (Skelly) point that, despite the creation of Nunavut put forward as representing a great moment in Canada's history of colonisation, this process is driven from the federal government's point of view (Lightfoot, 2016, pp.183–185). However, they argue that the passing of the Act and the land claim agreement can only be the start of a process whereby the Nunavut territory would be an integration between Inuit knowledge (through IQ) and the Westminster system which is in lieu in Canada.

5.2.2 The Legislative Assembly of Nunavut defined from within

This section reviews how MLAs have defined the Legislative Assembly from inside the chamber. First, it will examine the Assembly's inaugural session, which was the first occasion for some members to share their reflections on their new place of work. Then, it will depart from this inaugural session to see how MLAs have reinforced or changed their view on Nunavut's parliament. Finally, the section will analyse the physical aspect of the Legislative Assembly, and how it can frame its institutional representation.

5.2.2.1 The perspective from the inaugural session of the Legislative Assembly

On April 1st 1999, the Legislative Assembly of Nunavut had its first session. It followed the first election held in 1999. Despite the *Nunavut Act* (1993a) not

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[18] The NDP is traditionally the left-wing party at federal level in Canada.

forbidding the presence of political parties, all candidates stood as independent (Hicks and White, 2000). The first set of Members of the Legislative Assembly (MLAs) was composed of 16 Inuit and three non-Inuit (Hicks and White, 2016, p.214). Manitok Thompson was the only elected woman MLA and some MLAs had previously served in the Legislative Assembly of the Northwest Territories (2016, p.214). Surprisingly, newcomer Paul Okalik was elected by his colleagues to become Nunavut's first premier (Pearlstein, 1999).

This inaugural session was historic as it marked the beginning of parliamentary democracy in the newest Canadian division and the speeches reflected this occasion. It served as a setting for the different actors to outline their vision for the territory and its legislature. The speaker (Mr. Levi Barnabas) was the first to give a speech after his election. As the first presiding officer of the Legislative Assembly, his first address to the House set out his views on his role and the role of the House as a whole, not only for the 1st Assembly but, more importantly, for the rest of the legislature. In his acceptance speech, he emphasised the territory's novelty and originality displayed in its parliament by stating that:

> "*This legislature is only one of two in all of Canada that does not operate on a partisan basis. As such, we have the opportunity to fulfil the commitment that Nunavut will combine the best of Inuit and contemporary forms of government. When we come together as an Assembly, we do not do so in the expectation that confrontation will be the order of the day. Rather, the spirit of consensus guides us. The best decisions are those that are achieved through dialogue. Civility and respect are among the qualities that shall characterize this place.*" (Nunavut Hansard 01/04/99, 1999, p.3).

He takes advantage of the traditional aspect of the Assembly, by invoking the notion of consensus as a 'guiding principle' and the absence of parties to make a claim about the uniqueness of the Legislative Assembly of Nunavut along with the parliament of the Northwest Territories.

The first Nunavut premier, Paul Okalik, used his speech to claim that having a legislative assembly in Nunavut would be a vessel in addressing the social and economic issues faced by the Inuit living in the east Arctic. He personally had to face these problems, which made him, as the first premier, a

good representative of the challenges faced by his generation (Pearlstein, 1999). His argument was that they were the only ones who "can deal with the problems our societies face, because we are the only ones that can fix them" (Nunavut Hansard 01/04/99, 1999, p.10). By stating that, he made a point that the problems surrounding the Inuit came from colonisation. Thus, by reclaiming a territory with traditions integrated to its institutional design, it enables the population to find an adequate solution to their problems.

Equally, references were also made, in the same session, to the Westminster tradition and, furthermore, to Canadian identity. The speaker started his speech by underlining his role as a referee and his "responsibility to this assembly in the spirit of impartiality and fairness" (Nunavut Hansard 01/04/99, 1999, p.2). This refers to a traditional view of the speakership in Commonwealth countries, who sits above partisanship and is deemed impartial (World Bank, n.d., p.3). In addition, the ceremonial of the Mace (Figure 4.1), as in the British parliamentary system, symbolises the almighty power of the Crown (Rhodes et al., 2009, p.48) and is presented to serve as a reminder that the territory of Nunavut is part of Canada, whose monarch is the same as the former colonial power. It reveals that, despite the Canadian government's claim that it is a great demonstration of Inuit self-determination, this process must be appreciated within a colonisation context.
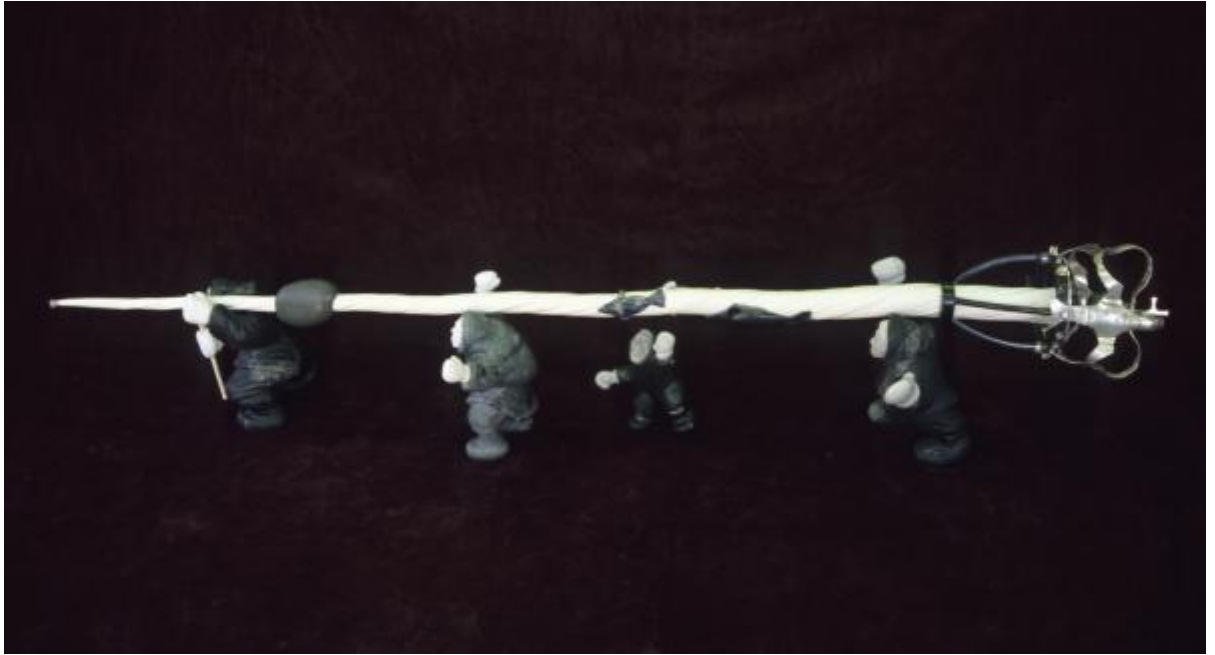
Figure 5-1 The ceremonial mace

One of the recurring themes of this session was how important Nunavut was not only for the Inuit but for the entire confederation. Indeed, Jane Stewart, Minister of Indian Affairs and Northern Development (DIAND), along with the Liberal Prime Minister Jean Chretien (who was the Minister of Indigenous Affairs during the Trudeau government and had a key role in reformulating the federal policy towards Indians in 1967), took part in this first session as representatives of the Canadian government. Their speeches reflected the Liberal government's view on the creation of the new territory. As a guest alongside the Canadian Prime Minister (PM) at the inaugural session of the Legislative Assembly, Jane Stewart underlined the historical importance of the session. Her speech implied that Canada was a "territory diverse in both population and geography. Canada has withdrawn its maps over time…Today out of the still vast Northwest Territory Canadian created yet another country that reflects our democratic vision" (Nunavut Hansard 01/04/99, 1999, p.7). Furthermore, when she added "That territory is Nunavut, our land" (1999, p.7), she explicitly appropriated the notion of Nunavut as a Canadian project. Here, the argument is made that Nunavut's creation comes from the Canadian society and multiculturalism with what can be

called an asymmetric federalism (Kymlicka, 1998, pp.133–135). By claiming Nunavut as "*our* land", she is reframing the creation of the new territory, a self-determination project, as part of a wider multicultural Canada, a vision created by P. E. Trudeau's Liberal government.

The real originality of Nunavut resides in the fact that it avoids the dichotomy between the colonial system and the traditional system, as mentioned in chapter 2. Rather, it enables its Legislative Assembly to be considered as a post-colonial institution in the sense that its design is rooted in both the colonised and the colonisers' traditions. This thought could be heard when Canada's PM, Jean Chretien, declared in the same session that "You [the Inuit] have the added advantage of being able to draw the best from both worlds. Traditional Inuit teachings and values that have been passed down through the ages and a modern government structure with access to state of the art technologies" (Nunavut Hansard 01/04/99, 1999, p.11). Even if this does not specify the political system and the Legislative Assembly, he draws to attention to the fact that the Inuit and Nunavut can have it both ways and do not have to choose one rather than the other.

This quote signals the intention of those who wanted the creation of Nunavut: a political system where both traditions co-exist. On one hand, the Westminster traditions with the Speaker and the Mace, inherited from the colonial past of Canada and of the Inuit, and, on the other, a willingness for Inuit traditions to influence some of the legislative process such as looking for consensus in decision-making (White, 2006) and also in the policy substance made at Assembly level. This moves the focus towards how the Assembly functions and proceeds to adapt itself through time. It takes form when MLAs are discussing the integration of Inuit Qaujimajatuqangit within the Legislative Assembly.

5.2.2.2 Reinforcing the Inuitness of the Legislative Assembly

Chapter 3 established that one of the findings of the Drury report was that any institution designed to give the Inuit self-government should take into consideration their tradition in designing those institutions (White, 2009, p.58). Hence, the system of consensus government with the absence of political parties is perceived as a way to incorporate Inuit values into the parliament. As van Dam notes, "In this way, the Nunavut style of consensus government roots the modern governmental practices in the contemporary Inuit society. By focusing on the links to traditional Inuit values and decision-making, this modern practice is embedded in Inuit traditions." (2016, p.97). In order to properly integrate Inuit values and traditions, the Inuit used the *Inuit Qaujimajatuqangit* (IQ), which can be summarised as "'that which has long been known by Inuit', meaning Inuit knowledge and ways of doing things" (White, 2006, p.17). In fact, during the development of the Legislative Assembly, MLAs started to argue for a better integration of IQ into their assembly and into the territory's governance in general.

Three years after the territory's creation, MLAs in the first Assembly passed the *Legislative Assembly and Executive Council Act* (Ng, 2002) seeking to move away from a set of laws imported from the Legislative Assembly of the Northwest Territory (Manga, 2014, p.183). These laws and parliamentary rules (Legislative Assembly of Nunavut, 2016) need to be amended as norms and values of the society in which the institution is situated (Thiers, 2018, p.167). It is important to note that it was the first occasion for Nunavut politicians to legislate on the process in their institutions. Those regulations can be amended to match a new legislature's development, such as Portugal's *Assembleia de República* (Leston-Bandeira, 2004, pp.47–48). During the fifth session, the 1st Assembly decided to pass its own act in order to have a set that resembled their view on their Assembly. By adopting its own laws, it not only affirms its self-determination – as the LAN does not have an 'imported' set of parliamentary rules – but also defines its parliament. Article 16 section 2 subsection (d) on the law states "The privileges, immunities and powers referred to in subsection (1): …Shall be exercised taking in

consideration of Inuit Qaujimajatuqangit" (2002). As this law oversees the regulation of political institutions within the territory, rules and procedures are key in the functioning of the parliament. Thus, studying how parliamentarians debate those rules reveals how they comprehend the functioning of their legislature and, during these debates, politicians are testing the validity and strengths of the proposed rules and procedures (Heurtin, 2013). Examining the debates on rules helps to see how MLAs think about the Legislative Assembly. It also gives us an insight on how Nunavut politicians want to shape the institution. This sub-section enshrines in the law the principle of IQ to be a guiding principle for Nunavut's policymakers. During the debate surrounding the bill, a consensus was achieved on what the bill's take on IQ should be, which demonstrates an appreciation and understanding of its role. As Ed Picco, the Iqaluit Centre MLA, expressed during the debate:

> "*I believe Mr. Chairman, the major thrust of this legislation being the incorporation, as members have brought up several times, and that is the acknowledgement in legislation of Inuit Qaujimajatuqangit. That's not a definition Mr. Chairman of Inuit Qaujimajatuqangit but having the legislation directing members and the Assembly to incorporate IQ in the decision making process is a fantastic first step unprecedented in any legislature of this country or any other country that I am aware of.*"
> (Nunavut Hansard 27/02/02, 2002, p.2652)

Here, Picco portrays IQ's importance for every MLA, which is even more interesting given the fact that he is a Qallunaat, a non-Inuit person, meaning he has no claim to be defined as one, even if he has fully assimilated Inuit customs and traditions (Patrick, 2013, p.59). Here, he indicates that he has integrated a core Inuit value as a Nunavummiut (Nunavut inhabitant). As a non-Inuit Nunavummiut, he values IQ as standing for indigenous traditions and values of the Inuit, and that it therefore defines what Nunavut, as a territory, stands for. Picco's statement reflects the attachment of all people living in Nunavut to Inuit tradition. Often, non-Inuk living in Nunavut can be assimilated and take some key tradition of Inuitness. He also has a right as an inhabitant of the territory to sit in the legislature, as the territory of Nunavut and its institutions (which include the Legislative Assembly) are a public government not an Inuit one, meaning that it is aimed at all Nunavummiut (van Dam, 2016, p.93). Still, by arguing in favour of

integrating IQ, Picco gives an indication that it is not only Inuit but all of Nunavut's population that are attached to Inuit tradition and culture. He uses the concept as a proxy for what defines Inuit as aboriginal. This officialisation of IQ within the parliament's rules also enables him to make claims about the Legislative Assembly being responsive to Nunavummiut's desire to have Inuit indigeneity preserved.

Indeed, he started his speech by stating that it was "very important to note that this is the first opportunity that we've had at the Legislative Assembly to take this piece of legislation which provides us with the parameters the legislature has to work within and *differentiate* ourselves from the GNWT [Government of the Northwest Territories] from which more of the genesis of this Assembly first came forward" (Nunavut Hansard 27/02/02, 2002, p.2652, emphasis added). It is important to be reminded that the Northwest Territories have no parties either in their parliament (White, 1991; 1993). Still, the GNWT Parliament does not claim to have a link to an indigenous group's tradition. Emphasising the importance of IQ for the Legislative Assembly of Nunavut is what differentiates those two parliaments.

The speaker – who advocated the new rules – stressed that "the Act does not alter any basic principle of consensus government or parliamentary democracy as they exist in Nunavut today" (Nunavut Hansard 27/02/02, 2002, p.2650). His providing an assurance that the new rules would not alter the consensus government indicates that MLAs are attached to consensus in the parliament's proceeding and functioning. Consensus government is the key translation of the understanding on how IQ and Inuit traditions work in the Assembly. It enables the Assembly to make claims about itself in terms of how it differs from other Canadian legislatures as it "is only one of only two federal, provincial or territorial legislatures in Canada that has a consensus style of government rather than the more common system of party politics" (Legislative Assembly of Nunavut, 2019). In addition, the speaker emphasised that the new rules would not alter the Westminster style of government either, indicating that IQ is acknowledged more

as a symbolically and substantively point rather than as a drastic change in the rules of the Assembly.

Additionally, consensus practice eases tension between groups since the territory of Nunavut is not only aimed at one ethnic group but at every Nunnavimmiut, Inuit and Qallunaat alike; that is, everyone who lives in the territory regardless of their ethnicity. As an MLA put it, decision-making is made "regardless whether they are Qallunaat or not, because we are a consensus government, and we have to look at everyone as equals" (Nunavut Hansard 04/06/03, 2003, p.3672). This quote provides another argument in favour of consensus: it underscores the public nature of Nunavut's government in contrast to the Land Claims Agreement (van Dam, 2016, p.95). Having consensus gives an assurance for the minority (the non-Inuit) that their voices will be heard in the territory's political life.

The consensus style of government is defined by the Legislative Assembly as a means to hold on to the Inuit tradition of governance (Legislative Assembly of Nunavut, 2019). As discussed earlier, consensus government is advanced as the territory's main original factor. It is also adopted by the general population, for example, by the inhabitants of Iqaluit (McElroy, 2005, p.123), who used consensus to choose Inuit street names. In practice, consensus can be depicted by the absence of parties. This, in turn, renders the mention of 'opposition' and 'government benches' null, contra to the traditional Westminster-style parliament in place in most parts of Canada. Additionally, as there are no parties to pick a government, it is selected by a vote of all MLAs through secret ballot through the Nunavut Leadership Forum (explained in Chapter 3). Another key point in the consensus government in Nunavut is that this selection process is "open to the public to observe" (Legislative Assembly of Nunavut, 2019) as debates are open to the public. In this way, the consensus form of government is extended to the wider population, who can scrutinise the selection of the territorial executive.

The role of the Inuit language influences the interaction between MLAs within the chamber. As O'Brien notes, "the use of Inuktitut reflects Inuit culture, in which direct confrontation is to be avoided and one listens attentively – and does

not interrupt – when another is speaking" (2003, p.7). The language not only facilitates consensus in the Assembly but is also used to integrate the Inuit perspective in the proceedings.

Ministers (including the premier) and regular MLAs meet outside of the formal setting of the Assembly in what is called a Full Caucus, which "serves as an important body in which all 19 [now 22] can discuss – in confidence and as equals – matters of their choosing." (Legislative Assembly of Nunavut, 2019). The parliamentary staff of the LAN emphasise the consensual aspect of the legislature as a way to contrast with its other Canadian equivalents. This point is echoed by Speaker O'Brien, who recalls that in a Full Caucus setting MLAs are "well aware that the Premier is the Premier and the ministers are ministers, but at the same time everyone's views are taken seriously and there is a genuine give and take among all MLAs" (2003, p.8). This caucus demonstrates that there is a fluidity between the executive and the regular MLAs, which facilitates the formation of consensus.

5.2.2.3 The symbolic intent behind the design of the Legislative Assembly building

It is not only the rules and procedures that can frame an assembly as a symbol. The design of a legislature can also facilitate its framing as a symbol (Parkinson, 2012). Their building, if easily recognisable, can be critical for a parliament's symbolic representation. As Norton notes, "the Capitol in Washington DC is also instantly recognisable. Some parliaments, such as the European Parliament (lacking a clear single site), have no such presence." (2002, p.174). The Legislative Assembly of Nunavut resides in the Legislative Building in Iqaluit, the territory's capital. Its construction continued after 1999 which was a source of debate (Nunavut Hansard 14/05/99, 1999, pp.57–58). The Legislative Building was inspired by the traditional snowhouse (Stern, 2013, p.29) which is a common style of habitation for Inuit in northern Canada (2013, pp.175–179). The clear

delimitation of windows in the Legislative Assembly building, as shown in Figure 5.3, echoes the delimitation of the snow bricks on a snowhouse (as illustrated in Figure 5.3.). Moreover, the four wooden pieces bordering the building's entrance (see Figure 5.2.) also make reference to the environment and to nature, both central to Inuit's indigeneity.

During the early years of the Legislative Assembly, some of its sessions were delocalised in various parts of the territory (Hicks and White, 2016, p.256). This was an exercise of public engagement – which will be discussed below in this chapter – but it also reflected the decentralised nature of Nunavut, one of the keystones of the territory (van Dam, 2016, p.96). A public space that moves through its territory, and is not only centred in the capital city, indicates the importance of the decentralised nature of the space. Moreover, it reveals the importance of offering all communities the opportunity to see how their newly representative institution functions.

Inside the building, contrary to other traditional Westminster-inspired chambers in Canada's provinces, the Nunavut Legislative Assembly sits in a semi-circle in order to better reflect the indigenous consensus style (White, 2006, p.12). This feature can be found in other legislatures in Commonwealth countries as they want to symbolically depart from the oppositional design of the British Houses of Parliament, as for instance the Scottish parliament[19]. But, the Nunavut's chamber stands out from others by the fact that, behind the MLAs' seats, there is a row dedicated for the Elders, from where they can attend the debates (van Dam, 2016, p.96). This set-up acknowledges the key role of Elders in Inuit society. In addition, this role was also reflected at the inaugural session when all speeches made references to them.

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[19] The chamber of the Scottish parliament is also a semi-circle in order to be less confrontational than the UK parliament (Brown, 2000, p.542); for more information on the Scottish parliament chamber, see the dedicated web page on its website (https://www.parliament.scot/visitandlearn/15844.aspx).

Figure 5-2 The Legislative Building in Iqaluit

shutterstock.com · 1065009836

Figure 5-3 A traditional Snowhouse

(Dreamstine, n.d.)

This arrangement signifies that the parliament takes into account their role as pointed by the RCAP reports (RCAP, 1996c). Accordingly, the parliament may assert a direct link to the indigeneity of the Inuit by having an 'Elders' row'. Mr. Okalik started his first speech with "Respected Elders" (Nunavut Hansard 01/04/99, 1999, p.9). By greeting the Elders before the officials or his colleagues, the premier acknowledged the primordial role of the Elders in society and in the Assembly. The Elders possess the traditional knowledge, and their role is to transmit it to the next generations. Their role is remembered during the session by MLAs in their statements. For the 10th anniversary of the Legislative Assembly, a qulliq – a traditional lamp which provides heat and light to a house and is an Inuit symbol in Canada (Stern, 2013, p.162) – was lit by an Elder, as is the case at the start of every new parliament (2013, p.162). The Elder who lit it declared that "a few Inuit including some Qallunaat[20], have a better understanding of the cultural attachment Inuit have towards the Qulliq. The Qulliq was central to our traditional lifestyles prior to Inuit being moved off the land when we, Inuit, were responsible for our own governance" (Nunavut Hansard 01/04/09, 2009, p.1). This gesture and the speech by the Elder were presented as a claim about the importance of this group of people for the Nunavut assembly. Elders and the Assembly use occasions similar to the example described above to educate and to transmit part of Inuit indigeneity to the younger generations. This makes the Assembly a prime setting to transmit Inuit values and traditions to those generations.

As this section explains, since the start of the debates on the *Nunavut Act* and the NCLA, federal and territorial politicians have intended to integrate Inuit traditions within the Legislative Assembly, especially through Inuit Qaujimajatuqanjit and consensus government. It illustrates the fact the Legislative Assembly of Nunavut makes a point to ensure that the knowledge from the Elders. Those actions defined the legislature as having indigenous elements within its framework. This is also reflected in the legislative building's architecture. But,

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[20] *Qallunnat* is a term to designate a non-Inuit.

since its creation, MLAs have constantly tried to frame the Legislative Assembly as representing Inuit indigeneity.

5.3 The Legislative Assembly defined by debates and proceedings within

The previous section discussed how the Legislative Assembly is intended to work and represent what/who. This section sets out to explain how indigeneity manifests itself within the legislature's life. Then, it will outline how two traditions – aboriginal and Westminster style – can function side by side within the parliament.

5.3.1 MLAs' propensity for the Inuitness of the Assembly

Policymakers have intended to present the Legislative Assembly as including Inuit characteristics. This intention would be tested and reinforced by internal debates where parliamentarians explain and discuss their views on their place of work and thus define the legislature from within.

Most of the MLAs think that IQ's incorporation in proceedings would enable better policy delivery. As an example, a minister stated, "There have been questions in this House recently raising the important issue of preserving the traditional knowledge of our elders, Inuit Qaujimajatuqangit, and using this wisdom to make the programs and services that this government provides more relevant to the needs and the aspirations of Nunavummiut" (Nunavut Hansard 17/04/00, p.1566). As considered in Chapter 2, representative claims can have substantive dimensions (Severs, 2010; 2012). By raising indigeneity within the house, MLAs are making a claim that they *substantively* represent the wishes of their constituents, which echoes maiden speeches made in the British parliament (British HoC, 2021). Here, the government recognises the role of IQ as a key policy device, therefore using it to define Inuit policy. This can even go further, as

IQ can also be used to dismiss a policy if it is not in accordance with Inuit tradition. As an MLA's[21] intervention in a policy debate demonstrates: "So, I'd like further clarification whether this will be totally disallowed through this clause, because it goes against Inuit Qaujimajatuqangit" (Nunavut Hansard 03/12/03, 2003, p.4888). This questioning highlights the critical role of IQ for MLAs in legislation debates. As mentioned in the previous chapter, IQ is a concept, has no fixed definition and was first put forward by the Nunavut Social Development Council (NSDC) in 1998 to replace the Inuit Traditional Knowledge (ITK).

The incorporation of IQ into government policies is critical for all MLAs up to the point of protest. During the 4th Assembly, the MLA for Quttiktuk, Isaac Shooyook, boycotted the afternoon sitting as a sign of protest against the lack of involvement on the development of IQ from the territorial government (Nunavut Hansard 05/03/15, 2015, pp.2051–2053). He therefore demonstrated his frustration towards the lack of policies to promote IQ within institutions and in policies. This anecdote indicates that IQ's integration into Nunavut's governance is still a significant issue among Nunavummiut, even a decade or so after the territory's creation. Furthermore, as mentioned in Chapter 4, all MLAs warn against the use IQ as '*lip service*', as First Minister Okalik declared in an NLF when he stated that they "would like Inuit Qaujimajatuqangit to be properly used [sic] not being given lip service" (Nunavut Hansard 15/11/01, 2001, p.27). With this warning against IQ being mentioned in policies only *symbolically*, the head of the first territorial executive suggests that integrating IQ into policy has *substantive* significance. This hints that having IQ as a guiding principle should symbolically constrain the policy discussion. This is similar to what happens in the United States, for instance, where the symbolic power of liberal market ideology constrains any substantive claims on paid maternity leave (Lombardo and Meier, 2014, p.150).

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[21] Here, there is another distinction from traditional Westminster parliament: as no political parties exist, there are *de facto* no backbench MLAs; those who are not ministers are instead called regular MLAs.

Within the development of politics in Nunavut and within the parliament, the Hansards demonstrate that MLAs have developed a sense of attachment to IQ and to consensus which is used to debate substantive issues.

Consensus government is more than a fixture of the Legislative Assembly rules and procedures; it is put forward by MLAs as a link with the Inuit's history and it is a part of what defines it as a core feature of the parliament's Inuit identity. As an MLA declared: "I think that we should keep in mind and we should remember that this whole process is a result of the Inuit who sign their land claim and this government that was created and today we have a consensus government here" (Nunavut Hansard 02/05/02, 2002, pp.275–276). This statement claims that consensus government is an inheritance from the past and the proof of a continuity between different generations. Consensus government is also discussed when MLAs gather in Nunavut Leadership Forums to choose or to scrutinise the territorial executive.

At an NLF in 2008, different candidates for a governmental post, and especially the premier, put forward their vision and method on how to govern, and how the consensus style lies at the forefront of the government. Each vision aims at reassuring colleagues that candidates know the spirit of the Legislative Assembly and how dedicated they are not only to follow consensus in a legal way but also as a governing method. As the first Nunavut Premier said: "Our consensus government guarantees that change comes with every legislature. The Premier and Cabinet do not implement their plan; they implement *your* plan. The change in our government comes from members who set the agenda." (Nunavut Hansard 14/11/08, 2008, p.11, my italics). Here, Mr. Okalik defines that, as there is no party and consequently no manifesto on which a government would build its programme, it is the consensus achieved in a Full Caucus that sets the agenda which is put into practice by the government. This illustrates how a government and a parliament function without parties. The legislative agenda is not based on a party's manifesto; it is decided through discussion between government and regular MLAs.

The issue of consensus is so critical that it can lead to the removal of ministers who are not following this guiding principle scrupulously enough. In 2018, the newly named premier – Paul Quassa MLA for Aggu, who took part in the land claims negotiation as NTF president – was removed from office as he was considered by his colleagues too factional and too focused on his own constituency (CBC News, 2018). At the following NLF, an MLA who was a candidate to replace him contemplated what happened to him and declared: "We did not approve of our former Premier [Mr. Quassa]'s way of doing business, so he had to be removed" (Nunavut Hansard 14/06/18, 2018, p.17), highlighting the reason why there was a need for a new premier and why this new one would have to follow the Inuit way of doing things, such as abiding by the principle of consensus government. This was echoed by another candidate, who said that this assembly "was never intended to be an Assembly of factions or an Assembly of Regions. We are an Assembly of equals represented by our community to govern on their behalf humbly and with their guidance" (Nunavut Hansard 14/06/18, 2018, p.7). Here, aspirants for the post of premier had to demonstrate that they were sensitive to the tradition unique to Nunavut. This episode demonstrates that the presence of consensus politics and the absence of political parties is inherent in the parliamentary process (White, 2006; Henderson, 2007, pp.112–137). But, more importantly, like IQ and as discussed earlier, consensus politics is a salient issue in the territory; yet MLAs and the parliament are still influenced by the Westminster tradition and in some cases perform actions that are specific to this tradition, which reminds us that this territory is part of Canada, a Commonwealth member country.

5.3.2 The Legislative Assembly of Nunavut: between Inuit Qaujimajatuqangit and Westminster traditions

Nunavut was created through a federal act in 1993 (the *Nunavut Act*).The federal government in Ottawa can amend this act (van Dam, 2016, p.94) but not

the Nunavummiut or MLAs in Iqaluit. This means that the territory does not control the law which created it, unlike provinces which have their own constitution adopted by their own legislature. Moreover, as part of a former British colony, the parliament's design reproduces the traditions and *practices* from the ones in the United Kingdom (UK) (Ward, 1987). This was relayed in 2003 by the hon. Manitok Thompson, Minister for Community Government and Transport, who argued that:

> "*We are operating under the rules that were developed in England under the biggest parliamentary system regardless of whether we call ourselves a consensus style of government.*
>
> *(interpretation) The present government that we have uses parliamentary rules, and England's system. It is styled from England. This is something we've never discussed. We've never talked about the type of government that we should have*"[22](Nunavut Hansard 07/03/03, 2003, pp.2433–2434)

The parliamentarian implies that, despite the fact that there are Inuit elements in Nunavut's governance, the framework is still being imposed from abroad and she therefore demonstrates that this institution is reminiscent of the colonial era. She expressed this argument during a debate on a motion for removing a minister from the Executive Council. In this instance, it was the minister without portfolio and neighbouring MLA in question, Jack Anawack, who was the subject of the motion[23]. She was opposing the motion and she pointed out the alien nature of the Westminster system for the Inuit as a reason for adopting this position and dissenting from her other cabinet colleagues[24]. It demonstrates that the political system can be exploited in contesting some decisions from the rules of procedures. Interestingly, the presenter of the motion, MLA Hunter Tootoo, advanced the case that the "Inuit have a long and successful history of cooperation. Our ancestors honour that for a community to survive, grow strong and prosper that the leaders needed to make the best decision in the interest of everyone" (Nunavut Hansard 07/03/03, 2003, p.2409). This debate reveals how

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[22] It is important to note that the MLA changed language, from English to Inuktitut, to make his point on colonisation.

[23] The issue here was that Jack Anawack MLA was using his Cabinet position to favour his riding (Rankin Inlet North).

[24] Prior to Manitok Thompson's intervention, Premier Okalik acknowledged that on this issue she understood her colleague's position in support of Jack Anawack.

both traditions within the Assembly are used as justification for different political positions and at the same time makes a comparable point in favour of the Inuit character of the territory. On one hand, Minister Thompson uses Westminster tradition as an excuse to dissent from her cabinet colleagues. On the other, the regular MLA sees that Anawack's action goes against Inuit traditions. Both politicians root their respective arguments in Inuit indigeneity.

MLAs in the Legislative Assembly of Nunavut are closely connected to their electoral constituency. At the start of each assembly or when an MLA is elected through a by-election, nearly MLAs use the first section of the order (member's statement is after minister's statement) to praise their own constituency. This was the case with Mr. Qirgnuq – elected to the Assembly for Netsilik thanks to a by-election – when he declared that he rose: "… today to express my appreciation to the residents of Kugaaruk and Taloyoak for having placed their trust and confidence in me to represent the constituency in the Legislative Assembly…I also look forward to working closely with the municipalities of Kugaaruk and Taloyoak to raise concern to the communities" (Nunavut Hansard 24/02/16, 2016, pp.769–770). This link with a constituency is one of the roots of the Westminster parliamentary system (Norton, 1994). It legitimises parliamentarians as they have a link to their community.

In Nunavut, the notion of community is more important than the notion of constituency, given the spread of the population. Indeed, for many centuries Inuit have lived in close-knit villages and hamlets that are difficult to reach and, even today, their only way to the outside world is by air (Henderson, 2007, p.120). Communities are separated from each other by hundreds of miles; therefore, it is only natural that each MLA adopts a position to defend their own constituency and also its interests, as another MLA declared in the chamber: "I represent two mines and the lifetime on the mine, the Polaris mine, was due to end on 2000-2001 due to the ore is in the direction of the proposed boundary on the proposed park. Can the Minister of Sustainable Development update me on the status of the Polaris mine" (Nunavut Hansard 12/04/00, 2000, p.1410). The MLA used his experience and the mining link of his constituency to ground his question to a territorial

minister. The issue was the forthcoming closure of the mine in question and its potential replacement. This use of constituency linkage is typical for Westminster parliaments. But, as discussed earlier, the risk of focusing exclusively on their constituency can lead a politician to go against the spirit of the Legislative Assembly. Despite emphasising the traditional dimension of the Assembly, reference to the term constituency reminds us of the influence of the British system in the territory and the significance of 'locality' for MPs (Judge and Partos, 2018, p.267).

Nunavut MLAs' view on their role and the role of a representative could be discussed in a way that Pitkin defines as Burke's notion of virtual representation (1967, p.174), whereby an MLA not only represents his or her riding but the territory as a whole. Mr. Aupaluktuq MLA affirmed that: "It's an honour to be here to represent all of Nunavut specifically my constituents of Baker Lake" (Nunavut Hansard 20/03/09, 2009, p.219), which tends to indicate that MLAs believe that representing a constituency means that they are also representing part of the new territory. As an MLA put it in 2003: "We, as a government, are called a Consensus Government in English, we work as one unit, and we are representing various Ridings and of course, the same goes for the Ministers" (Nunavut Hansard 07/03/03, 2003, p.2433). This demonstrates that, despite MLAs having respective constituencies to which they are accountable, the aim of all parliamentarians is to work as one, for the territory. Following Mr. Aupaluktuq's statement, Mr. Rumbolt added: "I too am very proud to be one of the 19 Members of the Legislative Assembly of Nunavut. I believe that my constituents know that while I am working on their behalf, I am also working on the behalf of all Nunavut" (Nunavut Hansard 20/03/09, 2009, p.220). The importance of constituency does not distract from the importance of IQ and consensus within the parliamentary system. Both are sources of pride and distinctiveness for Nunavut.

Inuit tradition and culture are not only used to forge debates or policies at territorial level. They are also a means to help present the Assembly as an original institution amongst Canada's various parliaments. MLA Tootoo commented: "Our consensus style of government is one of the characteristics that set us apart from

other jurisdictions" (Nunavut Hansard 17/05/04, 2004, p.135). This point is similar to the one made by Minister Ng: "…our government is unique. The NWT and our own Nunavut Legislature are the only two jurisdictions in North America or possibly the entire world where this type of governance is used" (Nunavut Hansard 29/03/01, 2001, p.1310). Both MLAs recognise the importance of consensus in defining the institution.

Consensus government is also used by the NWT. The use of Inuit Qaujimajatuqangit is therefore what makes this parliament stand out, as Ed Picco argued whilst debating the *Legislative and Executive Council Act*:

> "*Mr Chairman, I think it's very important to note that this is the first opportunity that we've had at the Legislative Assembly to take this piece of legislation which provides us with the parameters the legislature has to work within and differentiate ourselves from the GNWT from which most of the genesis of this Assembly first came forward.*" (Nunavut Hansard 27/02/02, 2002, p.2652).

Here, IQ is put forward as a means for distinctiveness from other legislatures and also to facilitate the engagement between the Assembly and the population. This was pointed out by an MLA as a useful tool in government when he stated, "To effectively run our government we don't necessarily have to run our government like the federal government, we should use Inuit values as our foundation to run our government so that Inuit will feel they own the government more running the government in their own culture and traditions" (Nunavut Hansard 06/06/06, 2006, pp.11–12). Inuitness is advanced as a means to better engage with the public, especially the Inuit majority. Furthermore, the use of IQ and of its practical translation, consensus government, is a source of pride for MLAs and Nunavimmiut alike.

This source of pride can be exemplified by Mr. Rumbolt's statement:

> "*I rise today to give due recognition to the success of consensus government. Mr. Speaker as you will recall, in March of this year, I asked the Minister of Education to review to the food allowance rates for residents of Sanikiluaq who receive social assistance. Mr. Speaker on Friday I was very pleased to hear the minister announce that today, December 1, 2009, the food allowance rates for Sanikiluaq will be increased.*

>>*Applause Mr. Speaker, I sincerely appreciate the minister's willingness to respond positively to concerns that were raised in the House. This show that our consensus system of government can be truly successful.*" (Nunavut Hansard 01/12/09, 2009, pp.773–774).

In this statement, the MLA is putting forward the fact that the relationship between MLAs and ministers is enhanced with consensus governance. Rumbolt puts forward a claim whereby the consensus government provides a better governance. For him, consensus governance does matter as it substantively influences politicians' behaviour.

Nunavut's inhabitants are portrayed as being positively inclined towards the system of government in their territory, as described when Mr. Kattuk observed: "When we first created Nunavut back in 1999, many Inuit were glad to see their own government and that they would use Inuit traditions and culture to run the government, which many Nunavummiut were very proud to see" (Nunavut Hansard 06/06/06, 2006, p.11). Both IQ and consensus government are sources of pride to them and thus their integration goes beyond the formal rules of the Legislative Assembly and the territory governance in general. It also provides a source of identification between the Nunavummiut and their political institutions. However, whilst the Inuitness characteristics of the Assembly are a source of pride and distinctiveness, the Legislative Assembly still retains most of the Westminster framework.

The Nunavut parliament is unique, taking into consideration that its design started with a willingness to use traditional knowledge as a basis for its institutions and, at the same time, uses the parliamentary framework inherited from its colonial past. A year after the creation of the Legislative Assembly, a motion was put forward in order to review the rules of the Assembly which stated that: "AND WHEREAS, the Legislative Assembly desires to ensure that its proceedings are conducted in a manner that respect *Inuit Qaujimajaqangit*, while being consistent with established principles of Canadian parliamentary democracy" (Nunavut Hansard 01/05/00, p.2052 italics in original). This motion, adopted by the Assembly, demonstrates the will to mix both indigenous and western traditions.

Indeed, whilst debating the *Legislative and Executive Council Act*, MLAs were careful not to alter the balance between those two traditions. The speaker argued that the "Act does not alter any of the basic principles of consensus government or parliamentary democracy as they exist in Nunavut today. The Premier and Cabinet continue to hold office at the pleasure of the Legislative Assembly" (Nunavut Hansard 27/02/02, 2002, p.2650). His second sentence confirms the confidence and supply in the government as it mentions 'at the pleasure of the Legislative Assembly', which is a direct reference to the practice of the Westminster system. Parliamentary democracy in Nunavut is, rather, fine-tuned by the presence of consensual politics. As an MLA declared: "I think that we should keep in mind that this whole process is a result of the Inuit who signed their land claim, and this government was created and today we have a consensus government. There are no parties although there are MLAs who act as a critic to certain ministers" (Nunavut Hansard 02/05/02, 2002, pp.275–276). Here, the critic refers to the names of shadow ministers in Canada's parliament. In a Westminster-style parliament, opposition parties' parliamentarians are often shadow ministers. Due to the absence of parties, some regular MLAs take it upon themselves to serve as experts to hold a particular minister to account. There, the Westminster tradition can be flexible insofar as it accepts elements of Inuit tradition to influence the proceedings of the Legislative Assembly.

The Legislative Assembly of Nunavut cannot be perceived as a rejection of colonial institution. Rather, both Inuit Qaujimajatuqangit and Westminster traditions blend together and are reflected in the rules and procedures of the Legislative Assembly. Also, Nunavummiut politicians have integrated both traditions into their actions. As an example, they are each committed to their constituency, which can be an echo of the Westminster tradition. Yet, they use their different constituencies as a justification to pursue the consensus.

5.4 Public engagement

This last section of this chapter will discuss how indigeneity influences the parliament's functioning. This sub-chapter reviews how the Legislative Assembly communicates this facet to the public. As a new legislature, public engagement is regarded as critical in order to establish and define itself in contrast to other legislatures and in relation to the public. This public engagement is centred on highlighting the Assembly's indigenous character which enables the Assembly to portray itself as a representative of the Inuit to both the territory's population and Nunavut's visitors.

5.4.1 Public engagement, a necessity for a new parliament

Created in 1999, the Legislative Assembly is a relatively new institution. Therefore, the need to inform the public of what it stood for, was crucial, as outlined in Chapter 2. Parliamentarians acknowledged the importance of engaging with the Nuvanummiut by informing them about their institutions. In 2000, the Speaker highlighted the need to engage with the public as "the business of this House is one of the most visible expressions of their government at work. The Legislative Assembly works to ensure that the public has access to the proceedings of the Legislative Assembly. Our bilingual Hansard, is one of only three such publications in all Canada that serves as the record of proceeding of the Assembly" (Nunavut Hansard 02/05/00, 2000, p.2174). He stresses that the Legislative Assembly needs to publish its debates in English as well as in Inuktitut. Indeed, similar to other parliaments with different languages, this strategy is recognised as essential for the institution's legitimacy (Gazzola, 2006, p.439).

The Assembly has proposed different aspects in order to reach the whole population. First, the fact that the Hansard would be translated into English, as well as into Inuktitut, led to a greater accessibility. As not all Inuit can speak or read English, having access to the proceedings in their native language meant

they could feel closer to the Legislative Assembly. Secondly, the Speaker highlighted the fact that the Assembly's proceedings would be broadcast on the Aboriginal People's Television Network (APTN). Televising it is considered as a way to bring the public closer to the parliament's work (Parliament of Canada, 2009). Even if this network used to air the proceedings from other territories' assemblies, it is noticeable that it is a network aimed at indigenous groups to keep them informed of the parliament's work. Thus, this choice of network highlights the desire of the Assembly to be regarded as an example of parliament for indigenous people.

Initially, the media misrepresented the parliament's activity, which caused concern for MLAs such as Mr. McLean, who said during a session:

> "*Listening to the C.B.C. this morning, I understand that the media have started to refer to members of this side of the House as Nunavut's opposition. A pretty snap decision that this is only our sixth day in this session. It took God a full week to create the world. I guess the media needs less times to define this Assembly.*
>
> *Mr. Speaker, I don't believe that any of the regular Members would apologize for asking tough but crucial questions to the Cabinet, however for me at least, I don't see myself as belonging to a southern style opposition to the government.*
>
> *>>Applause: Hear Hear*
>
> *The term Opposition suggests discord for the sake of appearing different, attacking to score cheap political points. Mr. Speaker, the regular members of the Assembly have made very clear their desire to work with the Government to make Nunavut a better place for all. To be consulted, and to have input on issues facing us all…That's not opposition, Mr. Speaker, that's accountability. There is a big difference. Thank you.*
>
> *>>Applause*" (Nunavut Hansard 19/05/99, 1999, p.170)*.*

Mr. McLean, like Mr. Picco, is a *qalunaat*, and the fact that they are both close to the Inuitness character of the parliament can only point out that the Inuit character of the territory is ingrained among the population. The above argument illustrates the need to inform people not familiar with the Legislative Assembly's originality about its functioning. This originality is also to be contrasted with what is known as 'southern' parliament (i.e., a Westminster-style parliament). The Inuitness of the

Assembly can only be successful if it is relayed in a public engagement strategy of the said Assembly.

On the broadcasting front, problems arose with services provided by APTN. In late 2005, the House government leader, Mr. Kilabut, informed his "colleagues and the public about the loss of our Assembly broadcast which has been carried by APTN to date. Also, I stand not knowing if this statement will reach our communities in a timely manner. It may not be until Hansard arrive into communities and even then, if people will have time to read the information" (Nunavut Hansard 16/11/05, 2005, p.54). The discontinuing of the broadcast is discussed here as the deficit of a medium in its engagement towards the constituencies, which are remote from the capital. This loss was repeated by the Chair of the Full Caucus, Mr. Bernabas, who expressed that "APTN's decision to bump the proceeding of the Legislative Assembly is the wrong thing to do. As MLA for three communities, I know that our residents appreciate the opportunity to watch our House in Session" (Nunavut Hansard 16/11/05, 2005, p.56). Then, he noted that "broadcasting the proceeding of the Legislative Assembly in Inuktitut, Inuinnaqtun and English has proven an effective way of keeping our residents informed and connected" (2005, p.56). For him, the televised sessions are a necessity to publicise the Assembly and inform the Nunavummiut.

One of the comments on that day came from Mr Curley, who indicated that it was "unfair that APTN, whose birth and heritage lies in Northern Television Canada, has turned its back on the very regions that made its existence possible" (Nunavut Hansard 16/11/05, 2005, p.61). This highlights the fact that this network, dedicated to programmes aimed at indigenous people and promoting indigeneity, does not broadcast sessions of a parliament that promotes itself on having indigenous elements. The sadness of MLAs' reaction rested on two key factors. Although broadcasting is not engaging with the public in terms of interaction, for MLAs, this issue is still important as it informs and presents the institution to the wider public (which is the first step of public engagement, as Chapter 2 establishes). By analysing MLAs' perception of the importance of broadcasting, this research uncovers how vital this medium is for the Legislative Assembly. First,

broadcasting is a means to engage with the public at low cost and all over the territory. Second, the absence of session broadcasts in the aboriginal network is problematic for an institution claiming to represent the indigeneity of its inhabitants.

The lack of broadcasts on APTN went on until the following June, when another MLA deplored that:

> "*To date, during the session, when our proceedings are not televised yet, even though Aboriginal Television should be airing to Nunavummiut, we are aired through the local television in Iqaluit, but we should be broadcast throughout Nunavut because the public out there would like to hear us.*
>
> *…All of the Canadian have their rights to listen to their elected officials during their deliberation because we need to make our constituents be aware of our proceedings and to make sure they at least understand what is happening with it. So we have to be open to the public.*" (Nunavut Hansard 09/06/06, 2006, p.1909).

Here, the criticism from the MLA rests on the fact that APTN is denying the Legislative Assembly the opportunity offered to other institutions in Canada to broadcast their proceedings and treating Nunavut's population with less respect than that afforded to other Canadians. This escalation against APTN's decision is testimony to all MLAs' belief in the importance of broadcasting the parliamentary sessions. Broadcasting makes it easier for a newly formed legislature to define itself in comparison to similar institutions in Canada. Also, having televised coverage follows in the footsteps of the Canadian House of Commons, which pioneered the coverage "from gavel to gavel" in 1977 (Parliament of Canada, 2009). Broadcasting not only on their website (which is standard in all parliament) is also a way to show their modernity, similar to one of the arguments in favour of televised proceedings in the British House of Commons (Franklin, 1989).

MLAs are aware that integrating IQ and other elements of Inuitness within the Legislative Assembly is useful if it draws comparison with the federal or provincial parliament. This fact was mentioned by an MLA who pointed out that, when she watched proceedings of other parliaments' debates, she saw divisiveness and partisanship. If people also watched the Legislative Assembly of

Nunavut, they could witness consensus government at work and thus contrast it with other institutions in Canada (Nunavut Hansard 27/02/02, 2002).

When the Speaker of the Assembly, Kevin O'Brien, wrote an article for the *Canadian Parliamentary Review* (2003) explaining consensus government to the scholars of parliaments in Canada, he used this concept (IQ) as a way to differentiate the Legislative Assembly from other legislative assemblies. Here, his claim focuses on the Legislative Assembly's consensus government as representing the Inuitness of the territory reflected in its parliament.

Finally, on the Frequently Asked Questions (FAQs) page of the Legislative Assembly's website (Legislative Assembly of Nunavut website, n.d.), in response to the question 'What are the differences between the provincial and Nunavut Governments?', the only link is to a .pdf file entitled 'Consensus government of Nunavut'. This corroborates the fact that the institution officialises through one of its main media outlets, its website, the fact that the main difference between itself and other legislatures is the presence of consensus government, which is a distinction that the NWT Legislative Assembly also has. But the two territories' parliaments differ insofar as Nunavut's put forward the notion that consensus government is tied to the Inuit tradition. It is consensus government and Inuit Qaujimajatuqangit as standing for Inuit values and tradition which act as a referent to a claim where the Legislative Assembly of Nunavut is presented as the subject of that same claim.

5.4.2 Public engagement around the indigeneity character of the Assembly

Another feature of the Legislative Assembly of Nunavut rests with its sessions being held outside Iqaluit, the territory's capital (O'Brien, 2003, p.8; Hicks and White, 2016, p.239). Those sessions follow the lasting tradition of decentralisation from the Inuit. Indeed, the spread of communities geographically led to Inuit communities within the territory having different experiences and knowledge of the land they all call Nunavut (van Dam, 2016, pp.97–98). Also, due

to the spread of the various communities and the transportation difficulties involved, when the Legislative Assembly goes to a specific territory, usually it is for a week. As an example of this practice, MLAs thanked the community on the last day of a session in 2003 (Nunavut Hansard 06/06/03, 2003). This show of gratitude indicates that MLAs feel more like guests of a community rather than just one community themselves, reinforcing the feeling of decentralisation. This outreach programme enabled the institution to connect with the diverse communities spread out across the vast territory.

Those sessions outside Iqaluit took place in the early life of the territory. The mobility of the parliament between communities helped in communication with different parts of the territory about their new institutions. Also, even if the moving of formal sessions has stopped, an informal caucus, which is an original feature of the Assembly, still takes place in various parts of the territory (O'Brien, 2003). It may seem that MLAs are only going away from the capital to put forward the Inuit characteristic of the parliament. However, an outreach programme from the Legislative Assembly called 'Our house to your home' aims to tour the territory with symbols of the Assembly in order to better engage with the public, and the Mace is put forward as a key symbol of parliamentary power (Nunavut Hansard 30/05/17, 2017). This is in line with the Westminster-style parliament which represents the monarchy in the legislature (Rhodes et al., 2009, p.48). By going to different parts of the territory with features from both traditions, the Legislative Assembly of Nunavut introduces itself to the population as representing both tendencies and being a post-colonial institution in a multicultural Canada.

It is those traditions that are put forward by the parliament. But this message differs according to the intended audience. For the people of Nunavut, it seeks to reassure them and to provide better responsiveness. For external actors, it places the parliament as a symbol of the territory of Nunavut.

Also, as part of their public engagement, MLAs are encouraged to educate the people about their institutions. In a statement announcing a new initiative to publicise IQ, Premier Okalik stated that he was:

"please[d] to tell members of this assembly that the government of Nunavut has just completed a 20-minute video that will provide a better understanding of Inuit Qaujimajatuqangit. While Inuit Qaujimajatuqangit cannot be placed into a video, this medium does help explain to viewers where Inuit Qaujimajatuqangit comes from, what it means and how it is being used. More importantly it underlines how and why Inuit Qaujimajatuqangit is pivotal policy mandate of this government." (Nunavut Hansard 24/03/03, 2003, p.3082).

The role of IQ is highlighted by the fact that a minister is in charge of this topic. The development of IQ and that of the legitimacy of the Nunavut's political system are closely linked. IQ is not only used as a tool of public engagement; workshops are animated to increase the Nunavummiut's awareness and appreciation of the concept.

Elders play a role in the development of IQ. As they have the knowledge that can inform the concept, engaging with them means that they give legitimacy to it as well as to the political institutions. MLA Curley expressed this when he rose "today to explain and to say how proud I am of the Elders' conference that was held here and the majority of the Elders that attended the meeting came to the Legislative Assembly. They are meeting to make sure that we will use Inuit Qaujimajatuqangit" (Nunavut Hansard 18/03/05, 2005, p.1969). Also, the fact that the Elders' meeting was held in the chamber underlined two characteristics: first, the importance that the Assembly places on their input on the matter of IQ and, secondly, it illustrates how the Assembly engages with a key group of the population by giving them the Assembly chamber to host their meeting. Hence, it creates a bond between the parliament and one of its constituencies.

5.4.3 The audiences for the public engagement

As discussed in Chapter 2, public engagement is critical for any new legislature to established itself. This is the case with the Legislative Assembly of Nunavut, which uses its public engagement strategy to cast itself as the public side of the Inuit self-determination project (van Dam, 2016). This was encapsulated by Mr. Nigeongan MLA, who said they had "to be proud of our heritage as the People of Nunavut, not just for Inuit but the people of Nunavut"

(Nunavut Hansard 09/05/13, 2013, p.4459). The distinction between the Nunavummiut and the Inuit indicates that the territorial institutions have to resonate with every member of the population, Inuit and non-Inuit alike. The challenge is to claim to be an institution in the Canadian tradition, as well as claiming to represent the indigenous character of the territory.

For the non-Inuit, a symbol like the Mace signals familiarity with systems common to Canadian provinces by incorporating elements of the Westminster system, such as having a Serjeant at Arms. Moreover, the explanation provided through the parliament's website refers specifically to the historical link of the British Serjeant at Arms with the monarch (Legislative Assembly of Nunavut website, n.d.). For the Inuit, the Legislative Assembly mainly uses consensus government and IQ to lay claims that it represents the indigeneity of the Inuit.

Building on Saward's representation claim theory (2006; 2010), the Legislative Assembly constructs a claim that it represents the indigeneity of the Inuit (the object) to the Nunavummiut. Here, the Legislative Assembly cannot successfully be the subject of this claim without an element which 'reinforces' the claim. The makers of the claim are using Inuit Qaujimajqtuaqangit to do so.

The Legislative Assembly of Nunavut also seeks to engage with other actors beyond the territory's borders. It can be considered as having an ambassadorial function whereby it is used as a symbol of Inuitness, without any power (Pitkin, 1967, p.102). This ambassadorial function of the Legislative Assembly of Nunavut is different from the one that can be attributed to either the MP of Nunavut or the territorial government. Within the Legislative Assembly, debates are often held on the Nunavut MP's role as an ambassador, which Pitkin regards as more of a delegate role and less of a symbolic one (1967, pp.132–133). It manifests itself when parliamentarians (Nunavut Hansard 22/02/11, 2011, p.3046) or academics come and attend some of the legislature's work. Whereas the MP, the government and the territorial parliament all perform an ambassadorial function at federal level, for the latter, the parliament's function is to embody and symbolise the indigenous character of the territory and of the majority of its population.

As the newest sub-division in Canada, Nunavut seeks to present itself to different policymakers. The institution looks to be distinct from other legislatures and especially from the Northwest Territories'. Both the Northwest Territories and Nunavut have consensus in their legislatures (White, 1993; 2006), but they differ in the way they present them. For the Northwest Territories, their Legislative Assembly only presents the functioning of consensus in parliament (Legislative Assembly of the Northwest Territories, 2020). For Nunavut, the fact sheet offered connects consensus government with Inuit tradition (Legislative Assembly of Nunavut, 2019), asserting that the Legislative Assembly uses consensus because of the aboriginal nature of the population. It is thanks to IQ that the Legislative Assembly can successfully make a claim that it stands for the indigeneity of Inuit.

IQ is used in public engagement so the Legislative Assembly of Nunavut (the subject) can be presented to Nunavummiut and external actors (the audience) as representing the indigeneity (the object) of the Inuit (the referent). This claim (the assembly being a representative of the Inuit's indigeneity) is only possible if the makers (politicians) of the claim use *Inuit Qaujimajatuqangit* as a device that adapts the institution to a representation of a key concept for the population's identity.

5.5 Conclusion

Since 1993 and the debate on the *Nunavut Act*, at federal level, establishing Nunavut and its parliament, the Legislative Assembly has been used as a symbolic representation by politicians. But the Nunavummiut parliamentarians are using Inuit Qaujimajatuqangit so that the Legislative Assembly of Nunavut can make a claim about itself as representing the indigenous character of Nunavut. This partially answers research question 1 as it provides the territorial justification of the creation. Their aim is to make the institution more legitimate in the eyes of Nunavut's population. Considering the history of conquest endured by the Inuit, a parliament of their land has to

represent the part of their history which predates colonisation. Still, the indigeneity as a concept is difficult to encapsulate, hence the use of IQ as a device to codify the Inuit traditional knowledge and, more generally, as a proxy for Inuit indigeneity, along with the emphasis on consensus-style government. In this claim about the Legislative Assembly, IQ is neither the maker, the subject nor the object of it, as sketched by Saward (2006, p.302; 2010, p.37). Rather, the maker of the claim (the Legislative Assembly) uses IQ as a *complement to the representative claim*, which is used to ease the claim-making. The notion of 'complement of claim' could conflate with Saward's notion of nested claim (Saward, 2010, pp.64–65). Differences between the two concepts will be outlined in the next chapters. Therefore, public engagement initiatives aim to underline IQ and, on a more practical level, consensus government, so that people can associate the Legislative Assembly with Inuitness. Consequently, the legislature legitimises itself to the population as an indigenous parliament.

Within the debating chamber, MLAs often discuss IQ and consensus government. Both concepts are not only used to frame the parliamentary rules and procedures: MLAs appreciate consensus government beyond a method of doing things; they discuss it as representing an indigenous characteristic of Nunavut. As for IQ, their inclination towards further integration could be explained by their eagerness to entrench it within the institution in order to transmit it to future generations as the elders have done by passing their knowledge to the current generation (RCAP, 1996a; 1996c).

Furthermore, the use of IQ started with the creation of a specific territory for the Inuit: it is still a novel concept. Within the Assembly, MLAs sometimes disagree on the very definition of the concept which is supposed to define it. This contentious concept was revealed at a policy debate when IQ was argued as a way to direct policy. Yet, there is no fixed definition of it. Foucault advances the idea of speeches creating a reality (1969, p.81). In the context of Nunavut, the MLAs' speeches on IQ in policy debates give an indication of how to define it. So, it can be said that the Legislative Assembly of Nunavut is not only a chamber where IQ is discussed as a tool of legitimisation of itself. It is also the locus of the

debates on how to integrate IQ as an integral part of territorial policies and as the subject of a representative claim.

Chapter 6 How Inuit Qaujimjatuqangit Informs Policy Debates

6.1 Introduction

Chapter 5 explained how Inuit Qaujimajatuqangit (IQ) institutionally frames the working of the Legislative Assembly of Nunavut. Now, this chapter will examine how IQ influences policy debates within the chamber. So, whilst MLAs are claiming that the parliament represents the Inuit indigenous character by integrating IQ within its framework, they are *in* parliament debating IQ. Despite the impression of certainty when speaking about IQ in relation to the Legislative Assembly, MLAs are using the institution that they claim uses this concept to attempt to agree on its definition. Therefore, IQ is not only integrated in Nunavut's political institution; it is also being claimed to be integrated into the territory's policies.

MLAs seek to find appropriate policies for Nunavut's population on matters such as social work. The logic is that the methods of social work policy must be tailored to the Inuit belief and not a reproduction of non-indigenous methods. Inuit policymakers aim to make policies to resonate with the Inuit majority in Nunavut. In order to implement this resonance, IQ is used. Yet, as we have hinted at throughout this thesis, there is no clear definition of IQ. IQ could be understood as the "knowledge that has proven to be useful in the past and is still useful today" (Laugrand and Oosten, 2009, p.115). MLAs are not sure of its precise definition and tend to agree with the above definition but, at the same time, it can also be seen as "a living technology, a means of rationalizing thought and action, a means of organizing tasks and resources, a means of organizing a family and society into coherent wholes" (Arnakak MLA in Ford, 2017, p.209). This definition reflects the adaptability of IQ as a concept by MLAs.

As part of the self-determination process, the territory holds the legislating power in different areas, for example environment, education and social care.

MLAs, as parliamentarians, debate and scrutinise the government in those areas. In those debates, IQ is used to advocate for an 'Inuit way' or for a recognition of Inuit traditional knowledge (ITK). Through their speeches, MLAs create their own conception of IQ, especially when they tie it to tradition, but no agreement on an exact definition emerges. It seems that there is an agreement across time on what IQ is not, rather than on what its definition is. Those arguments indeed tend to depict IQ as a form of rationalisation of Inuit thought and practices.

The consensus seems to be on the use of IQ as driving the argument to make Inuit the specific answer in Nunavut, seeking to distinguish it from the Qallunaat policies in southern Canada. Quoting IQ gives the impression that an MLA is making an argument for diverging from the colonial practice. Yet hitherto, no consensus has emerged on IQ's definition. There is a tension between the fact that there is a wide use of the term in debates on one hand, and the fact that it is not properly defined on the other. To understand how both aspects of IQ coexist, this chapter will investigate how IQ has emerged as a contentious concept as, during debates, MLAs not only use IQ in their arguments but also debate its meaning.

In this chapter, IQ will be considered as an organic concept that has emerged concurrently with the creation of Nunavut. Then, debates around policy areas (environment, education and care) will provide the opportunity for MLAs to channel their own individual meaning of IQ. Finally, the chapter will conclude by discussing how MLAs use IQ as a subject of a representative claim which stands for Inuit's indigeneity.

6.2 Inuit Qaujimajatuqangit as a newly formed concept

As explored above, the term *Inuit Qaujimajatuqangit* was first coined by the Nunavut Social Development Council (NSDC) (Lévesque, 2000, p.50). This concept is a relatively new one and goes beyond the Inuit Traditional Knowledge (ITK). It encompasses more than Inuit traditions and knowledge, and offers a

holistic approach to the Inuit culture and values (Wenzel, 2004; Tester and Irniq, 2008). It is also designed to be the basis of policies for the Government of Nunavut (Ford, 2017, p.209). As such, IQ is an organic concept whose growth follows the development of the Nunavut territory. Therefore, IQ is more than tradition; it is put forward in debates by MLAs in order to guide the policies of Nunavut's government.

Those policies were formulated with the Barthust Mandate, formulated by the territory's first executive in 1999, which included four "priorities for Nunavut; Healthy Communities, Simplicity and Unity, Self-Reliance and Continuing Learning" (Government of Nunavut, 1999, p.2). Those four pillars of Nunavut's executive echo the areas where IQ can be implemented: the institution, the domain of health and care, the environment, and education. The last three are policies devolved by the federal government to the territory in a process of self-determination. If the territory of Nunavut wants to claim that those policies differ from those of other provinces or territories by considering Nunavut's Inuit character, it has to base some policy elements on Inuit Qaujimajatuqangit.

IQ is more than just the 'Inuit way of doing thing'. It "encompasses all aspects of traditional Inuit Culture including values, world-view, language, social organization, knowledge, life skills, perceptions and expectations" (anonymous in Wenzel, 2004, p.240). IQ is not only a method whereby tradition is integrated within the institutions (White, 2006; van Dam, 2016), as seen in the previous chapter. Not only does IQ indicate a method to conduct parliamentary debates that is in line with the population's traditions, but debates can also discuss IQ as a subject in itself. IQ is not only a methodology used by parliamentarians in their work; it also provides an epistemological indication and an ontological perspective. Epistemologically, as IQ is argued to contain knowledge given by the Inuit ancestors and through lived experience. Ontological, as the use of IQ sheds light on how different Inuit and western perspective of the world are. This double-sided use of IQ gives an indication not only of what IQ is per se, but also of what it stands for. Yet, there is a consensus that emerges around the use of IQ in Nunavut's political life.

The importance of the idea of Inuit Qaujimajatuqangit can be found in various MLAs' statements, raising concern that IQ is used as a public relations project; this is confirmed by MLA Irqittuq, who "state[ed] more than once, Inuit Qaujimajatuqangit should not be used as a catch phrase" (Nunavut Hansard 24/03/03, 2003, p.3088). This remark indicates the concern from MLAs, in particular Inuit ones, that IQ is not taken seriously enough by the government, or that it is used to justify some of its policies, underlining the subject to be critical for them, even if governments have acknowledged the importance of IQ, as seen in Chapter 5. Therefore, whilst there is no fixed definition of IQ, MLAs use it in debates regarding the implementation of policies in the territory.

IQ sits at the cornerstone of the Legislative Assembly's design, as discussed in the previous chapter, as well as the basis of some policy debates. In 2001, during a committee debate on a new ethics bill, the Minister for Finance and Administration, Kelvin Ng, confessed that he did not "profess to be an expert on Inuit Qaujimajatuqangit and I know there are different interpretations even amongst my Inuit colleagues in this House when we speak about what Inuit Qaujimajatuqangit is or what it means" (Nunavut Hansard 24/05/01, 2001, p.1523). This reveals that IQ, as a key concept designed to be the basis of all the policies of the territory, is not properly defined by the politicians at territorial level. Whilst trying to define it, Nunavut politicians experience the fact that Inuit tradition is based on oral tradition, rendering difficult the process to formulate a clear-cut definition of Inuit Qaujimajatuqangit. This was remarked on by Mr. Savikataaq MLA at an NLF where he was standing to be premier: "it is a large issue to speak to *Inuit Qaujimajatuqangit* and what it encompasses. I have yet to see anything in writing on the definition of what IQ is. Although we maintain *Inuit Qaujimajatuqangit* has to be included, most of us have an idea, but governments operate using written material and I doubt that the actual definitions have been written" (Nunavut Hansard 17/11/17, 2017, pp.45–46 italics in original). Hence the tension between the modern world of government, where policies and methods are codified, and the indigenous system of knowledge, which relies on oral traditions which were transmitted from one generation to the next (Smith, 2012, p.12). This difference emphasises the oral traditions highlighted in the issue of IQ

as a policy basis for an entire system of government, which framework rests partly on a "Euro-Canadian government structure" (van Dam, 2016, p.103). It encapsulates the decolonisation paradox of IQ. As outlined previously in the thesis, the Legislative Assembly of Nunavut is modelled on the colonial power's institution, and yet IQ has been integrated to facilitate the engagement between the institution and the population. Thus, from early on, within the Legislative Assembly, strategies were put into place to refine IQ's definition.

The Nunavut government acted and established an advisory committee to try and define IQ, as the Minister of Culture, Language, Elders and Youth, Olayuk Akesuk MLA, conceded that:

> "*…as member of this Assembly and Nunavummiut we often speak as the role of Inuit Qaujimajatuqangit in Government and the value of the wisdom of those with Inuit knowledge. We want this wisdom to be available to each level, so that over time this government will grow more and more responsive to Inuit ways.*
>
> *We know that as part of Canada, under laws, rules and a constitution, there are certain processes and procedures to follow. We also know that there are many areas where the Nunavut government does have control over what we do and how it is done, and in these cases, we would like to see Inuit Qaujimajatuqangit guide our activities.*" (Nunavut Hansard 24/03/03, 2003, p.3081).

Akesuk agrees that, if the intention of integrating Inuit values with the help of IQ has been present amongst the policymakers in Nunavut, the means of defining or at least conceptualising it have been missing. He followed his speech by creating the Inuit Qaujimajatuqangit Katimajiit' (IQK), which is "a group of wise and talented people outside government who will continue in the path of the Inuit Qaujimajatuqangit Task Force. They will be available and invited to comment regularly on and respond to Inuit Qaujimajatuqangit within the government" (Nunavut Hansard 24/03/03, 2003, p.3082). The IQK's creation occurred during the first Assembly's last session, meaning that the inaugural MLAs acknowledged the importance of defining IQ for the politics of Nunavut. Here, the IQK functions as a support group to help the government to define IQ's meaning so it can act as a basis for policy development.

In parallel to its integration within Nunavut's institutions, IQ is a salient issue for MLAs with regard to integrating it into policies. They also appreciate its critical role for the territory's legitimacy with a claim of an indigenous character. The difficulty lies in the fact that it is an organic concept which rests on the fact that it expands on the traditional knowledge (Wenzel, 2004; Tester and Irniq, 2008). This expansion to include values relies on Elders' knowledge, which is passed through oral history and known as the Inuit way (Bennet and Rowley, 2004). On a question to the government on the matter of funding for the elderly, Uquqrialu MLA reminded the chamber that in the "Nunavut Government we keep saying that we would like to incorporate Inuit Qaujimajatuqangit and the elder would be very beneficial to help with this" (Nunavut Hansard 06/04/00, 2000, p.1309). He underlines in Inuktitut the key role that Elders have in formulating IQ, as they are the ones who possess the oral narratives in which the values are passed down (Bennet and Rowley, 2004). The Elders' knowledge of traditions and philosophy serves as a basis in the construction of Inuit Qaujimajatuqangit. If IQ is based on the Elders' knowledge, an issue arises due to the fact that there is no definition of what Elder knowledge is. Each elder brings their own experience and the knowledge passes down to form its own knowledge.

Considering its novelty, there is a need to publicise what IQ is to the Nunavummiut and to the Inuit in particular. After minister Akesku's announcement on the creation of the ITK, Premier Okalik delivered a statement, already mentioned in the previous chapter (see section 5.4.2.), announcing the production of a video which aimed at explaining IQ.

This public engagement was highlighted by the fact that the head of the government himself announced this educational video around Inuit Qaujimajatuqangit. In doing so, he demonstrated the importance of educating the population about the key concept for Nunavut and the Inuit to Nunavut's executive. As IQ is a relatively new concept and grows in parallel with the territory, it is crucial for the population to be aware of it. The territorial government understands the need to educate the wider public through videos.

This can prove difficult, considering the fact that different parts of the territory can have different understandings of IQ, as Mr. Havioyak MLA observed when he "wanted to know which communities was broadcast as the Inuit Qaujimajatuqangit in Iqaluit or in Kugluktuk are different" (Nunavut Hansard 23/05/01, 2001, p.1457). This variation from community to community could explain why different MLAs have different understandings on IQ and hence that its concept is a source of debates within the chamber.

The fact that IQ does not have one definition but can be interpreted in different ways is surprising bearing in mind that this is the concept which the institutions are meant to take into account in their design. It is slightly similar to the situation in the Catalan and Basque regions in post-Franco Spain where they sought to reintroduce their respective regional language to strengthen the country's democratisation effort. There too, those regions faced the challenge of the lack of knowledge of those languages (Shabad and Gunther, 1982). In Nunavut, the challenge is posed by the lack of a precise meaning and can be noticed in Premier Okalik's answer to a question on IQ's definition: "Inuit Qaujimajatuqangit is interpreted in several different ways, but we try to use it is the best possible ways. We do meet with our elders and just less than a month ago we met them through the Department of Sustainable Development on trying to put ideas together how to use Inuit Qaujimajatuqangit in the daily business of the department" (Nunavut Hansard 25/10/99, 1999, pp.91–92). This answer not only acknowledges the problems with IQ's clarity but also indicates ways in which IQ can be integrated into the daily life of Nunnavumiut, thus making it relevant to them. As Irqittuq MLA states that the "Nunavut Government are going to be people friendly and going to be incorporating Inuit Qaujimajatuqangit" (Nunavut Hansard 15/11/01, 2001), he presents IQ as an engagement tool, more than a precise definition encompassing all Inuit values or traditions.

Defining Inuit Qaujimajatuqangit seems to be difficult for different reasons. Given that it aims to incorporate the Inuit's traditional knowledge across the territory, it is confronting the fact that different communities have different experiences and thus different perceptions of what Inuit Qaujimajatuqangit is.

MLAs who represent all communities express those differences when they are making claims on how IQ can be incorporated in such or such policy area.

6.3 The use of Inuit Qaujimajatuqangit in discourse to justify policy preference

Whilst debating various policies, MLAs use IQ to advance their agenda, especially in three policy domains, which are devolved to the territorial government like with other territorial or provincial executives. Firstly, its use on environmental issues highlights the Inuit's special relationship with their land. Secondly, on the matter of education policy, IQ is put forward in order to distinguish their culture considering the colonial policies surrounding education. Finally, in the space of care policies, it is put forward to re-evaluate Inuit Culture. Those three domains are close to the Inuit's interests as they are a way to appropriate their culture in their land.

6.3.1 Inuit Qaujimajatuqangit and environmental debate

As explained in the previous chapter, the creation of Nunavut is based on two pieces of legislation. It is the *Nunavut Land Claim Agreement* (NLCA) between the Inuit and the Canadian government that gave the former control over the land and its resources through the Nunavut Wildlife Management Board (NWMB) (Ford, 2017, p.208). It seems that the political side of Nunavut (the territory) does not have any say on environmental issues. But, considering that the Nunavut government and the Legislative Assembly – which stem from the *Nunavut Act* – are the public government of Inuit self-determination (van Dam, 2016, p.95), they

can claim that they democratically represent the Inuit in the territory. Therefore, MLAs have legitimacy to speak on those issues in the debating chamber. Those debates include how IQ should influence decisions on the environment and on climate change. In 2003, the MLAs passed the *Wildlife Act*, which enshrines IQ as a guiding principle for the government on those policies (Ford, 2017, p.210).

IQ is often referred to in debates on environment issues, as proven by Alakannuark MLA when he rose "to celebrate Inuit Qaujimajatuqangit. Inuit live in the north and survive because of the knowledge of their ancestors in all seasons of the year" (Nunavut Hansard 03/11/00, p.416). The MLA draws a direct connection between the Inuit people and their land. As an indigenous group, they can have a special relationship with the land that they occupy. Indeed, for Inuit, as for most aboriginals, the land is considered as more than a resource; it also has a spiritual connection with the people who live on it (Gray, 2009, pp.26–27). When Minister of the Environment Akesuk suggested "utiliz[ing] the traditional knowledge of Inuit. Because Inuit have lived in this homeland for thousands of years and they are very knowledgeable about their wildlife and their environment" (Nunavut Hansard 22/02/05, 2005, p.762), he referred to the fact that they have been occupying their territory for a significant amount of time, which has led them to respect it and take responsibility to care for it (Bennett, 2005, pp.84–85). He suggests that, through their observation and experience of the territory, the Inuit earned a significant amount of knowledge, as Pierotti noted in his definition of TEK (2011, pp.7–25), laid out in Chapter 3.

It is because they claim they have been living on their land for a long time that they have this special knowledge. Integrated into IQ, it enables the policymakers to advance this concept in environmental debate.

The importance of IQ in environmental policies can be found in a declaration by the Minister of Sustainable Development, Peter Kilabuk, which stated that: "Inuit Qaujimajatuqangit are going to be used by Sustainable Development. We will integrate that into our department and also we have the highest number of Inuit who work for us and we work together to see how we can integrate Inuit Qaujimajatuqangit into our departments and how we can integrate it

into our work habit" (Nunavut Hansard 04/04/00, p.1202); here, the minister underlines the fact that Inuit have an expertise concerning the land they occupy and therefore that only they, with the knowledge and philosophy within IQ, can look after Nunavut. Yet, it is not only on the matter of climate change issues per se that IQ is mobilised; it is also invoked when there are debates on hunters, who are considered by the Inuit as stewards of the environment.

Indeed, for the Inuit, as in all indigenous societies, hunters have great bonds with the animals they hunt (Samson and Gigoux, 2017, pp.112–113) and they do not consider themselves as predators vis-à-vis animals, as is the case in western tradition (Pierotti, 2011, p.44). They hunt to satisfy their needs. This symbiosis between the hunters and their prey is a testimony of the indigenous spiritual view of nature *contra* to a more western materialist view of the land (Samson and Gigoux, 2017, p.112) . As MLA Curley remarked, he would "like to say in regards to the wildlife regulation and hunting on Inuit lands, it's s [sic] fact that according to our cultural aspect we do not hunt for sport, it's just simply hunting, we hunt for sustenance" (Nunavut Hansard 27/04/05, 2005, p.2351). Here, Curley distinguishes between hunting as practised by the Inuit and by the western world, which he denotes merely as just a 'sport'. By doing so, he legitimises the hunters as part of the traditional way of life and consequently casts them as experts on the territory's wildlife. This argument was also mentioned by Minister Akesuk, who stated that: "It is within these consultations that we hope the very important issue of harvesting methods is discussed and debated by Nunavummiut and that the resulting legislation reflects the experience, wisdom and practicality of our hunters" (Nunavut Hansard 22/02/01, 2001, p.35). For MLAs and policymakers in Nunavut, hunting is an essential part of how Inuit interact with their environment. It is those interactions that inform parts of the Traditional Ecological Knowledge and IQ.

IQ is used by MLAs in the debating chamber in order to re-appropriate the land of their ancestors and to lay claim to the fact that their knowledge is more fine-tuned to the territory than the western scientific knowledge, as Mr. Kattuk MLA argued:

"*The study and tranquilizing of polar bears for research purpose to me is unacceptable because it is not part of Inuit Qaujimajatuqangit.*

Because of my knowledge, I don't need to use a helicopter to put a polar bear to sleep; I can put them to sleep very quickly by approaching them and knocking them out." (Nunavut Hansard 21/02/08, 2008, p.2746).

His argument rests on the fact that, with IQ, Inuit are better equipped in their interactions with Nunavut's wildlife. The use of IQ makes a claim on behalf of the Inuit that they have the best knowledge of their land.

This was echoed when Mr. Levi Barnabas stated that, "I am very proud that Inuit Qaujimajatuqangit was used in decision making on the management of polar bears" (Nunavut Hansard 22/02/05, 2005, p.741). Using *their own* knowledge in relation to *their* land makes Nunavummiut, and Inuit in particular, proud of their heritage. The incorporation of IQ in policy areas indicates the MLAs' predisposition to have environmental policies based on Inuit culture and knowledge. As explained in Chapter 3, only academics consider Inuit Qaujimajatuqangit as a form of Traditional Ecological Knowledge (TEK), and, as Berkes acknowledges, Inuit in Nunavut prefer the term of IQ to that of TEK (2012, p.8). This is exemplified by the fact that the term 'TEK' was mentioned once in the Assembly's debates in relation to education (Nunavut Hansard 04/03/11, 2011), which illustrates a certain disinterest in the academic term. The utilisation of IQ as an argument device in discussion on environmental policy hints that MLAs are willing to have some of Inuit knowledge reflected in those policies. Despite some disagreement on what constitutes 'Inuit Qaujimjatuqangit', the use of the term instead of TEK indicates a form of decolonisation by refusing to apply a 'western' academic term for their traditional knowledge corpus.

The integration of IQ in environmental policies is aimed at enshrining an indigenous vision for Nunavut in its environmental perspective. It is not only on environmental matters that IQ is used in debates, but also on matters of education policy, where IQ plays a very important role.

6.3.2 Inuit Qaujimajatuqangit and Nunavut's education strategy

Similarly to many sub-national units, Nunavut has authority on educational matters (McGregor, 2012, p.288). Also, contrary to other policy aspects, Nunavut's education system received a special Inuit system in the form of is "the heritage of regional school board engagement in educational change prior the creation of the Nunavut government" (2012, p.288). Therefore, when the Assembly debates on education make it interesting to observe how politicians integrate this system already devolved prior to 1999, in taking over this inherited system.

This re-appropriation of the education system must be contextualised within the history of residential schools which, in the 1950s, were considered for many Inuit as "the solely great cultural choc" (Terrien, 1995, p.249, author's translation). As other post-colonial states, indigenous children were abducted from their families and communities and sent to boarding schools (residential schools in Canada), in order to learn the 'western' 'modern' way of life, being forbidden to speak their native language. This experience of residential schools was raised during debates, as mentioned in 2011 when Mr. Tapardjuk MLA said that: "… Nunavummiut have had to overcome unpleasant residential schools experience. They were apprehended as children from their parent, even though it caused many parents to suffer from worry … On behalf of my colleagues here, I would like to thank the Truth and Reconciliation Commission for their invaluable work" (Nunavut Hansard 03/06/11, 2011, p.763, translation in original). Those institutions were created to force the acculturation of indigenous populations and can be seen as part of a culturicide project against indigenous culture practised in the Anglosphere settler states (McKegeney, 2007, p.17; Hall and Fenelon, 2009, p.122), i.e., in Australia or in the rest of Canada with the discovery of hundreds of bodies in former residential schools[25].

Article 14 of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) recognises this prejudice by stating that "Indigenous peoples

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[25] It is interesting to note that the issue of residential school comes back in LAN's debate. This can indicate that, by symbolically representing the Inuit indigeneity, it facilitates substantive debates on this important issue in the assembly (BBC News, 2021).

have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning" (United Nations, 2007). Despite Canada not having ratified the UNDRIP, as discussed in Chapter 3, the federal government still grants the Nunavut government the opportunity to design an education system inspired by the UNDRIP directive.

In practice, this means that the integration of values and traditions in the curriculum is embodied by IQ. Mr. Iqaqrialu MLA declared that they "have to develop Inuktitut curriculum using Inuit Qaujimajatuqangit and that is the only way to get proper training material" (Nunavut Hansard 03/05/00, 2000). There is an argument that asserts that teaching methods must rest on IQ, in order to teach Inuktitut, the main Inuit language in Nunavut. It implies that IQ is essential to learning the Inuit language in order to keep it alive. This reasoning would endeavour to repair the damage caused by assimilation policies with the residential schools as it "promotes incorporation of their speaker into 'mainstream' society and language shift" (Maffi in Ma Rhea, 2015, p.57). The assimilation of indigenous children leads to the inevitable loss of Inuktikut. In order to sustain the language as part of the self-determination project, the Nunavut political institutions promote the Inuit language through education. Language is closely linked to the experience of nation-building (Caviedes, 2003). An example can be found in the Basque country where schools teach Euskara, the Basque language, in order to reinforce the Basque singular identity (Echeverria, 2003). The Nunavut government has committed to teaching Inuktitut using Inuit knowledge as a methodology to do so. It uses IQ within its education policy to fit this pattern.

The focus on reclaiming education in Nunavut illustrates another representative role assigned to IQ. In addition to its integration within the Nunavummiut political institution, which facilitates its use as a form of symbolic representation, by being mobilised in debates, IQ, is also used as a vehicle for substantive representation. Indeed, when discussing methods of teaching the Inuit language, MLAs put forward IQ as an educational methodology. IQ enlarges the scope of representation of Inuit tradition and culture as it goes beyond being

symbolic; it is also a substantive representation, meaning that the representative acts according to the best interests of the represented (Pitkin, 1967, p.162). By integrating IQ within the school system, MLAs claim to act in the Nunavummiut's interest. This substantive claim can also be found in Saward's theory on representative claim, as he argues that "a representative claim is a claim to represent or to know what represents the interests of someone or something" (Saward, 2006, pp.302–303).

Severs built on Saward's work on representative claim to flesh out substantive claim, which is "defined as instances of 'speaking for' which (i) denounce a situation that is disadvantageous to the represented, (ii) formulate a proposal to improve the situation of the representation, or (iii) claim a right for the represented for the same reason" (2012, p.174). In the case of Nunavut, the territory seeks to strive for recognition for a colonised population (the Inuit) in a settler state (Canada). Therefore, MLAs create claims based on Inuit tradition and culture to repair this historic hardship. The substantive claim where IQ is the "subject" in Saward's terms can be discussed as Severs' substantive claim with constitutive dimensions in the sense that it does not stand for but also speak for (2012, p.174). The claimants are the representatives who represent the Inuit people on their behalf. The interest dimension is the perpetuation of the Inuit's indigeneity.

So, when MLAs put forward IQ in education policy debates, they are making substantive claims on how they represent the wishes and the interests of Nunavut's population. As the territory was created as a territory whereby the Inuit are in the majority, pushing for acknowledgment of IQ in the territorial policies seems to represent a push for taking into consideration the population's culture. Here, the concept substantively represents Inuit traditions and values. MLAs use IQ to make substantive claims on their policy preferences in the same manner that they are using it to make a symbolic claim with regard to the Legislative Assembly. In 2007, the Department of Education published a report entitled *Education Framework: Inuit Qaujimajatuqangit For Nunavut Curriculum* (Nunavut Department of Education, 2007) which "articulate[d] a more detailed vision of Education from

Inuit foundations" (McGregor, 2012, p.296). Ed Picco MLA and Minister of Education stressed that education is a key policy for the Nunavut Government.[26] As discussed in the previous chapter, the absence of parties means that this policy has no political saliency, which means it can be carried on by other administrations.

The basis of the framework outlined in the report is Inuit Qaujimajatuqangit. However, as discussed in section 6.2., IQ is a construction with no agreement on its meaning and yet it is used as a base of the education system. The Elders are put forward as those who can best provide insight on Inuit knowledge and IQ. The report highlights the fact that:

> "*Elders are articulating how and why Inuit Qaujimajatuqangit – beliefs, laws, principles, values, skill, knowledge and attitudes – are so well suited to Inuit today. In doing so, the Elders are not advocating a return to the past, but a grounding of education in the strengths of the Inuit so that their children will survive and successfully negotiate the world in which they find themselves today. By entrenching IQ beliefs and principles within the system and curricula, the aim is to provide a learning environment where silaturniq (becoming wise) is fostered, and within which the strength of inummarik (a capable person) can develop.*" (Nunavut Department of Education, 2007, p.22).

Elders, in education as well as in the development of Inuit Qaujimajatuqangit, are essential, as they are those who possess the knowledge which is at the basis of IQ. Hence, the education policy in Nunavut evolves around the role of the Elders. Jack Anawack MLA highlighted: "elders who are still alive and who practised the traditional methods before religion and the missionaries came around" (Nunavut Hansard 17/04/00, p.1572); the fact that some of the elder members of the Inuit population have a pre-colonisation knowledge points to them being the best equipped to talk about traditional knowledge, and therefore IQ. By seeking their help, MLAs stress their desire to decolonise Nunavut's education system. They tap into the Elders' legitimacy to rationalise the integration of IQ in education policy, similar to their justification for integrating IQ within the framework. By doing so, MLAs reinforce the use of IQ and its importance in Nunavut polity.

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[26] In parliamentary democracies, policies are formulated by the Executive, but they are subject to the scrutiny of the legislature, which can provide oversight.

The critical role of Elders in education has often been recognised by MLAs during the 'Member's statement' in the Assembly. A Member's statement is usually a time during a session, between Minister Statement and Oral Questions, where regular MLAs can raise an issue of their choosing. As an example, Keith Paterson MLA said that at "a recent ceremony, hosted by the Ikalutuktiak District Education Authority, 12 Elders received their certificates as master teachers and will be considered as members of the school Education staff. Each Elder is now certified in their specific areas to assist in the instruction in the Education program" (Nunavut Hansard 16/05/13, 2013, p.4627). The fact that Elders, who are those put forward as bearers of the indigenous knowledge, have been granted recognition through a master's qualification, as in most western society, can be considered as a recognition or a co-optation of the indigenous knowledge from the colonial settler state. By associating Inuit Qaujimajatuqangit with Elders, indigeneity is enshrined within the education system.

One aim of the education system is to integrate and engage the younger generation with the matter of IQ. In a reply about bullying at school, Paul Quassa MLA, Minister for Education, announced that they "recognize[d] elders in all of our schools to try to promote *Inuit Qaujimajatuqangit* more in our schools. All communities have identified elders that can be used to go and talk about *Inuit Qaujimajatuqangit* in the schools. I know it is done the same way in Baker Lake. The local DEAs identify the elders who will provide *Inuit Qaujimajatuqangit*. That is how elders are involved" (Nunavut Hansard 24/02/17, 2017, p.3320, italics in original). Here, he emphasises the role of Elders and the efforts made to integrate IQ within schools. Paul Quassa calls upon Elders to use IQ against bullying, which indicates a willingness to tackle issues through the prism of indigeneity, as they hold a position of power within indigenous society. The integration of IQ in schools is as critical as its integration within the Nunavut government. Pester Natterk MLA observed that "in *Pinasuaqtavut*, our Assembly declared its intention to reflect Inuit traditional values in our government system. Mr Speaker, I believe there is a simple way to guarantee that *Inuit Qaujimajatuqangit* is reflected within our school system" (Nunavut Hansard 24/02/06, 2006, p.983, italics in original). As it is a reply to an opening speech, its value carries deeper meanings, Mr. Natterk being

a regular MLA who spells out his own vision for the session. For Natterk, IQ in education is as important as it is in government. He claims that IQ is something special that must not solely be contained within the governmental institutions.

Yet, the Inituisation of Education in Nunavut is not only contained within IQ and the Elders' roles; it is also reflected in the decision-making approach. As Minister of Education Peter Kilabut MLA stated, the "Education Act will also have to deal with traditional knowledge of Inuit and the Education Act also deals with having a good Education system for the people of Nunavut. We will have to involve the parents and the District Education Authorities as well as involving the Minister of Education" (Nunavut Hansard 24/04/02, 2001, p.64). When he signals his intention to involve other actors to write the *Education Act*, he reflects his desire to build consensus around this legislation. Also, the existence of a District Education Authority in each community points to a certain decentralisation of educational policy matters. Both concepts, consensus and decentralisation, are two traits of Nunavut governance (van Dam, 2016, pp.96–98).

The integration of Inuit Qaujimajatuqangit within Nunavut's education policies reflects the desire to decolonise education by rendering it more 'indigenous'. In doing so, it encourages the Elders to be deeply involved in schools as they are the 'knowledge holders', just as Traditional Ecological Knowledge and IQ are used in matters concerning the environment. This desire to place Inuit as holders of the knowledge can also be found in policies and discourses surrounding social care.

6.3.3 Inuit Qaujimajatuqangit and discourse on care

Nunavut is a territory with an overwhelmingly indigenous population. Social workers need to relate to the population. They can do so by implanting social care in tune with Inuit traditions and customs (Gray and Hetherington, 2013, pp.26–27). This was pointed out when Ms. Ugyuk MLA argued that they "have to repatriate traditional Inuit counselling, knowledge and social skills which were used to deal

with social issues in the past. I would like to recommend that we include IQ values in the centre" (Nunavut Hansard 22/02/11, 2011, p.3050). She argues for social care policies to be based on Inuit values, through Inuit Qaujimajatuqangit, rather than through colonial methods. Indeed, in doing so, the service must be accepted as culturally relevant to the context and the local problems instead of replicating the methods used in other parts of Canada (Gray and Hetherington, 2013, p.27). This can be considered as 'decolonising' social work. Rao uses Foucault's work to discuss social work knowledge as a form of colonisation (2013, p.46). By *repatriating* Inuit social care traditions, MLAs believe that it will be a form of emancipation from the colonial power in making their own decisions on counselling and on health care in general.

This sense of indigenous social work as an emancipation from a colonial approach is expressed in Arvaluk MLA's statement:

> "*…our traditional values, perspectives, and knowledge acknowledged by the government. This relates to fields such as Inuit sociology, counselling, suicide prevention, as well as this common concern expressed by many Inuit about getting dealt with in the paternalistic approaches of the western-based social services, especially when their children are taken from their families*" (Nunavut Hansard 03/06/08, 2008, p.4453).

His statement offers a new perspective on the integration of Inuit knowledge. Arvaluk's argument rests on the understanding that the integration of IQ is a way to 'correct' the previous colonial approach. It implies that the indigenisation of social work must translate into an understanding of the local culture of the 'client' population (Gray and Coates, 2010, p.614). It also points to the rejection of care given by the settler state to the Inuit. The MLA criticises the specific policy which is applied only to the indigenous and not to the rest of the population. That experience of displacement is key in the experience of indigenous people in Canada and therefore is reflected in any knowledge system. IQ, as it encompasses not only Inuit traditions but also their values and culture, is a key element for any attempts to decolonise social work in the territory.

Social work in Nunavut also means dealing with mental health issues that are linked with negative colonial experience, as claimed by Mapsalak MLA, who said that:

> "…*years ago, we were taken away from our communities and our families to go to school. We were expected to live, speak, and behave as we were Qallunaat. For a lot of people, this destroyed many ties that they had with their culture. People lost their language. People lost traditional knowledge that they had learned from their parent and elders…*
>
> *Mr. Speaker, it has taken a long time of many Nunavummiut to reach the back of those roots and to rebuild this sense of pride in Inuit culture. One could argue that losing these things has had damaging effects on mental health and wellbeing.*
>
> *…*
>
> *I strongly urge the government to ensure the Inuit culture principles are fully incorporated into all social work and mental health practice in Nunavut.*" (Nunavut Hansard 25/10/07, 2007, pp.1894–1895).

This quote points out that colonisation has been a great source of social difficulties, such as mental health issues, especially with residential schools and assimilation policies. In order to deal with these problems, arising from colonisation, the MLA's point brings forward an argument for the integration of IQ into social work: as colonisation creates those issues, only indigenous traditions and knowledge can heal them.

Mental health issues are problematic within the Inuit population especially with the residential schools, to which could be partially attributed the "foundation of loneliness and hopelessness, and alcoholism and suicide" (McKegeney, 2007, p.31). Nunavummiut politicians are aware of those problems, and in 2001 the Minister for Health, Ed Picco MLA, announced that the "Department of Health and Social Services launched a unique suicide prevention campaign called 'Strength from our Past, Strength from Each other'" (Nunavut Hansard 21/02/01, 2001, p.4). The title of the campaign, referring to the past and to the community, is rooted in the indigenous spiritual approach where aboriginals take on responsibilities for the past and the future (Coates, 2013, p.66), which means that the social care provided here transcends generations and ages. It also lays a claim that this

traditional Inuit method, predating colonisation, is the best way to fight against suicide in Nunavut.

Traditional knowledge and practices are put forward within the Assembly to encourage Inuit-style medical or social work practice. This is the case for midwifery, when Mrs. Leona Aglukkaq MLA, Minister of Health and Social Services, shared her thoughts within the chamber on the importance "to note that in Nunavut registered midwives have a working knowledge of and respect for traditional Inuit practices and childbirth. Low risk birth can and should take place as close to home as possible where the appropriate resources are in place" (Nunavut Hansard 14/03/07, 2007, p.291). The minister explains that she is in favour of traditional practices of giving birth and that Inuit midwives, even if they do not have the 'western scientific' knowledge of midwifery, are still knowledgeable. She is defending the traditional way of doing things. Moreover, she says that the acceptance of these traditional practices facilitates women to give birth in Nunavut, considering that there are limited 'modern' facilities in the territory and, in order for women to give birth in Nunavut, they have to use the Inuit traditions of midwifery. Here, tensions rest between what is considered modern, which is a form of imposition of the settler state's way of doing things, and tradition, which is the Inuit's.

The example of traditional midwifery indicates the willingness to reclaim social care from the colonial power by using Inuit Qaujimajatuqangit. MLA McLean, reflecting on Baker Lake's hospice, said that: "It is Inuit taking care of Inuit, Inuit making decision for Inuit" (Nunavut Hansard 06/06/03, 2003, p.3818). Integrating IQ in social and care policies is a form of self-determination on behalf of the Inuit in Nunavut, by making a claim to make social care relevant to its population. The term of indigenisation for social workers translates into reactivating traditions in the realm of social work (Gray, 2005, p.232). Consequently, it means a rehabilitation of the indigenous identity of the Inuit which was oppressed through the colonial system.

This rehabilitation of indigenous tradition transpires when claiming that Inuit Qaujimajatuqangit is still relevant in the modern world. This is a claim advanced by

Alakannuark MLA, who stated that: "Inuit Qaujimajatuqangit, our traditional common laws and system and practices were applied in the past and are still applicable in the modern world. The Inuit today are still using them. Mr. Speaker, Inuit Qaujimajatuqangit can be used in the Education system. Inuit Qaujimajatuqangit can play a critical role when we are dealing with social issues" (Nunavut Hansard 22/03/01, 2001, p.957). Here, the MLA advances the claim that traditions are still relevant within the modern world using IQ. He asserts that IQ stands for the idea of Inuit values and traditions.

In the three different policy areas, environment, education and social care, Inuit Qaujimajatuqangit is used by MLAs to strengthen their arguments, by presenting substantive claims where IQ is put forward as representing Inuit traditional values and culture. They discuss IQ in the debating chamber as a means to implement elements of Inuit indigeneity with Nunavut's policies. As a consequence, it reinforces the Inuitness of Nunavut's policies. Those arguments are based on representative claims where IQ is the subject of the claim, standing for the indigeneity of the Inuit.

6.4 Inuit Qaujimajatuqangit as a subject of representative claims

Inuit Qaujimajatuqangit, when mentioned within a policy debate, is used in favour of integrating Inuit values and traditions in different policy areas by being an agent of a substantive claim. IQ is constructed as encompassing Inuit traditions as well as a philosophy. As previous sections demonstrated, IQ is used as a hook for Inuit to have a different view on their environment and social structures. The concept therefore can be discussed as standing for the traditional roots of the Inuit. MLAs use IQ as the subject of representative claims, where it is put forward in order to repair the difficulties caused by colonisation. As an example, Mr. Shooyook MLA stated that: "It is only with the commitment of all residents and people of Nunavut and all MLAs here that challenges, especially with petty criminality issues, will be resolved by providing a very strong foundation-based

Inuit Qaujimajatuqangit. Only by using this foundation will corrections be made to our social ills" (Nunavut Hansard 08/06/17, 2017, p.4531, italics in original). Shooyook's representative claim is implicit (Saward, 2010) in the sense that he does not offer the subject right away. He advances IQ as the subject, standing for the Inuit tradition to the audience, primarily MLAs and the public in the gallery. The underlying reason for his claim is that Shooyook considers that the implementation of Inuit tradition could solve issues caused by colonisation. He uses IQ, standing for traditional knowledge, in debates in order to re-habilitate the Inuit's indigenous knowledge.

As discussed in Chapter 3, the UN report attempting to define indigenous people contained a point on them wanting to be culturally distinct (Kenrick and Lewis, 2004, p.5); therefore, Inuit Qaujimajatuqangit is put forward in debates to legitimise the Inuit culture and traditions. The use of IQ as a claim subject goes further as it is used in arguments in favour of decolonising policies in the territory. Indeed, when Mr Curley MLA complained about 'western' concerns, he declared that:

> "*During the 21st century, we are now facing difficulties worldwide with the issue of global warming which is growing at an alarming rate. With the Inuit societal values, we hear exactly the opposite of the teaching that we were taught on Inuit Qaujimajatuqangit. These people that we hear from are instant experts on wildlife, about the habitat, and about the environment. They are instant experts in everything surrounding the northern communities. There are many instant experts at the time we are experiencing global warming in the arctic.*" (Nunavut Hansard 20/02/08, 2008, p.2706, emphasis in original)

The MLA's argument rests on the idea that the Inuit are more knowledgeable than the non-Inuit on Arctic issues, which is justified by their knowledge of Inuit Qaujimajatuqangit. Indigenous people often have a special relationship with the territory on which they live and those lands are integral parts of their identity (Samson and Gigoux, 2017). Indigenous people claim to have knowledge of the land they occupy. Here IQ (the subject) stands for the traditional relationship of the Inuit with their land (the object). IQ is under construction as it symbolises the traditions and values of the Inuit. By following the Inuit way, MLAs are arguing for

decolonising territorial policies. IQ is used as a proxy to legitimise the Inuit knowledge of their land.

Inuit Qaujimajatuqangit was and is a project which aims to codify and rationalise Inuit traditions and societal values. Not to westernise them (thus risking being erased), but to legitimatise them when confronted with 'western', 'scientific' knowledge. When the Minister of Environment, James Arreak MLA, states that: "Through this partnership polar bear management in Nunavut will continue to be guided equally by Inuit societal values and the best available scientific *and* Inuit knowledge. The new polar bear management plan will help all co-management partners work together in the best interests of both polar bears and Inuit." (Nunavut Hansard 09/05/13, 2013, pp.4437–4438, my italics), he places both aboriginal and colonial knowledge at the same level, forcing a dialogue between them. Thus, instead of incorporating Inuit knowledge into a western knowledge system, IQ is placed on an equivalent level to western knowledge, blurring the state of colonised learning from the colonisers. If this is the case with knowledge, it could also be applied to the population. If IQ is on a par with western knowledge, it could symbolise that the Inuit are regarded as equal to the non-indigenous population of Canada. IQ is mobilised by politicians and policy-makers as a shorthand as it combines both Inuit traditional knowledge and societal values (Lévesque, 2000; Wenzel, 2004; Tester and Irniq, 2008).

As it is a combination of two components of Inuit identity (traditions and knowledge), IQ is seen as a tool to promote Inuitness. Paul Quassa MLA declared that "Now, as Inuit we depend on *Inuit Qaujimajatuqangit* and we have fought for its recognition, as well as taking pride in our traditional Inuit cultural practices, which should be that way as we are from Nunavut" (Nunavut Hansard 07/03/18, 2018, p.83, italics in original). Paul Quassa uses IQ as an incentive for pride in indigeneity. If IQ is the subject of the representation, therefore it stands for the Inuit indigeneity. The Inuit use IQ to identify and distinguish themselves from other populations in Canada. As Gover points out, "indigenous people have the collective and individual right to maintain and develop their distinct identities and characteristics, including the right to identify themselves as indigenous and to be

recognize as such" (Gover, 2016, p.37). The Inuit exercise their right to be recognised as indigenous people through the use of IQ. Indigeneity is defined by all the knowledge and values developed by an indigenous group in order to resist colonialism. In the context of Nunavut, IQ is developed as an answer to the colonial knowledge of Canada.

The territory of Nunavut is an act of self-determination for the Inuit, as discussed in Chapter 3; the awareness of IQ tries to decolonise this process. By representing the Inuit's indigeneity, MLAs argue that, by integrating the 'Inuit way of doing things', policies will be brought in line with the indigenous character of the territory and decolonising policies. They are also using IQ to promote Inuit traditions by making claims on how IQ's integration into policies will deliver better policy output. In addition, IQ stands for Inuit indigeneity and is used to raise awareness on the need to preserve Inuit knowledge and values.

As previously mentioned in this chapter, there were efforts to suppress Inuit culture through acculturation and assimilation policies. The development of IQ within the Nunavut context is aimed at solidifying Inuit culture by officialised means, as IQ embodies it. Jack Anawack MLA declared that they "need to encourage and incorporate Inuit Qaujimajatuqangit. People from the south that moved to Nunavut need to respect it. As Members of the Legislative Assembly, we need to respect the knowledge of our elders. So I would just like to encourage our people to respect Inuit Qaujimajatuqangit and the values of our elders" (Nunavut Hansard 22/02/02, 2002, p.2511). The concept of IQ is advanced as a proxy to protect the Elders' knowledge, which is put forward as a link between the past and the present. By securing this connection with the past, the Inuit reinforce their indigeneity within their land.

Since the Elders are those knowledgeable about the Inuit knowledge that existed before acculturation, they are often associated with any claims where IQ is the subject. The association between Elders and IQ can be exemplified by Alakannuark MLA:

"*I rise today to celebrate Inuit Qaujimajatuqangit*

…

There are elders that pass on their knowledge and skills as hunters and their survival skills to the younger generation. I commend the elders in my community. The group passed on their traditional knowledge and survival skills to the younger people. The names that I mentioned are teaching and passing on their hunting and survival skill to the younger people. I wanted to commend them and recognize them for the great work they are doing." (Nunavut Hansard 03/11/00, 2000, p.416)

In his speech, after acknowledging IQ's usefulness, the MLA underlines that the Elders are key in its development.

Here, the claim is when IQ is the subject standing for Inuit's indigeneity (the object) offered to Nunavummiut and other observers. But underlying this claim is another claim in which the Elders are the subjects, as bearers of traditional knowledge (the object) to Nunavut's population and other observers. The first claim needs the approval of the second, in order to be accepted. This explains the importance given to Elders in the development of IQ and in discourses of and in the Legislative Assembly.

The claim around the Elders can also be found when MLAs are discussing their own language, Inuktitut. In *The 1999-2000 Annual Report,* the Language Commissioner of Nunavut points out that "'Inuktitut' is the language spoken by an Inuk and, as such, is an affirmation of self and one's heritage. From another perspective, Inuktitut is the language shared by a group of individuals, such as a family of a community, and is an affirmation of social ties and a source of pride." (Nunavut Hansard 26/02/01, 2001, p.119). Inuktitut is the language practised by the indigenous. Its development, thanks in part to the Elders who are teaching the language, fights the monopoly of the two official languages from the colonial society (French and English). The development of Inuktitut relies on the Elders, and the same rationale applies when Inuktitut stands for the Inuit traditions and indigeneity. Also, like all languages, Inuktitut has different dialects which are influenced by socio-political and ecological factors (Smith, 2001, p.110). Due to Nunavut's geography, the distance between different communities leads to variations in the language. Nonetheless, the emphasis on spreading the use of Inuktitut in Nunavut with the contribution of elders, highlights the objective of underlining the indigenous character of the territory.

However, the involvement of the Elders and IQ's roots within the Inuit traditional knowledge does not exclude the fact that scientific or 'western' knowledge can be used in Nunavut. When Commissioner Magsakak declared, in her throne speech, that "Nunavut would be a place where we respect the accumulated wisdom of our elders, examining and evaluating our actions based on the best of both modern knowledge and traditional ways" (Nunavut Hansard 20/10/99, 1999, p.3), she indicates that Inuit are not opposed to changes in their 'ways of doing things'. Terrien noted that Inuit does not mean a refusal of modernity but rather an adaption of traditions to the modern world. This means that Inuit traditions are dynamic (Terrien, 1995, pp.247–248), which was also an argument made by Omura's comment on Kuper's article *The Return of the Native* (Omura in Kuper, 2003, pp.395–396).

IQ does not have a fixed definition as it adapts Inuit traditions to the modern world. The notion of dynamic in Inuit Qaujimajatuqangit means that it reflects the capacity of the Inuit tradition to adapt to the times.

As we saw above, Inuit Qaujimajatuqangit has evolved since the 1990s and encompasses not only the Inuit traditions but also the Inuit's ontological and epistemological perspective. As such, it enables it to be successfully used by MLAs in the Legislative Assembly in making claims on indigeneity. MLAs refer to IQ as standing for indigeneity and therefore legitimising their positions on policy as it eases their argument on decolonising policies within the Nunavut territory.

The representative claims around IQ can be summarised in this way in Saward's terms (2006, p.302; 2010, p.38):

MLA(s) (M) put forward Inuit Qaujimajatuqangit (S) which stands for Inuit's idea of indigeneity (O) to Nunnavumiut or to wider observers (A).

Driven by Inuit's aboriginality, this claim aims on one hand to preserve the indigeneity of the Inuit by incorporating it into policies so it can be transmitted and, on the other hand, to set IQ as representing Inuit knowledge in comparison to a 'western', 'scientific' knowledge.

6.5 Conclusion

Inuit Qaujimajatuqangit is not only nested in a representative claim that facilitates the Legislative Assembly of Nunavut's institutional representation, it is also the subject of its own representative claims where it stands for the Inuit's indigeneity. Here lies a difference between *nested* claims and *complement* of a claim. The latter is a claim in its own right and does not necessarily need to be inserted in a wider claim in order to be formulated. Through these claims, policymakers can argue for the inclusion of indigenous perspectives in different policy areas such as education, social care and environmental issues. By doing so, Nunavut politicians try to decolonise the territorial politics through the adoption of Inuit traditions and values but also, more importantly, through an indigenous ontology and epistemology. Here lies the novelty of Inuit Qaujimajatuqangit, as an organic concept.

As highlighted in Chapter 5 and in this chapter, the particularity of Nunavut's parliament is that its representative claims rest on integrating IQ within its framework whilst at the same time MLAs debate *what Inuit Qaujimajatuqangit precisely is*. The fact that IQ's definition can be a debated topic within the chamber and amongst the MLAs is relevant because it reflects what it attempts to represent. It tries to encapsulate Inuit indigeneity in a holistic way, encompassing Inuit traditions, societal values and culture (Lévesque, 2000; Wenzel, 2004; Tester and Irniq, 2008). More importantly, this chapter demonstrates that IQ is used by policymakers to defend Nunavut's indigenous character by forcing policy to be at least partly based on the Inuit traditional epistemology and ontology.

The dynamic character of Inuit Qaujimajatuqangit, in line with Inuit's conception of tradition (Terrien, 1995), explains the absence of a consensual and clear-cut definition of IQ within the Assembly. Like all indigenous traditional knowledge, it is based on observation and can be adapted. Pierotti defines tradition as clearly implying "that such knowledge and its related concept has been in existence for a considerable length of time, the reason for such longevity is precisely because their ability to incorporate new observations and information

has kept them fresh and relevant" (2011, p.11). For MLAs, tradition and culture symbolise their identity. By having IQ as a representation of those, the role of IQ and Inuit knowledge in the Legislative Assembly is to provide an incarnation of Inuit indigeneity not only symbolically but also substantively, which answers research question 3. Therefore, IQ provides MLAs with a framework to argue in favour of decolonisation policies in Nunavut and, consequently, making them relevant to the Inuit.

IQ is constructed as a subject of a representative claim where it stands for Inuit indigeneity. As for the claim where the Legislative Assembly (see Chapter 5) is the subject, it can be due to the mobilisation of the makers of IQ in the formulation of the claim. Still, IQ's influence can be witnessed by being used as a justification for the use of consensus and the absence of parties. IQ's role is to provide a rationale for a different practice within Nunavut's parliament compared to other Canadian legislatures and the Northwestern Territory Legislative Assembly. Thus, using indigenous traits within the functioning of a parliament in Canada means decolonising the Westminster parliament system as well as representing a symbol of Inuit self-determination.

Both claims (IQ as subject and the Legislative Assembly as subject) are related. The first claim, where the Legislative Assembly of Nunavut is the subject standing for the Inuit indigenous character, gives space for debates when the second claim is exposed. The second claim, where IQ is the subject that stands for the Inuit's indigeneity, represents a tool for policymakers to argue in favour of decolonising policies. They both reinforce each other. The former legitimises the latter and, in turn, debates around IQs inform its definition and consequently further define the indigenous character of the Legislative Assembly. Both claims could be discussed as what Saward called 'nested representative claims' (2010, p.65), but this research suggests that they are interdependent rather than variations of each other, as they are conditioned by the existence of each other.

Chapter 7 Inuit Qaujimjatuqangit's Role in Transforming the Institutional Representation of the Legislative Assembly of Nunavut

7.1 Introduction

As explained in the previous chapter, IQ is employed by MLAs in policy debates to justify their policy choice. This chapter links those debates with the Legislative Assembly's institutional representation, discussed in Chapter 5. The chapter will lay out the connection between the institutional claims and the indigeneity claim. The institutional claims can be distinguished depending on the nature of the maker. When the makers are the territorial politicians, the claims utilise the indigeneity claim in its formulation to affirm the indigenous attribute of the majority of its population. This does not happen in other sub-national legislatures – such as Scotland – where such claims are not needed. These differences in the makers of the claims and the idea of the referent in the institutional claim demonstrate that those claims have different audiences. As those claims are made during parliamentary debates, the question is whether the parliamentarians or their constituents are the claims' audiences.

The emphasis in the Assembly's debates on IQ – as well in its design – makes the concept critical to Nunavut's political institutions and their representatives. This notion can be considered to be essential in legitimising the Legislative Assembly of Nunavut. As reviewed in Chapter 2, the notion of legitimacy in relation to representative claims is tied to the audiences receiving the claims. Elected representatives' legitimacy comes from their election, which leads to the question of where non-elected representatives, like an institution such as the Legislative Assembly of Nunavut, get theirs. Saward's representative claim theory (2006; 2010) rests on the fact that representation is a dynamic process. Part of the claim's mechanism rests on the acceptance or the rejection of the claim

by the audience. The subject's legitimacy follows its recognition by the audience or, at least, part of it. Here, the audience that matter is the Inuit and, in particular, the Inuit's Elders. They are the holders of the traditional knowledge and values of the Inuit. To give gravitas and meaning to IQ, the Elders have to accept and engage with this concept that first arose in the 1970s. By doing so, they legitimise IQ as Inuit knowledge and consequently make the institutions that integrate it in their function or policies more legitimate.

The different claim-making directed at the audience of Inuit Elders must also be understood within the context of multicultural Canada. Since the 1960s, Canada has sought to portray itself as a multicultural state with various groups, either descendants of settlers, indigenous people, or migrants. This narrative collides with the desire of indigenous people for self-determination, which is a reaffirmation of their distinct culture vis-à-vis the settler state. Decolonisation aims for a population to reclaim what is theirs in a settler state whereas multiculturalism promotes a post-colonial vision of society in the sense that it assumes that colonial relationships are abolished. The claims on and in Nunavut's institutions appear to bridge the gap between the Canadian multicultural narratives and the decolonial one. This chapter will outline the two claims and how they connect with each other.

First, the two claims will be outlined and defined. They perform both a symbolic *and* a substantive function and they are closely connected due to how they are conceived as they are both conditional on one another. Then, the reception of the claim by the Inuit Elders as an audience will provide an insight on how legitimate both claims are. Finally, we will see how the claims enable the Legislative Assembly to represent the Inuit indigeneity within the Westminster system, which is a form of decolonisation within the framework of multiculturalism.

7.2 Representative claims *on* and *within* the Legislative Assembly of Nunavut

This section will present then discuss how two claims (an institution-based one and a policy-based one) are mobilised. Then, it will show how these two claims are interconnected.

7.2.1 The substantive and symbolic dimensions of the claims

Chapter 5 explained how the Legislative Assembly of Nunavut is a subject which makes the institution (the Assembly) a representation in itself. We name this claim, the *institutional claim,* and it can be summed up as:

The politicians (the Makers) put forward the Legislative Assembly of Nunavut (the Subject) as representing the indigeneity of the Inuit (the Object) to the Nunavummiut and other external actors (the Audience).

One example of this claim being used in the Assembly can be seen when MLA McLean reminded the House with pride that "this is a consensus government. It is not party politics. I am very proud of this consensus type of government that we have up here" (Nunavut Hansard 02/12/02, 2002, p.2135). When, as outlined in Chapter 5, the concept of consensus government stands out as a way to define and to single out the Assembly amongst the legislatures in Canada, the MLA tells his colleagues that it is a source of gratification for him. Following this statement, he reminded the audience that this method implies the inclusion of every MLA in the decision-making process, especially concerning the Capital Plans[27]. By referring to the absence of parties, he draws his colleagues' attention to a main distinction between this parliament and the majority of Canadian legislatures. On

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[27] Capital Plans are designed to allocate money to long-term projects (Government of Nunavut, 2020). Thus, his point on consensus being substantively beneficial is stronger as it links the long-term decision with the concept of consensus.

this occasion, the symbolic dimension of the institution is therefore highlighted, as well as the substantive dimension of the claim.

The substantive dimension of a claim can follow its symbolic dimension, as Saward notes that "sometimes 'symbolic' representation is taken as the opposite of 'substantive', but it is not: the performance of symbolism is required to convey a *sense* of representing the substance" (Saward, 2010, p.73 italics in original). McLean made his claim while questioning Mr. Kattuk, then Minister of Public Works and Services, regarding 'Dry Cargo Goods Negotiation' (Nunavut Hansard 02/12/02, 2002, pp.2133–2135). The symbolic claim is expressed when MLA McLean expresses his attachment to Nunavut's political system. He also underlines his point by signalling that the policy output from a consensus style of government is different to one that is driven by party politics.

By making claims on the Assembly's consensus style in lieu of party competition which corresponds to the western style of parliamentary democracy, it makes this institution unique amongst parliaments. This claim is conveyed in two steps. The first one happens at constituency level, where each MLA claims to represent their own views as independent politicians. The second step is situated at territory level, where the parliament is making a claim that it represents the whole territory thanks to the nature of consensus government and the absence of parties, which sets it apart from other Canadian legislatures. Both steps include the claim's symbolic and substantive dimensions. The symbolic one is where the absence of parties enables a difference between LAN and other parliaments. The absence of parties is claimed to lead to a variation in policy output, which is the substantive dimension. This enables the creation of a debating space where MLAs develop a second type of claim, the *indigeneity claim*.

This claim centres on the mobilisation of Inuit Qaujimajatuqangit by MLAs in policy debates within the Legislative Assembly. They make a claim in favour of arguing for IQ in policies; this claim can be articulated as follows:

MLAs (Makers) put forward IQ (Subject) which stands for Inuit's idea of indigeneity (Object) to Nunavummiut or to the wider public (Audience).

This claim presupposes that one of the main interests of the Nunavummiut and the Inuit in particular, is that their indigeneity is taken into consideration in policy formulation. This was the case when MLA Nutarak asked, "In the traditional knowledge of the Inuit, we can integrate Inuit Qaujimajatuqangit into the counselling system. Has your department thought about using elders to do traditional counselling on abusive relationships?" (Nunavut Hansard 03/12/03, 2003, p.4860). Here, IQ is used as a representation of the Inuit indigeneity, an original holistic perspective, which relates to the relationship between the Inuit population and their land, as Chapter 3 showed, a point of view which differs from a western, colonial perspective. IQ therefore is used here as a proxy to put forward a kind of sectoral interest, which is the integration of IQ, in substantive policy debates. In this case, two dimensions of claims are present.

Whereas for the institutional claim the symbolic dimension is explicit, it is implicit in the case of substantive claims. Here, MLA Nutarak (the maker) claims to his fellow MLAs (the audience) that, by integrating IQ (the subject) as standing for Inuit indigeneity (the object) within the counselling system, Nunavut's counselling abilities will be enhanced. MLA Nutarak's argument for integrating IQ into the counselling system rests on a substantive claim, just as with the argument of consensus government delivering different policy outcomes; the integration of IQ is used here also to claim a different, better, policy outcome. But implicitly, this argument can also be symbolic. By integrating IQ, standing for Inuit Indigeneity, it also includes a symbolic value as IQ is integrated into the counselling system; this can be constructed as standing for indigenous values. This dual dimension can also be found in the midwife debates discussed in the previous chapter.

Leona Aglukkaq MLA, as a minister, made the following statement on the importance of traditional midwifery: "…In Nunavut, registered midwife have a working knowledge of and respect for traditional Inuit practices and childbirth" (Nunavut Hansard 14/03/07, 2007, p.291), she made a substantive claim that employing traditional knowledge in Nunavut will provide a better capacity for birth in the territory. In addition, this argument for traditional midwifery has a symbolic dimension, as she also makes the claim that traditional midwifery represents the

continuation of Inuit indigeneity despite the colonisation. Thus, the indigeneity claims are not purely substantive, just like the institutional claims are not purely symbolic – they are also substantive. This dual symbolic and substantive dimension can be explained by the role of IQ within both institutional and policy claims.

As discussed in Chapter 6, IQ has no fixed definition. MLAs employ the term in policy debates within the Assembly as standing for Inuit indigeneity. The main use of IQ is therefore to be the subject of claims representing the Inuit's indigenous ontology and epistemology. Both claims are summarised in Table 7.1.

Table 7-1: The different institutional claims according to different sets of makers

Claim	Maker	Subject	Object	Audience	Example
Institutional claim	All politicians	The Nunavut Legislative Assembly	The Inuit population and (especially) the Inuit indigeneity	Nunavummiut and the wider public	"The Inuit elected us in expectation that Inuit traditional knowledge that has been missing in their lives will be showcased in this House and their laws recognised" (Nunavut Hansard 23/02/17, 2017, p.3230)
Indigeneity claims	Nunavut MLAs	IQ	Inuit indigeneity	MLAs, Nunavummiut and the wider public	"it is this government's belief that Inuit Qaujimajatuqangit can greatly enhance our contemporary governing systems… how the values and principles of our ancestors can be carried forward into how we govern ourselves in the modern world" (Nunavut Hansard 01/04/99, 1999, p.1188)

Table 7.1. shows the two claims that are debated *within* the Legislative Assembly of Nunavut, and one of them – the institutional claim – is *about* the Assembly. The institutional claim could be solely discussed in terms of symbolic representation (Judge and Leston-Bandeira, 2018). Yet, as discussed earlier, the representative claims around the Legislative Assembly also have a substantive dimension. This dimension derives from the fact that, as the claims embody some of the Inuit indigenous dimensions in its functioning, the Legislative Assembly votes and passes policies that are unique for the Inuit and Nunavut at large as it utilises IQ to legitimise them. Still, the question remains on how the makers are able to make a successful claim on the Legislative Assembly representing the Inuit indigeneity. They need to develop a working definition of what constitutes the Inuit indigeneity in order to persuade audiences that the institution takes it into account. They use IQ as a way of encapsulating the ontology and epistemology of the Inuit. Considering that it is a relatively new concept (Lévesque, 2000), where an agreement on a fixed definition has not yet been reached and MLAs, Inuit or Qalunaat, are able to debate their views on IQ whilst debating policies and presenting policy claims, as outlined in Table 7.1.

IQ is used by some makers of the institutional claim (mainly Nunavummiut politicians) as a complement to the institutional claim in order to help them articulate it. This ***complement of a claim*** supports a group of claim-makers to make a better case regarding their vision of what constitute Inuit interests. We advance the proposition that a **complement of a claim** can be defined as such:

A ***complement of a claim*** *is used by a maker to facilitate the formulation of a claim and its acceptance by the audience.*

As makers need an audience's approval in order for their claim to be successful, they mobilise a complement as a way to better resonate with the audience which in turn recognises the claim's legitimacy. In the case of the Legislative Assembly of Nunavut, the complement is also a claim which raises the question about what the relationship between the institutional claim and the indigeneity claim is.

7.2.2 The connection between the two claims (*institutional* and *substantive*)

The institutional claim entails the makers of the claim (politicians) to set the Legislative Assembly as the best vehicle to respond to Inuit interests, as seen in Chapter 5. Chapter 5 also outlined two different sets of claim-makers: federal politicians on one hand and territorial politicians on the other. In 1993, MPs and the federal government (the makers) put forward Nunavut's legislature as representing the Inuit's idea of self-determination. And, where Nunavummiut politicians are the makers, the object changes from the idea of self-determination to Inuit indigeneity. Yet, it does not change the actual claim as the two sets of makers differ only in their own perception of Inuit interest (the main object of the institutional claim). MLAs redefine the object of the claim by emphasising the role of IQ within the institution.

Table 7.2. illustrates how the institutional claim can vary according to the nature of the makers and how the makers can have different views on the claim. As seen in Chapter 2, an object of claim exists in relation to a referent. Here, both federal and territorial politicians are the claim-makers, but each group has a different view on what constitutes the Inuit's interest. The Inuit interest is the object of both claims and the Inuit are their referent. However, contrary to Saward's view that a referent exists in 'flesh and blood' (2010, p.38), it exists within representation as a "referent can only be another representation" (Decreus, 2013, p.40).

In this instance, the Inuit as referent can have different interpretations. For the federal government, the Inuit are an indigenous minority within multicultural Canada; their institutional claim is *nested* into a wider assertion that Canada represents a certain idea of a multicultural society (Saward, 2010, p.65). It is not a completement of a claim as the institutional claim resides inside a wider claim and the articulation between both claims must be understood as a set. Nested claims are "claims at a surface level [are] often underpinned, or more to the point made possible by deeper claims." (Saward, 2010, p.65). In this example, Canada being advanced as a multicultural country is underpinned by the institutional claim of Nunavut representing a distinct Canadian minority. Their claim on the Nunavut Legislative Assembly enables it to portray to the wider world and to Canadians (the audience) the fact that

the country (the subject) is a multicultural one (the object). The symbolic intent behind the creation of Nunavut, as described in Chapter 5, is based on the claim that Canada is a multicultural country where the creation of Nunavut is seen as Inuit being granted self-determination rights (Kymlicka, 1995).

However, when the Legislative Assembly started sitting, the territorial politicians changed the institutional claim by adding their own definition of Inuit interest and self-determination. Similar to other indigenous groups, Inuit regard their indigeneity as an integral part of their self-determination project (Boldt and Long, 1984). For them, the object of 'Inuit interest' goes beyond self-determination rights in multicultural Canada: it is also about maintaining Inuit indigeneity within a set of institutions inherited from colonisation.

These two views on what constitutes 'Inuit Identity' within the institutional claim (as shown in Table 7.1.) are illustrated in Table 7.2.

Claims	Maker	Subject	Object	Audience	Example
Federal institutional claim	Federal politicians	Legislative Assembly of Nunavut	Inuit self-determination	Nunavummiut, Canadian and international observers	"It will be put in place in a manner that is in keeping with Canadian democratic traditions…The new territory will very much reflect and accommodate Inuit Culture, values and aspirations" (Canada Senate Hansard, 1993, p.3349)
Territorial institutional claim	Territorial politicians	Legislative Assembly of Nunavut	Inuit indigeneity	Nunavummiut and the wider public	"We worked to create a government with its heart and soul of Nunavut… Where Inuit Qaujimajatuqangit is a living part of the way the government operated." (Nunavut Hansard 27/03/02, 2002, p.2)

Table 7-2: The different institutional claims according to different sets of makers

In this instance, IQ is not used here as a claim. Severs argues that claims in general need to be illustrated in order to be more impactful (2012, p.173). What this thesis rather proposes is what could be called a *complement of a claim* and not a nested claim. In this example of institutional claim, the complement of the claim is Inuit Qaujimajatuqangit. The role of the complement (C), used by the Maker(s), is to add a key element to the subject of a claim. The maker uses the complement to point to a fact (in this instance IQ) which can illustrate the claim. This can be summarised as follows: the Maker puts forward a Subject through a claim, to which he or she (the Maker) ascribes a complement to the claim being made, which stands for an Object that is related to a Referent and is offered to an Audience. Whereas the nested claim is part of an assemblage between different levels of claims, the complement of a claim is a claim in itself which formulation is independent from the claim it complements. A complement of a claim is formulated, not nested within a claim, but in parallel of the claim.

For the institutional claim, the difficulty for the Nunavummiut politicians resides in how to convey the idea of an institution to represent a population's indigenous character, in this instance the Legislative Assembly of Nunavut, especially when its framework is inherited from the colonial tradition. When it was created in 1999, Nunavut was presented as an act of self-determination and as the Inuit having institutions that resembled their traditions. It would be paradoxical for a claim to rely on an institution that is inherited from colonisation and at the same time trying to state that it is a reflection of indigenous traditions. Despite the existence from the beginning of some differences to the Westminster model, such as the consensus and the absence of parties (White, 2006; Henderson, 2007), and that the Legislative Assembly is portrayed as incorporating elements of Inuit traditions (Legislative Assembly of Nunavut, 2019), the framework is still based on the past colonial system.

But, with the *Legislative and Executive Council Act* in 2002 (Ng, 2002), Inuit Qaujimajatuqangit was introduced within the Assembly's rules, as section 2(1) states that "the Legislative Assembly may take into consideration Inuit Qaujimajatuqangit" (Ng, 2002). Consequently, it implied a modification of the meaning of the Legislative Assembly as an agent of representation, which indicates that Nunavummiut

parliamentarians have taken ownership of their legislature. It echoes what Parkinson suggests when he points to the possibility for new rituals to emerge in existing parliaments (2012, p.100). One of the aims of this section is to solidify the symbolic representation of the parliament, as established in Chapter 5.

In addition, when presenting the Act in the chamber, Minister Thomson noted that "if they [we] had followed Inuit culture and tradition, they [we] would be asking questions and have more negotiation between the Cabinet and regular members" (Nunavut Hansard 27/02/02, 2002, p.2657). At the core of this statement, is a belief that integrating IQ into LAN's framework will lead to changes in the policy-making process and, potentially, in policies. Therefore, IQ facilitates the articulation of both symbolic and substantive claims on the Assembly's behalf,

The adoption of this set of rules in 2002 changed the institutional claims originated by the federal government, as MLAs were writing the laws which condition their behaviour in the Legislative Assembly. The territory's institutional claim is based on the incorporation of a concept which is claimed to represent Inuit's indigeneity. The MLAs can make a claim where they (MLAs as one collective in the Nunavut Legislative Assembly) can represent the indigeneity of the territory (the object) through the institution.

Both institutional and policy claims are embedded in each other. On one hand, the territorial institutional claim needs the latter as a complement, for the subject to be positively received as standing for Inuit indigeneity. On the other hand, the indigeneity claim arises in debates within the Legislative Assembly's chamber. MLAs use the parliament's legitimacy to advance this concept in standing for Inuit indigeneity.

As Table 7.1. illustrates, IQ can be a subject of a representative claim with the same object as the institutional claim. The makers of this claim are MLAs and they formulate it in policy debates in the chamber of the Legislative Assembly. For this claim to be legitimate, the audience must perceive the location of the debate, the parliament (and all the MLAs that constitute it) as legitimate. The legitimacy of the institutional claim enables the legitimacy of the debates that discuss IQ, which in turn facilitates the representative claim around the institution. This is what we identify as two **embedded claims**, which we define as:

> *Two **embedded representative claims** are two claims whose formulation and legitimacy are contingent on each other.*

In the example of the Legislative Assembly of Nunavut, the embedded claims are the territorial institutional claim and the indigeneity claim. The former claim – where the parliament is being accepted as a legitimate body by the territory's population – enables its members to debate policies where they push IQ to be integrated into policy outcomes. In those debates, the use of IQ, the complement of the claim, is also used for the institutional representation of the parliament, at a more substantive level. IQ, as a subject of a claim can be used independently or in parallel from the territorial institutional claim. Both claims are embedded in each other which means they can be formulated on the same level.

When Shoyook MLA affirms that "*Inuit Qaujimajatuqangit* is alive in this House" (Nunavut Hansard 13/03/17, 2017, p.4077, italics in original), he indicates that they are making a claim influenced by IQ; the parliament represents the aspiration of the Inuit. Yet, IQ has no fixed definition. Here, the problem is how to define an institution as indigenous if the main concept that it relies on is not universally defined. When there is a statement like the one made by Minister Arreak in 2013 where he asserted that: "…these inventories are an effective way to document *Inuit Qaujimajatuqangit* of coastal resources and activities within Nunavut, and transform local knowledge into effective action for sustainable use of resources and conservation" (Nunavut Hansard 19/03/13, 2013, p.4304, italics in original), it indicates each member's view of IQ. In this last quote, the minister discusses IQ as a way of turning traditional knowledge (theory) into practical policies. In doing so, he suggests that the Assembly possesses traditional knowledge, thanks to IQ. An MLA can make legitimate claims in the legislature, thanks to the legitimacy provided by the institutional claims. The embeddedness of the institutional and indigeneity claims is shown in Figure 7.1.

The Assembly provides the space and legitimacy to discuss IQ within policies

| The Legislative Assembly of Nunavut (Institutional claim) | | Inuit Qaujimajatuqangit (Indigeneity claim) |

IQ helps make the institution claim
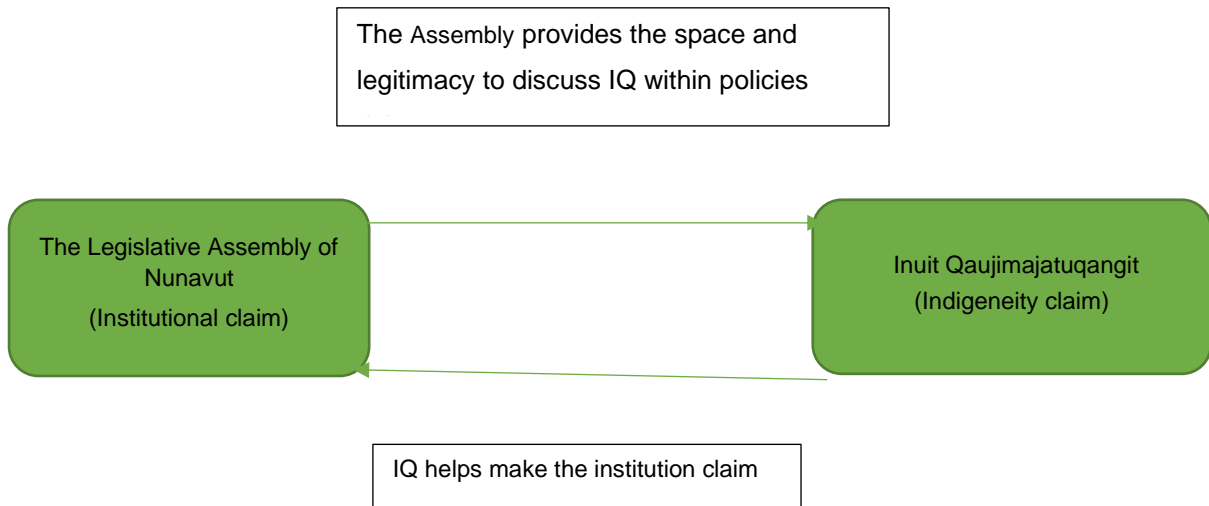
Figure 7-1 The embeddedness of the institution and political claim

The claims' embeddedness can be qualified as *dynamic* in the sense that both claims sustain each other to be discussed and accepted. First, MLAs use the parliament's legitimacy to discuss policy and IQ's integration. During an NLF, MLA Thomson declared that "this chamber was never intended to be an assembly of factions or an assembly of regions. We're are [sic] an Assembly of equals represented by our community to govern on their behalf and in accordance with their values" (Nunavut Hansard 14/06/18, 2018, pp.4–5). She indicates that the Assembly is designed in a way to give space for Inuit traditions and values (embodied in IQ) to be debated in policy debates or to question a minister. To an answer on polar bear research methods, minister Arreak refers to Inuit Qaujimajatuqangit as "including[s] many things particularly lessons Inuit have learned over time and through their survival and at and wildlife" (Nunavut Hansard 23/02/12, 2012, p.1649). Here, the minister states what he believes IQ is. His formulation along with that of other MLAs'

gives substance to IQ which is used in turn to put forward a claim on the Legislative Assembly. Given that the legitimacy of the indigeneity claim lies within the legitimacy of the institution, it needs the territorial institutional claim to be accepted. Conversely, the latter claim also needs the former claim as its complement.

Turning to the substantive and symbolic dimensions of both institutional claims, the claim's complementing of the territorial institutional claim underlines the substantive nature of the first claim. As for the institutional claims themselves, they are also explicitly symbolic. With the integration of IQ within the parliament's rules and statutes (Ng, 2002), MLAs of the 1st Assembly refined the parameters upon which policies are formulated in the institution. They made the inclusion of IQ into policies contingent on them and their successors. By doing so, they created a space for making the indigeneity claim. As Chapter 5 outlines, the inclusion of IQ can be argued to be an illustration of both indigeneity and the territorial institutional claim.

The link between those two claims goes beyond their embeddedness shown in Figure 7.1. As the indigeneity claim is the complement of the territorial institutional claim, it can be said that both claims share the same audience. The audience for the federal claim is wider than the one for the territorial claim, as displayed in Table 7.2. Moreover, it is nested in a wider multicultural claim, where part of its audience is the wider world. As for the territorial claim, MLAs' main aim is to convince Inuit that Nunavut's parliament and the policies that emanate from it stand for Inuit indigeneity, or at least an idea of it.

7.3 The audiences of the claims

As explained in Chapter 2, the audience has an indispensable role in effecting representative claims as these "… only work, or even exist, if 'audiences' acknowledge them in some way, and are able to absorb or reject them or otherwise engage with them" (Saward, 2006, p.303). Audiences receive the claims by engaging with them either by repeating them or by engaging with the institutions (by voting or contacting their respective MLA, for example). Groups that receive the claim can be divided into different categories. In this section, the *audience* indicates the group that the claim is directed to, and *constituency* signifies the group which can

be considered as the prime 'client' of the claim, and the *appropriate constituency* are those whose acceptance is necessary for a claim to be seen as legitimate. This section will examine different audiences of the two territorial claims. For the federal one, the thesis will focus on the reaction of the international press. As for the territorial one, it will centre around the Inuit's response towards Inuit Qaujimajatuqangit.

The institutional claims we discussed above have different audiences and constituencies. For the federal claim, the audience consists of Canadians and the general public, as federal politicians seek for Canada to be recognised as a multicultural country. The federal institutional claim is recognised by its audience but more as a "*recognition* as standing for anything or anyone" (Severs, 2012, p.179, emphasis in original). In this case, the claim is used to advance the claim of multicultural Canada, being achieved if the audience (general public/Canadians) recognises the Legislative Assembly as evidence of Inuit self-determination. In contrast, the territorial claim-makers endeavour for the Nunavummiut and especially the Inuit to feel represented by the Legislative Assembly. Their claim succeeds if the audience accepts that the institution is standing for Inuit indigeneity, or at least an idea of it. As the territorial institutional claim and the indigeneity claim are embedded, they have the same audience and, therefore, if the audience accepts one (especially the indigeneity claim) it would accept the other one too. In other words, by accepting IQ as standing for Inuit indigeneity, the Inuit tacitly accept the Legislative Assembly of Nunavut as standing for it too.

For a claim to be legitimate, it must be accepted by a constituency which is part of the audience. Saward affirms that it needs to be "the *appropriate* constituency because that is the constituency whose judgements of the democratic legitimacy of claims should ultimately count" (2010, p.150, emphasis in original) . Here, the only part of the audience who needs to accept the claim is the appropriate constituency, as the other members of the audiences would take their cues from it. As an example, a conservative party can make claims to defend the values of law and order to the wider public (the audience), but the actual constituency are their core voters, who form a sub-section of the audience.

However, there are instances in which a distinction between the audience and the constituency must be drawn. When claims are made in parliament, the

audiences are the politicians who sit within the assembly. The constituency goes beyond the audience by including the politicians' constituents.

In the federal institutional claim, Canadian politicians are making a claim on the Legislative Assembly of Nunavut in the Canadian parliament. Here, the audience is parliamentarians in the chamber. But this claim's constituency consists of Canada and the wider world. This federal institutional claim is nested in a wider claim which asserts Canada as a multicultural society. In this instance, the appropriate constituency is the constituency, as illustrated in Table 7. 3.

When it comes to the territorial institutional claim and its complement, the constituency and the appropriate constituency are different. Just like the federal one, when a claim is made in the legislature (here the Nunavut's parliament), the audience is the parliamentarians (MLAs); and through them, claims are presented to the Nunavummiut, which is, in this case, the constituency. Still, Nunavummiut cannot be counted as the appropriate constituency for those claims. Bearing in mind that the Nunavut territory was created specifically for the Inuit, the institutional claim to be such a claim requires a recognition as such from the Inuit. Moreover, the claim is using a complement which is key in changing the formulation of the federal claim to the territorial one, namely IQ, which is said to stand for Inuit knowledge. Consequently, if the audience of the indigeneity claim accepts this claim, it would also accept the territorial institutional claim. As both claims are embedded into each other, and as the appropriate constituency of the territorial institutional claim is the same as the one for the indigeneity claim, the acceptance of one claim can be understood as the acceptance of the other.

Chapter 3 establishes that Inuit Elders are key in keeping the Inuit knowledge and, therefore, if IQ needs to be successfully asserted as representing Inuit knowledge, it needs to be accepted by the Inuit Elders, who are the appropriate constituency, as a precondition. Accordingly, Inuit Elders need to accept IQ as standing for Inuit indigeneity and the Legislative Assembly of Nunavut would also be accepted as standing for it, as it had integrated IQ at the core of its rules. Therefore, the appropriate constituency is the Inuit Elders, as shown in Table 7.3.

Claim	Audience	Constituency	Appropriate constituency
Federal institutional claims	Politicians	Canada and the rest of the world	Canada and the rest of the world
Territorial institutional claims	MLAs	Nunavummiut	Inuit Elders

Table 7-3: The institutional claims, their audiences and constituencies

As Table 7.3 shows, both institutional claims have several constituencies but, in those examples, (the territorial institutional claim and the indigeneity claim) they have similar audiences. MLAs use speeches in parliament to make claims to the population. Politicians use the debating chamber to communicate to the population through their colleagues. Speeches in parliament can also be picked up by the press, which relays them to the population in general.

As previously indicated, the first official session of the Legislative Assembly was held to celebrate the creation of Nunavut (Nunavut Hansard 01/04/99, 1999). This inaugural session was reported by the foreign media. Leading newspapers reported on it and used this occasion to tell the story of the process which led to this moment. In view of the fact that the federal claim is nested in the claim that Canada is a multicultural country, it is interesting to analyse how newspapers such as *The Washington Post* (Pearlstein, 1999) or *The New York Times* (DePalma, 1999) discussed the inaugural sitting, whether they focused on the Inuit self-determination solely, or put it into a wider Canadian perspective.

The *New York Times*' article (DePalma, 1999) hailed Nunavut as an experiment for Inuit self-government which goes back to a central theme in debates in the Canadian parliament (Canada Senate Hansard, 1993; Canada HoC. Hansard, 1993). It indicates that the paper seemed to accept the claim of the federal government. This article also reports on how Nunavut would be inclusive with its non-Inuit population, as it quoted Premier Okalik saying that they "will represent all the people of Nunavut equally and democratically" (DePalma, 1999). This echoes the debates within the Canadian parliament. Further evidence is that this article reports on how non-Nunavummiut Canadians fear this creation, with the non-Inuit Canadian population fearing that the territory would become an "apartheid regime"

(1999). This indicates that the newspaper is focused on how Nunavut would impact Canada, which can be seen in the federal institutional claim. It also points to Canada's willingness to accommodate the Inuit by passing a law which 'gives' them a land of their own. It reminds us of Minister Steward MP's point when she declared that: "Canada has redrawn its map over time" (Nunavut Hansard 01/04/99, 1999, p.7), signalling that the creation of the territory is part of the Canadian story, placing it in the perspective of its history. However, during the inaugural session (see Chapter 5), representatives of the federal government presented Nunavut's territory as created by the Canadian government which unilaterally decided on its creation (Lightfoot, 2016, p.183). In fact, demands for a territory for the Inuit emanated from proposals from the Inuit Tapisirat (Duffy, 1988, p.135); by not putting the creation of the territory in full perspective, DePalma engages with the federal claim, thus accepting it.

The *Washington Post*'s article (Pearlstein, 1999) also seems to accept the federal claim by reporting that Nunavut is the "boldest experiment yet in North America to give full measure of self-determination" (Pearlstein, 1999, p.19), and draws attention to the absence of parties and the emphasis on consensus, distinct from the 'tradition[al]' ways of doing politics (1999, p.20). In addition, the article highlights the peaceful nature of the process, as Pearlstein reports that "The Inuit won their territory without any acts of violence or civil disobedience – without even filing a lawsuit." (1999, p.20). It repeats Stewart's argument when she said that "Ours [Canada's] is not a history of war and conflict, it is one which is inspired by co-operation, by balance" (Nunavut Hansard 01/04/99, 1999, p.7). This presents a Canadian peace between the government and its aboriginal people, obscuring the colonial past of the country, despite mentioning past oppression of the Inuit by the Royal Mounted Canadian Police (RCPM), as outlined in Chapter 3 (Pearlstein, 1999, p.19). According to Bhambra, the colonial encounter entailed the "conquest, domination and enslavement" of others by the settlers (2007, p.16), and thus, by not mentioning the oppression, the claim aims to present a positive vision of the relations between the settlers (the French and English) and the aboriginal peoples in Canada. The *Post* subscribes to Canada's multiculturalism as it neglects to contextualise Nunavut in relation to the country's colonial past.

Both newspaper articles indicate that the federal institutional claim was, in this instance, accepted. Thus, the symbolic intent of the federal government in terms of the creation of Nunavut and its political institutions meant that the Legislative Assembly of Nunavut was portrayed as a self-governing institution. However, with self-determination comes the ability for territorial politicians to make laws and change the way a claim is formulated, as explained earlier in this chapter.

Nunavut is the culmination of the Inuit's self-determination as presented by the federal government. Inuit leaders and Nunavummiut politicians use it as a way to get recognition of their indigeneity. One element about Nunavut's originality that politicians have advanced is the adaptation of the Westminster system with Inuit customs. When debating the *Nunavut Legislative Assembly and Executive Council Act* (Ng, 2002), MLA Thompson remarked that they (the Inuit) "…never had formal government, our elders were our government traditionally. Our elders' council were the like the [sic] legislature before the Europeans arrived." (Nunavut Hansard 27/02/02, 2002, p.2658). She suggests that the Elders were the leaders prior to the colonisation; and if the bill tries to institutionalise the presence of customs in the institution, she implicitly argues that their advice and opinions matter as they hold the continuity of indigenous governance. She also states that "Inuit elders communicate with each other to bring out all their ideas and suggestions and come up with a solid consensus" (Nunavut Hansard 27/02/02, 2002, p.2658), tying the elders to consensus – a key practical example on how Inuit tradition is integrated into the Legislative Assembly. Consensus in the Assembly is one form in which tradition can be claimed to be present in the legislature. The adoption of the Act (Ng, 2002) institutionalised the consideration of Inuit traditions by mentioning IQ within the statutes. This Act changes the institutional claim from a federal perspective to a territorial one. With the indigeneity claim, IQ is put forward as representing an idea of Inuit indigeneity centred on what western academics consider as TEK.

What IQ represents encompasses Inuit epistemology, ontology, traditional knowledge and Inuit values, traditions, and customs. It also includes Elders' knowledge. As discussed earlier in this chapter, MLA Thompson's statement tied the consensus decision-making of the Legislature to the traditional Elders' role as leaders of their community. The consensus decision-making process is one of the most openly discussed forms of indigenous traditions put forward as an illustration of

Inuit values and customs being integrated into the Westminster parliament (O'Brien, 2003; White, 2006; Henderson, 2007, pp.112–137). Also, as debates in the Legislative Assembly made clear, the consensus system does not come from a need to appease different groups like the one in the Northwest Territory – as seen in the introduction and in Chapter 5 – but is rather presented as a clear example of Inuit traditions put into practice in the parliament and political system at large. This makes it easier for MLAs and politicians to make the institutional claim, as they are using consensus government as a means to showcase how Inuit traditions are present in the parliament. This can be read in the Assembly's webpages (Legislative Assembly of Nunavut, 2019). It can be achieved through the incorporation of consensus government as part of Inuit aboriginality in the indigeneity claim. As seen in Chapter 3, IQ emanates from the works of the Nunavut Social Development Council (NSDC) in 1998 (Lévesque, 2000, p.38). It is a new concept relative to the presence of the Inuit on their own land. But Chapter 4 reminds us that knowledge is dynamic and always evolving, even traditional knowledge. Chapter 6 points to the idea of IQ being a debated term, but, in order for it to be recognised as representing an idea of Inuit indigeneity, it needs to be recognised by the Inuit and especially Elders, the guardians of Inuit tradition, as audiences.

Since the territory's creation, the government of Nunavut has engaged with different groups of Inuit in developing IQ and disseminating it into the territory. One of their strategies was the creation of a task force which was defined by Commissioner Irniq in her throne speech as follows: "A six-person Inuit Qaujimimajatuqangit task force composed of two elders, two government appointees and two Nunavut Social Development Council appointees, will advise and assist the departments in assessing Inuit Qaujimajatuqangit issues and initiatives" (Nunavut Hansard 23/10/00, 2000, pp.3–4). This announcement was significant for the first Nunavut government as it was made during the throne speech[28]. This importance of engaging and pinning down IQ is underscored by the fact this was the first government of the territory. The territorial government believes that IQ is central to Nunavut's development. It also indicates a willingness for IQ to be a constant in the territory's policy-making process. It must also be noted that the presence of two

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[28] In a Westminster-style government, the throne speech lays down the legislative agenda for a year.

elders on the task force signals the reliance on them by the territorial institutions for the development of IQ. Hence, by integrating Elders in the process, it designates this group as being vital for IQ's development. Elders need to engage with IQ for it to be seen as legitimately representing Inuit's indigeneity.

This is clear in a blogpost published in 2014 on the Canadian website of the *HuffPost* reporting a workshop on Inuit Qaujimajatuqangit in the community of Arviat (Mingarelli, 2014). The Elders were participating in the elaboration of a book entitled *Inuit Qaujimajatuqangit – What Inuit Have Always Known To Be True*. The roundtable gathered different Elders as well as an academic centre on Aboriginal health and focused on documenting the beliefs and wisdom of Elders about Qaujimajatuqangit for the book. Bearing in mind that IQ as a concept spurred out in the 1970s and was a way of codifying Inuit knowledge, it can be seen as "a reflexion of post-Nunavut Land Claims Agreement cultural expectations and as the guiding principle(s) of Government of Nunavut" (Wenzel, 2004, p.239); IQ, as well as those who conceived it, needs the approbation of the Elders to be legitimately deemed as representing Inuit knowledge.

As IQ is a relatively new concept in contrast to Elders' knowledge, it can be said that the former stands as a representation of the latter. For the indigeneity claim to work, the Elders need to engage with the concept of IQ and to claim IQ as their *own* knowledge. In the workshop, the topic was not the Inuit traditional knowledge, or the ways of the Inuit Elders lived, but all the participants were reported to use the term 'Inuit Qaujimajatuqangit' instead of traditional knowledge, meaning that the Inuit in Nunavut, especially the Elders, have espoused its concept. They accept that IQ stands for their traditional knowledge. Consequently, Elders, as the appropriate constituency have accepted the claim where IQ is presented as a representation of Inuit knowledge as suggested by Inuit politicians. By being recognised as representing indigeneity by the Elders, IQ can be integrated within the Legislative Assembly. In that process, the Assembly benefits from IQ's perception to be in turn recognised as a form of embodiment of Inuit indigeneity.

The blogpost points to the use of IQ as a means to preserve Inuit tradition and culture. Indeed, the blogpost was titled by Mingarelli, "How Inuit Elders are preserving their History and The Wisdom of the North" (2014), which signals a conflation of the Elders' knowledge and IQ to external actors; therefore showing that,

for a claim to be legitimate, only the *actual* constituency's view counts. In her post, Migarelli noted that Inuit knowledge or IQ is at risk of being lost, indicating the urgency of documenting knowledge customs and values within IQ. For many MLAs, IQ is a safeguard against the loss of Inuit tradition. MLA Arreak stated that:

> "*Since 1999, when Nunavut was created, we were told that Inuit Qaujimajatuqangit would be integrated into the government system. Today it seems to be everyone's favourite topic but we are starting to lose our knowledgeable elders. Time is running out since our experts on the subject are being lost and we have yet to start integrating Inuit Qaujimajatuqangit in Nunavut.*" (Nunavut Hansard 29/05/08, 2008, p.4300 emphasis in original).

Here, 10 years after the territory's creation, the MLA signals the risk that traditional knowledge could disappear. Without this element, Inuit would cease to claim to be indigenous people, as having traditional knowledge is one of the key pillars of what constitutes an aboriginal people. Not only does IQ stand for the traditional knowledge and customs of the Inuit; it is also put forward as a 'vault', meaning a way to protect Inuit customs. As the Legislative Assembly integrates IQ in order to make a claim about itself, it implicitly signals that it seeks to maintain traditional knowledge. Therefore, the parliament can also claim to protect against the influence of western culture and thus fight the disappearance of Inuit traditional knowledge through the incorporation of IQ within its framework. This can be claimed as one of the main aims of Inuit self-determination, as MLA Keyootak recalled in 2016 that: "Part of that vote was to create Nunavut and the recognition therein of Inuit, with *Inuit Qaujimajatuqangit* forming a foundation for the new government. This was part of our expectations" (Nunavut Hansard 20/10/16, 2016, p.2314). Here, the MLA summarises the dynamic of the two claims as a rationale for the territory's creation.

When the parliamentarian ascribes IQ to the foundation of Nunavut's political institutions, he uses the indigeneity claim to change the institutional claim from a federal one to a territorial one, by using IQ as a complement for the territorial institutional claim. The latter claim is that the institution at the heart of the territory stands for the Inuit indigeneity and aims to preserve it by integrating IQ. By doing so, the Legislative Assembly of Nunavut institutionally represents the indigeneity of the Inuit. By having a complement, it does not only enable the distinction from other legislatures; it also preserves the indigenous identity within an institution in a

multicultural country. In addition, it decolonised Canada's parliamentary Westminster system.

7.4 Claims as tools to make a parliament a form of representation within a multicultural society

The aim of the institutional claims is to present the Legislative Assembly of Nunavut as standing for the indigeneity of the territory's Inuit majority. The makers of the claim (MLAs and the institution through its civil servants) can do so by successfully integrating (as established in chapters 5 and 6) indigenous elements within the working of the parliament, such as the practice of consensus as a system of decision-making (White, 2006). In addition, as Chapter 5 outlines, the consensus system and the Inuit traditions and customs' influence go beyond the daily functioning of the legislature, as they play a role in the territory's political life. The practice of consensus, paired with the absence of political parties, distinguishes the politics of Nunavut from Canada's other provinces or territories, even if the Northwest territory does not have parties either and uses consensus too. There, the distinction is that, in the territory of Nunavut, the consensus and the absence of political parties are justified in the name of *Inuit Qaujimajatuqangit*, which itself claims to stand for the indigeneity character of the Inuit. At the heart of Nunavut's political institution is a willingness to put forward the difference between this new territory and the rest of Canada, as it is a homogenous, Inuit majority-based territory.

The territory's institutions reflect this interest by modifying the colonial parliamentary system in order to reflect the unique character of its inhabitants. This implies an attempt to decolonise through Mignolo's concept of 'de-linking' the political system from the settler colonial state, here Canada.It means that the focus is not on policy conversations towards the interests of the indigenous groups, but on changing the epistemological and ontological perspective from a western one. It could be argued that IQ can be considered as a means to argue for de-linking the approach to policies in Nunavut. As IQ stands for indigenous perspectives and it is acknowledged as a driving principle for the Legislative Assembly, it changes the paradigm of policy-making by relying on decisions being made consensually to be

understood as indigenous. Indigeneity in the assembly does not only reside on consensual decision-making, but it also appears in how Nunavummiut politicians take aboriginality into consideration in policy debates. It enables this vision of totality to differ from the European-based epistemology where the subject is linked with rationality (Quijano, 2007, p.174). This is because indigenous viewpoints force policies to ponder the environment in which the Inuit live and their culture. By placing this holistic vision at the basis of policy deliberations, the parliament resists the western view as rational and modern. The absence of parties indicates that policies are grounded on the desire of Nunavummiut MLAs to base policies on Inuit perspectives and not on party consideration. Symbolically, the absence of parties signifies an indigenous character for the parliament. At a substantive level, having no parties makes it easier for indigenous tradition to be integrated into policies.

This dichotomy between the federal institutional claim and the territorial one resides in the fact that the federal government regards the Legislative Assembly's work as answering the nature of the territory's demographics. In the debate discussing the creation of Nunavut's territory, Minister Siddon stated that "… given the Inuit predominance in the region this new public government will naturally reflect and be responsive to their aspiration and way of doing things" (Canada HoC. Hansard, 1993, p.20393). Here, the government's argument is that, with an Inuit majority, the response of the local government is to tailor the policies to the population. This belief does not challenge the western paradigm of colonisation and treats the population as another minority in a similar fashion, as with a devolution process. It is similar to what Kymlicka argued a few years before on *self-determination rights* for minorities (seen in Chapter 3) (1995), where he advances that minorities should govern themselves so that the policies would be more responsive to their expectations. Here, he advances the same paradigm, but with a colonial viewpoint.

When, in 2000, the Legislative Assembly passed the following motion: "AND WHEREAS, the Legislative Assembly desires to ensure that its proceedings are conducted in a manner that respects *Inuit Qaujimajaqangit*, while being consistent with established principles of Canadian parliamentary democracy" (Nunavut Hansard 01/05/00, p.2052 italics in original), it asserted the institutional claim by suggesting that they have a different object (Inuit's indigeneity) in relation to the same referent

(Inuit's interest). In this instance, the motion indicates that the debates should respect indigenous traditions. As previously seen, debates made with consensus are claimed to produce different outcomes than if there were parties within LAN. On the surface, it can be argued that the motion emanating from the Nunavut parliament does not respond to the Inuit's policy wishes. But, by placing IQ at the heart of the debating procedures, it implicitly dictates their (Inuit) paradigm in the policy-formation process. The second part of the motion mentions the respect for "established principles of Canadian parliamentary democracy" (Nunavut Hansard 01/05/00), which indicates that indigenous traditions can be part of a dialogue with a form of modernity represented by the colonial institutions. From an indigenous point of view, traditions can be adapted with the incorporation of new information and observations (Pierotti, 2011, pp.11–12). This view of tradition, in opposition to a western one, explains how "Inuit people continually redefine their ethnic imagery in everyday life in accordance with changing conditions in an effort to construct a positive ethnic identity" (Omura in Kuper, 2003, p.396). Here, this willingness to construct a positive identity is opposed to an idea of aboriginal people being too close to their past. This false assumption hides the larger meaning of indigeneity. Indigeneity represents a world view different from the traditional western one, such as IQ being the subject of the indigeneity claim. By incorporating it within the framework of the rules of the Assembly, IQ forces MLAs to adopt a different way of formulating policies, from other territories or provinces, not only based on consensus-style politics but also on the holistic view of society's problems in line with Inuit experience. It substantively changes policies thanks to the Assembly's rules. Thus, *a contrario* to what Siddon suggests, Nunavut political institutions are responsive to the population, not only by producing policies that fit their interests, thanks to the substantive dimension of the claims, but also by decolonising the territorial political institution. Therefore, transforming the Assembly into a substantive form of representation as well as a symbolic one.

The territory of Nunavut, through its Legislative Assembly at the heart of its institutions, is a symbolic representation of the Inuit people and in particular of their indigeneity. The legislature symbolically represents the indigenous nature of the majority of the population, and, at the same time, it can substantively claim to

represent their interest. Here lies a variation in the multiculturalism advocated by the federal government.

Kymlicka argued that in a multicultural society minorities can be granted three types of rights: polyethnic, special representation and self-government rights (1995). He recognised the creation of Nunavut as an example of self-government[29]. For him, special representation rights are related to the self-government rights only in the narrow context when special representation rights are "defended, not on grounds of oppression, but as a corollary of self-government. A minority's right to self-government would be severely weakened if some external body could unilaterally revise or revoke its power without consulting the minority or securing its consent" (1995, p.33). For him, the two rights are connected insofar as self-government is in danger unless representation is granted to safeguard its power and position within the national level. This line of thought links intergovernmental relations with representation of interests. This attachment to representing and looking after the interests fits into the liberal view of representation.

This liberal tradition of political representation accommodates the various interests (factions in Madison) (Pitkin, 1967) which are discussed in Chapter 2. Chapter 3 outlined how Kymlicka's work on minority rights and multiculturalism (1995) presents the special representation rights and self-government rights as two different strategies to better serve the interests of a minority. The problem with the Inuit is that self-determination does not simply transpire in taking care of their own distinct interests through self-government. Rather, they seek their recognition as a unique *indigenous* group within multicultural Canada.

Michael Saward's claim mechanism enables the examination of the institution as a subject of representation (Judge and Leston-Bandeira, 2018, p.157). By articulating the *institutional claim*, the makers portray the Legislative Assembly as standing for the Inuit's indigeneity thanks in part to the *indigeneity claim* as a complement of representation. By doing so, they allow the argument of Nunavut as an example of self-government rights to also represent the Inuit indigenous dimension of its population. This thesis uses Saward's claim-making theory in order

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[29] He wrote his book *Multicultural Citizenship* two years after the bill that created the territory was passed. It was with that in mind that he tied the territory to his *self-government rights.*

to expand the notion of political representation to include non-electoral representatives, thus demonstrating that a self-government institution can also serve as a (symbolic) representation, which answers research question 3. Furthermore, it goes beyond symbolic representation as, by integrating IQ within the legislature's framework, the makers are also making a substantive claim. They can do so because the symbolic representation is facilitated by including IQ into parliament's rules. Those rules force MLAs to integrate IQ into policies and thus enable them to add a substantive dimension to their claim about the assembly.

The previous chapter showed that in various policy areas the push for integrating Inuit traditional knowledge made by MLAs denotes more a change in the framework of thinking (by adopting an aboriginal worldview) than a variation in policy. As an example, the Inuit perspective on the environment differs from that of the western world, as the Inuit see themselves in communion with nature and animals. This fusion leads them to regard themselves as stewards of their land and it is that framework that drives the debates. They are forced to consider their traditional knowledge through the indigeneity claim, which asserts that IQ stands for the idea of Inuit indigeneity (the object) where this indigeneity is the referent of the claim. As indigeneity cannot be properly defined and, as Omura noted, it changes through time and interaction with other cultures, Inuit Qaujimajatuqangit reflects the epistemology and ontological perspectives which are unique to Inuit. Obliging Nunavummiut lawmakers to consider IQ in the Assembly's statutes leads to the assurance that Inuit indigeneity can be detected in various policy areas, especially in policy debates such as the new research methods on polar bears where MLAs argue for the use of IQ alongside western methods. In her blogpost (2014), Giovanna Mingarelli argues that the role of IQ is to document the wisdom and knowledge of the Elders in order to preserve it for the future. IQ is seen as a vault of the Inuit's indigeneity and consequently the Legislative Assembly can be considered as performing a similar function as it is guided by IQ.

Beyond the institutional claim, IQ could be said to have been *institutionalised* as MLAs are using it as a hook for policy argument in Nunavut's parliament; therefore, they are enacting a certain idea of Inuit indigeneity. However, contrary to institutionalisation as assimilation and destruction of the indigenous culture, the institutionalisation of the Inuit traditions seeks to protect them and to put them at the

core of Nunavut's institutions. It provides a pathway for decolonising policies in a way that decolonisation changes the terms of debates from a settler colonial ontological and epistemological perspective to an indigenous one (Tuck and Yang, 2012). The Legislative Assembly and IQ are presented as forms of transmission devices that enable the survival of Inuit knowledge beyond generations. In turn, they will impact the policies produced by the institutions.

The self-determination of the Inuit appears to have entrenched the indigeneity within the self-government institutions, which was not anticipated by Kymlicka's concept of self-government right. Instead of self-government solely responding to the interests of a given minority in a territory where the minority nationally is a majority locally, this form of self-government reproduces the unique character of the population by transforming the colonial institution through the adoption of customs. Furthermore, it decolonises the parliament, as it forces an Inuit framework for policy formation different from the colonial state and that produces singular policies. More importantly, the indigeneity of the Inuit, at the core of their identity, is represented at the heart of the political system. The indigeneity is represented within the institutions. The representation of the minority is not located through the quotas of representatives but within the rules and procedures which govern those representatives. Inuit have gained a special representation, not in a multicultural sense as advanced by Kymlicka, but institutionally, as institutions' historical links with the colonial power have been adapted to accommodate their culture and to provide a space to decolonise their policies.

As discussed earlier, the Legislative Assembly acts as a form of both symbolic and substantive representation. Saward points out that symbolic claims channel substantive claims, in contrast to Pitkin's argument which regards symbolic representation of an institution as being purely symbolic (1967, p.93). In the claim-making process, the interests in substantive claims underlie symbolic ones. The institutional claim making the case for the Nunavut Legislative Assembly as a symbolic representation also has underneath substantive benefits linked to it. By integrating IQ into the process of decision-making, the Legislative Assembly also claims to substantively produce policies which fit the interest of the population. This interest is identified as keeping Inuit culture and traditions alive against acculturation and suppression from the settler state. In making parliament a form of representation

in its own right with IQ at its core, the institution represents Inuit indigeneity not only to its population but also to the rest of Canada. The claim allows it to perform a form of ambassadorial function to the point that it has agency (at least with its members) to make policies. However, this function can only be successful if the claim is perceived as legitimate.

For that reason, the Elders (here the appropriate constituency) need to engage with the notion of IQ and accept it as encompassing their knowledge. By participating in various workshops, such as in Arviat reported by Mingarelli in her blogpost (2014), which are aimed at documenting their knowledge and integrating them into IQ, they implicitly accept IQ's claim as standing for Inuit traditional knowledge and values. The fact that workshops with Elders are recurring is important as it gives them a space to engage IQ as standing for Inuit indigeneity. By doing this regularly, it demonstrates that the engagement between Elders and IQ is constant and evolving. Each time they participate in one of their workshops, they engage with IQ. Their engagement towards the indigeneity claim leads to the legitimacy of the institution which can stand as a symbol of indigeneity. In this instance, the representation of a minority (the Inuit) does not come from a form of descriptive representation through quotas but through symbolic representation. A parliament (the Legislative Assembly of Nunavut) is using the claim-making theory in order to be envisaged as a representation. The claim-making process furthers the representation theory by having the object as constitutive of representation. It enables the representation of a concept which has no fixed, agreed-upon definition – such as indigeneity. MLAs need to formulate an Inuit identity which is represented through the relationship between both institutional and indigeneity claims, as they want to be represented as *indigenous* people and not as a minority which happens to be indigenous.

This difference of approach in discussing the notion of non-electoral representation, through the claim-making process, seems more fitting to discuss indigenous representation rather than from a standard point of view. Acknowledging that aboriginality is too complex a concept to be agreed upon, by having non-electoral representation, enables indigenous people to engage with the institution. This process translates into a practice that every individual can find element of indigeneity in the representative, which an elected representative (generally a person

or party) cannot. Inuit representatives in a parliament can only discuss issues that matter to Inuit people's interests. But, in this instance, interests are considered in a liberal sense, and hide the wider object of indigenous representation and self-determination, which is the recognition of their indigeneity. Indigeneity cannot be represented by an indigenous parliamentarian or a group of individuals. Instead, indigeneity can only be represented through an institution such as the Legislative Assembly.

The most interesting fact about the relationship between the institutional claim and its complement is that this relationship has been spearheaded by the MLAs, as well as by the institution itself. The inclusion of IQ within the framework appeared after the creation of the institution, as a way to legitimise the said institution. They are using an Inuit concept to define themselves. The notion of Inuitness did not transpire in the debates in the Canadian parliament. As mentioned in Chapter 5, the Canadian parliamentarians, whilst debating the creation of Nunavut, had in mind a self-government right like the one for Quebec in order to accommodate the Quebeckers or such as the devolution process in the UK in 1997. They saw this process as a way to grant autonomous policy-making power to the Inuit. But the Nunavummiut parliamentarians – Qalunaat or Inuit – started to sit in the institution, they made sure that they would consider Inuit indigeneity as well as Inuit interests. As a consequence, they were redefining how the parliament is presented to Nunavut's population. In the process of doing so, they themselves defined what the representation of Inuit indigeneity was. This indigeneity needs to be defined by the indigenous people themselves, and not be a term used by an external actor. So, it could be said that Inuit regard self-determination as a form of self-definition. By defining themselves, a core element of their identity, the Inuit, in part through their political institutions, defined the terms of their indigeneity. Then, by placing indigeneity in the parliament, they imposed the core of Inuit identity -their aboriginality- in debates in which policies for their land should be processed. The territory of Nunavut transcends its role as being a self-government right in multicultural Canada, as it also stands as a form of representation, through decolonising parts of its institutions and its population's indigeneity, hereby answering research question 4.

This thesis demonstrates that the representation of indigenous people in a multicultural society cannot be obtained through descriptive representation or what Philips called *The Politics of Presence* (1995a), but through symbolic representation. Thanks to the claim-making theory, representation can be discussed in relation to political institutions, such as Nunavut's parliament. The claim-makers not only put the representatives forward but also the represented idea (Inuit indigeneity). Through debating policies aimed at the Inuit population, MLAs try to define what, for them, is their aboriginality. Even if no clear-cut agreement emerges, MLAs tend, in arguments, to lend credit to indigeneity for any different ontological or epistemological approach in various policy areas. This difference of world view is unique to indigenous people and this unique world view is symbolically and substantively claimed to be represented by the Legislative Assembly. This representation cannot be done through the presence of an Inuit MLA or MP in the federal parliament. Indeed, those entities function within the framework of the colonial states. If they can promote Inuit interests, this cannot be said for representing Inuit indigeneity.

Indigeneity cannot only reside within a group of representatives; it requires a shift in the way of doing politics. By decolonising the Westminster institutions, i.e., by shifting the way its debates are conducted and by placing their issues at the centre of those debates, it enables the Legislative Assembly to act as a representation of Inuit indigeneity. The Legislative Assembly incorporates Inuit traditional knowledge not only to make itself more relatable to the Inuit population, but also to present itself as a representation of Inuit indigeneity to its population and to the rest of the world.

7.5 Conclusion

MLAs and the Nunavut parliament's civil servants (who are in charge of the Nunavut website) make a claim that the Legislative Assembly stands for the population's indigeneity (the object of the claim). They ground this claim by integrating the notion of Inuit Qaujimajatuqangit into the institutional framework and by acting as a complement to their claim, in order to ease the claim-making process. Central to the claim-making of the Legislative Assembly (the institution claim) is the

fact of being perceived to respect IQ, which itself is the subject of a claim and also represents the same object (the indigeneity claim). Both claims aim to *make Inuit indigeneity present* in the territory's public sphere.

Both representations are presented to the Nunavummiut and in particular to its Inuit majority in workshops like the one in Arviat (Mingarelli, 2014) or through the parliament's website (Legislative Assembly of Nunavut, 2019). When the latter engages with IQ to give it credibility and depth, the Inuit, and especially the Elders, consent to IQ being considered as encompassing all traditional knowledge within one concept. By legitimising IQ, this process also legitimises any institutions that claim to integrate IQ within its functioning. The relationship between both claims – the indigeneity and the territorial institution – reinforces the fact that IQ is making the Legislative Assembly legitimate, as the latter provides the space for the former to be debated and its insertion into policies to be argued. Those two claims are embedded into each other, meaning that they are contingent on one another. But IQ serves as a complement of the institutional claim. This dual function in two connected claims indicates a central role for IQ in the Nunavut project.

With IQ being the subject of a claim standing for Inuit's indigeneity, it represents a key element for the Inuit: their aboriginality. If Nunavut is *their land*, it needs to have at its core a concept that embodies the main element of their identity. By doing so, they not only have a territory in a multicultural Canada; their land represents their indigeneity, especially the parliament. In this framework, self-government rights are granted in a territory where a national minority (here, the Inuit) are in a majority in this territory. Yet, the Inuit consider self-determination as a means of reaffirming their aboriginality. They seek to achieve that by mobilising Inuit knowledge and customs into policies and using IQ as a shorthand. One of the examples of the use of traditions is reflected in the use of consensus in the Legislative Assembly. Similar to many Commonwealth parliaments, the rules of the parliament derive from the British parliament. This is a form of colonialism as it imports the political institution from the former colonial power. Still, by using IQ and forms of Inuit customs, the Nunavummiut can claim to have decolonised their own parliament, whose format was imposed by the federal government and the colonial legacy. Thus, they can not only make the claim that the Legislative Assembly of Nunavut stands for Inuit indigeneity; it could also be argued that it indicates that they

have decolonised their parliament. Behind the symbolic claim lies the substantive claim that the integration of indigenous thought in the process leads to a different type of policy-making which is alleged to better fit the population's expectation. The symbolic aspect of the institution claim remains to make the institution a representation of Inuit indigeneity, the main aspect of their identity.

This case study of Nunavut and its parliament establishes that symbolic representation is necessary when discussing indigenous peoples. Indigenous groups differ from other oppressed minorities as they still live on the land that they occupied prior to colonisation, and they *still* live under a state which transpires from the colonial power. By choosing to name their territory "Our land" in Inuktitut, the Inuit are affirming their rights to live on the land of their ancestors. In a similar fashion, the Inuit, by integrating IQ in their parliament, are putting their indigeneity at the heart of their political system and laying claim that the Legislative Assembly of Nunavut stands for their indigeneity.

Chapter 8 Conclusion

8.1 A new perspective on claim-making

This PhD project sets out to examine how the Legislative Assembly of Nunavut is framed as a representation of Inuit indigeneity. It does that by surveying mainly the Hansard of Nunavut's parliament where its members formulate claims about the assembly. As a consequence, the Legislative Assembly represents a key trait of the Inuit within the Canadian institutional framework. During this process, the doctoral dissertation recasts the notion of *Inuit Qaujimajatuqangit* as also being a representation of Inuit indigeneity.

The thesis begins with Chapter 2 laying out the different views on political representation by conceptualising it as a principal-agent relationship, the principal being the represented, and the agent, the representative. It begins with a classical account of representation summarised by Pitkin's work (1967). However, this account cannot answer the critique from a post-colonial perspective, which is central in Nunavut's case. As the classical assumption is that the constituency exists before representation takes place, the criticism resides in the fact that the principal is predefined and is passive. For the Inuit, as an indigenous population, it would suppose that they are passive in defining themselves as the principal of a relationship.

Saward's theory of representative claim-making offers a more dynamic relationship between the maker and subject (the agent) of the claim on one hand, and the claim's object on the other. Outlining the various actors in the claim making theory lays the work for identifying the different actors in this case study, as raised in research question 2. It argues that representatives and represented are created at the same time during the claim-making process. As with other theories in the constructivist turn, the representative claim allows discussion on how parliaments (such as the Legislative Assembly) can be non-elected forms of representation. In addition, further studies on claim-making have enlarged the scope on how claim-making processes can be conceived, from solely being a symbolic representation to

being both a substantive and symbolic one (Severs, 2010; 2012; Verge, 2021). Saward's claim making theory provides the framework which helps in answering research question 1.

Finally, Chapter 2 underlines the importance for new parliaments to engage with the public, which is Nunavut's case. Hence, it is crucial for MLAs to agree on a strategy relative to the way they can present the Legislative Assembly to the public.

Chapter 3 provides the context in which Nunavut was created and especially how the Inuit are unique among aboriginal peoples in Canada. This distinctness allows them to claim a unique settlement which includes a territory and a land claim settlement between them and the federal government (van Dam, 2016). The context is one of Canada's embracing multiculturalism policies. Within multiculturalism lays the question of special representation rights. This chapter is key in understanding the rationale behind research question 4. The multicultural policies seek to present an open and inclusive confederation to the world. The creation of Nunavut can also be placed in a global context. Clifford places the creation of Nunavut within a wide range of indigenous peoples manifesting their presence to the world at large along with the election of an indigenous person, e.g., Evo Morales – as president of Bolivia, or the development of Indian tribe gaming operations in the US (2013, pp.18–20)

Despite Nunavut's institutional status, the territory is still dependent on the Canadian government on monetary matters and did not create a new level of government, specially proposed to cater for an indigenous group (Lightfoot, 2016, p.184). This chapter also introduces the Legislative Assembly and discusses how the parliament of Nunavut has a central role in the political system, reminded by its historical background and how it differs from the traditional Westminster model of parliament, which is essential in answering research questions 1 and 3. The functioning and the process of the Legislative Assembly are presented and its conception as a parliament discussed. Chapter 3 sets the analysis of the legislature by presenting the context in which Nunavut was created and especially the relationship between the government and the indigenous people.

Chapter 4 bridges the two first chapters by putting forward a novel methodological approach in discussing representation for parliaments which will

explain how the researcher examines the data in order to answer the four different research questions. It presents how the Hansard was used to examine how parliamentarians consider parliament as a unit. It can be suggested that they are testing claims before presenting them to the public. This choice reflects the aim of the thesis, which is to uncover how politicians define the Assembly among themselves and how this intra debate shows the manner in which they perceive their own workplace.

In addition, the coding choice for analysing Hansard is exposed, revealing the analysis of the first 20 years of the Assembly (which represents roughly 40,000 pages). The coding and analysis are conducted with the help of the NVivo software. The coding choice laid out informs on the themes and terms the researcher has deemed important whilst investigating the thesis. The choice of codes through nodes and child nodes gives an insight on the way the thesis has investigated the data.

Chapter 5 answers research question 1 by summarising the processes through which Nunavut and its Legislative Assembly were created. It surveys the Hansard of the Canadian parliament where the creation of the territory, through the *Nunavut Act*, was debated in 1993. It gives an insight on the intent of the Canadian government in allowing the creation of the first territory with an indigenous majority population. Here, the reasoning was an important step within the history of Canada and in line with its multicultural policies, seen in Chapter 3. The Canadian parliamentarians have developed an *institutional claim* on the Legislative Assembly of Nunavut. This claim has been reproduced by the federal government's representatives, Prime Minister Chretien and Minister Stewart, when they were invited to the parliament's inaugural session.

But Chapter 5 shows that MLAs have chosen to rephrase the claim since the first inaugural session. They have sought to repackage the institutional claim so that the Legislative Assembly stands for Inuit indigeneity, which rests at the heart of their identity. They do so by placing the emphasis on the use of consensus, which is visible through the absence of parties amongst MLAs and through the reference to Inuit Qaujimajatuqangit within debates and laws, especially within the *Legislative and Executive Council Act*, which ensures that any territorial policy is following IQ. In addition, this concept is central for any public engagement strategy for the Legislative Assembly. Here, the issue is to identify what IQ is. Chapter 5 also

identifies the different actors involved in the claim making surrounding the Legislative Assembly, thus answering research question 2.

Inuit Qaujimajatuqangit is questioned in Chapter 6, which addresses research question 3. The chapter starts by explaining that there is no agreement on what a straightforward definition would be. It could be explained by the fact that IQ was formulated by the Nunavut Social Development Council in 1998, just before the territory's creation. Yet, there is harmony amongst MLAs when it is used within policy debates, (in particular on education, the environment and care). It seems that, when used as an argument device for or against a particular policy, it is used as a shorthand for the principle of Inuit values and traditions, and more broadly as encompassing the concept of Inuit Indigeneity. As an example, it is put forward by members who are pointing to its integration in the curriculum as a proof that Inuit indigeneity is preserved and transmitted to future generations.

This approach can be similar to the one taken by the Legislative Assembly. By referring to IQ within its functioning, the parliament portrays itself as preserving an idea of Inuit indigeneity within a 'modern' institution. The absence of parties and the constant research of consensus building are justified by the presence of IQ. IQ is the subject of a representative claim, the indigeneity claim, where the object is Inuit indigeneity. The makers utilise this latter claim in order to *complement* the former one, but this relationship is more complex.

Chapter 7 maps the relationship between the *institutional claim* and the *indigeneity claim*, underlined in chapters 5 and 6 respectively. To be more precise, it highlights when the makers of both claims are Nunavummiut politicians (see Table 7.2). It advances the notion of *embedded claims* where both claims feed each other (see Figure 7.1). As both claims share the same audience and the same makers, each provides the other with what it misses. The territorial institutional claim gives a legitimate space for policy discussion, which in turn allows MLAs to formulate the indigeneity claim. This claim is used as a way to strengthen the first claim by complementing it.

Here, the role of the complement of the claim is used by the maker of the claim to give the audience another reason to accept it. The makers (MLAs) are using a concept which is itself a subject of a representative claim (IQ) as complementary of

the claim. Therefore, MLAs can put forward the Legislative Assembly of Nunavut as a representation of Inuit indigeneity. In the process of doing so, the territorial politicians change the nature of the claim first formulated at federal level. The addition of IQ in the claim-making process does not change the claim, but it does change the way the claim can be perceived.

The Canadian government and parliament consider the Legislative Assembly as a representation of indigenous self-government within the context of Canada's multicultural policies, which answers research question 4. But, thanks to the complement of the claim, this claim changes the object to Inuit indigeneity. At the same time, it proves that institutions can represent indigeneity in a way that individual elected representatives cannot do and enlarges the possibility to see self-representation in a multicultural context.

8.2 The Legislative Assembly of Nunavut as representation

The territory of Nunavut was created in 1999 so that the Inuit could be the majority of the population within a sub-division in Canada (see Chapter 3). The purpose of its establishment was to give the Inuit – a unique group among Canada's indigenous population – a territory where they can engage easily with their institutions, and this answers research question 1 that questioned the rationale behind the territory's creation. This formation must also be analysed within the context of Canada's multiculturalism. As a key policy since the 1970s, the confederation has sought to define itself as a state which includes all of its population. As for its political system and like other divisions within a country with a British colonial past, Nunavut's parliament – the Legislative Assembly of Nunavut – sits at the centre of its territorial political system. The legislature has two main functions: to pass laws affecting the territory and to provide a check on its executive. In order to perform both legislation and legitimisation functions, the Legislative Assembly needs to adapt the Westminster model to Inuit culture, similar to the process in Scotland or in Wales. In Nunavut, it translates into the absence of parties within the parliamentary election and into seeking consensus. This is the basis for a representative claim where the Legislative Assembly of Nunavut is the subject and

represents the Inuit (see Chapter 5). The institutional claim can be formulated as such:

The politicians put forward the Legislative Assembly of Nunavut as representing the indigeneity of the Inuit to the Nunavummiut and other external actors.

This claim is advanced mostly by the Members of the Legislative Assembly, who were not the only actors involved in making those claims.

After having engaged with the first research question, the conclusion turns to answering the second one, which relates to the different actors involved in the claim-making. The Legislative Assembly of Nunavut, and by extension the territory itself, is a subject of representative claims, but makers of those can be varied. First, the Canadian government and federal parliamentarians (MPs and senators) have expressed this claim especially as Nunavut's creation derives from a federal law, the *Nunavut Act* passed in 1993 (mentioned in chapters 3 and 5). Their claim can be nested in a wider claim in multicultural Canada. Both the Progressive Conservative Party and the Liberal Party of Canada, respectively in power in 1993 and in 1999, claimed that the territory's creation symbolised the progressive policies of the federal government. This claim was also formulated by MLAs, after the Legislative Assembly's creation. However, the two different groups of claim-makers differ on the context and the aim of their claims. On one hand, the federal politicians pursue the objective that the Canadian government is recognising Inuit aboriginality within multicultural Canada. On the other, whilst the MLAs make a similar claim, they use it as a way to reaffirm the unique set up of their parliament instead of placing it in a wider context. They are doing so by using the notion of Inuit Qaujimajatuqangit, which is itself the subject of a claim.

Within the Legislative Assembly, members use IQ as an argument devised in order to nail a policy to an idea of Inuit indigeneity. In various policy areas from healthcare to environment, all Nunavummiut MLAs use IQ to justify their arguments in parliamentary debates. As shown in Chapter 6, IQ has no fixed definition. Still, there is a general agreement among territorial politicians about its use. Through its use, which is constrained by the *Legislative Assembly and Executive Council Act* (see Chapter 5), MLAs reaffirm the following indigenous claim:

MLA(s) put forward IQ which stands for Inuit's idea of indigeneity to Nunavummiut or to the wider public.

Thus, the answer to research question 3 – which probes the nature of IQ – is that Inuit Qaujimajatuqangit does not have a fixed definition but is a representation of the idea of Inuit indigeneity through what the thesis designates as an 'indigeneity claim'. This claim's purpose is to complement the first claim mentioned. This *complement of a claim*'s function (explained in Chapter 7) has changed the way the maker sees the first claim. Whilst the Canadian politicians express the claim in a top-down movement (the government gives representation through self-government), the Nunavummiut politicians make the claim on the basis that the Legislative Assembly of Nunavut has integrated elements of Inuit indigeneity encapsulated by the indigeneity claim. This complement of a claim does not change the formulation of the initial claim but modifies its understanding. Both the institutional claim and the indigeneity claim allow the parliament of Nunavut to stand as a representation of Inuit indigeneity. The individuals working within the institution do not represent Inuit indigeneity, but the institution does. This changes the perspective on how multiculturalism and representation can articulate each other.

In Chapter 3, Kymlicka's understanding of representation rights rests on the assumption that only individuals can be agents of representation, thus introducing the answer to research question 4, which seeks to see whether this thesis can open a new perspective on self-representative rights. This research project has demonstrated that institutions, especially parliaments, such as the Legislative Assembly of Nunavut, can also be a form of representation. The constructivist turn allows claims to be used by institutions in order to portray themselves as a representation (see Chapter 2). Furthermore, Saward's representation claim theory helps in conceiving how representation takes place. Therefore, it opens the possibility to conceive that some groups' characteristics cannot be representative on an individual level but on an institutional level (see Chapter 7). The creation of the Legislative Assembly of Nunavut, and the claims surrounding it, offers a new perspective on minority rights in multiculturalism, outlined by Kymlicka (1995). It does not see self-government institutions as being representative, in a similar fashion to an ambassador acting as a representative for their country. Institutions, as forms of representation, are helpful for groups whose identity and interests are

interlinked, which is the case for indigenous peoples. Their identities are linked to a history of colonisation and repression. Their 'aboriginality' resides in their interest to be recognised as victims of colonisation, and their attachment to their traditions is one of its illustrations. Indigeneity is so complex that even the Inuit have no fixed definition for a concept which is supposed to encapsulate their traditions and customs. Rather, they agree that IQ represents an idea of their indigeneity, and it is vital that it is integrated within their legislature. Their indigeneity is real, but so complex that no individual(s), or group(s), can successfully represent it individually. Indigeneity must be considered at another level, the institutional level. Inuitness is not represented through the presence of Inuit MLAs or ministers, but through the influence of Inuit Qaujimajatuqangit within the Legislative Assembly and the legislation passed.

8.3 Contributions

The thesis presents a narration of the Legislative Assembly of Nunavut, from the perspective of MLAs. It adds to the understanding of the territory of Nunavut by analysing debates on its main political institutions at federal level and at territorial level. It explains the development of the parliament through the rigorous analysis of Hansards. It contributes to the literature of sub-national legislature by giving a description of the life and the working of the Legislative Assembly of Nunavut.

The main contribution of this thesis has been to demonstrate that the Legislative Assembly of Nunavut can successfully represent Inuit indigeneity in a way that representation through individual, elected representatives cannot do. The Legislative Assembly can assert itself as standing for Inuit's indigenous trait due to the presence of a complement (IQ) in the claim. This complement helps in portraying the Legislative Assembly as standing for Inuit's aboriginality. Where Saward would consider a simple connection between Maker, Object and Subject (standing for a Referent), the territorial institutional claim would be expressed as followed: MLAs (R) put forward to the Nunavummiut (A) the Legislative Assembly of Nunavut (S) as standing for Inuit indigeneity (O). The idea of indigeneity is the object, and the referent is the aboriginality itself.

Key in understanding the value of this contribution is that indigeneity is fundamental and central to the identity of the Inuit (see Chapter 3). By being able to represent Inuit indigeneity, Nunavut's parliament is able to represent Inuit where individual representatives cannot. It is able to do so by using Inuit Qaujimajatuqangit as a complement of the claim.

The notion of complement of the claim (here IQ) is also one of the thesis's contributions to knowledge. It is not a flesh and blood referent, which would be the case for a group of people. What the complement of the claim does is to indicate *how* the institution can stand for Inuit indigeneity. It is not what Severs argues when she states that the addition of the representative claim means "any kind of reference to an activity performed on behalf of the represented" (2012, p.173). It rather adds an argument on why the audience should accept this assertion. By associating the Legislative Assembly of Nunavut with a concept which suggests their aboriginality, its members are trying to make their claims appear more legitimate to the intended audience. Similar to the claim about the Assembly, Inuit Qaujiamajqtuangit is also a representation. In fact, it can only be another representation of the idea of indigeneity (Decreus, 2013, p.40).

As Chapter 6 demonstrates, the absence of an agreement on how to define Inuit Qaujimajatuqangit is not important for its use in parliamentary debates. What is critical is the fact that IQ is used in the debates. Inuit Qaujimajatuqangit is claimed as embodying the idea of Inuit indigeneity and encapsulates their customs, traditions and culture. This claim is given legitimacy when MLAs use it within the chamber. In turn, IQ provides more credibility for the territorial institutional claim. Those claims are embedded claims as they feed each other. The territorial institutional claim gives a legitimate background to its members to debate policies where they use IQ to anchor legislation to a certain idea of aboriginality through the indigeneity claim. One key finding of the thesis, and one of its arguments, is that Inuit Qaujimajatuqangit is the subject of a representative claim where the object is the idea of Inuit indigeneity

Both claims reflect two dimensions of what Packenham regarded as key functions of a legislature: the legitimation and decisional functions (1970). The first claim deals with the format of the parliament by indicating that it integrates key parts of Inuit identity into their parliament and provides a check on the territorial government (Norton, 2002, p.9). By doing so, Inuit traditions offer a link between this

modern institution and the Inuit past, which seeks to answer the problems highlighted in the Drury report. That is to say, the fact that Inuit did not participate in political institutions as they did not connect with those set of institutions, as explained in Chapter 3 (Duffy, 1988) was one of the rationales behind the decision to integrate IQ in the Legislative Assembly. This link between modern and tradition makes the Legislative Assembly of Nunavut more legitimate.

The second claim (the indigeneity claim) is used by passing laws which all MLAs – Inuit and non-Inuit – can claim to respect Inuit culture, helping this legislature in performing part of its decisional function (Norton, 2002, p.9). Both the indigeneity and institutional claims need each other. The first one needs the second one to be developed in the debating chamber. By performing those functions, claims enable the Legislative Assembly to be successfully put forward as representing the indigeneity of the Inuit. This can be done if it and its members are having a discussion on what they consider the Legislative Assembly and Inuit Qaujimjatuqangit to be. This thesis adds to our understanding of the theory of representative claims as it demonstrates that two claims can assist each other as it is the case with both the indigeneity and institutional claims.

The thesis also makes a contribution through its methodological choices made in order to uncover those claims. Instead of studying claims in terms of how they are offered to the public by investigating the public engagement with different institutions, this project elects to survey claims from the other end, in parliamentary debates. Debates are often overlooked in the claim-making process. In examining parliamentary debates, either at federal or territorial level, the researcher can map out how MLAs can reach an agreement for making a claim on the parliament's behalf. Parliamentary debates are unique, considering that this is where laws are studied, views heard, and the executive held to account. It is a junction of parliamentary activities, where the MLA acts as a parliamentarian among their peers. It is also where MLAs can test claims and change opinions on these (Deville and Lord, 2018, p.640). This testing is in line with what the analysis of parliamentary rhetoric can reveal as a crucial moment, where every member reveals their preference and influences the decision-making within the parliament (de Galembert et al., 2013a). Also, by letting the Legislative Assembly of Nunavut speak, this

doctoral project allows claims to change according to the level of government that formulates them.

This thesis enhances the understanding of representative claims by highlighting how the formulation of a claim can change according to different periods of time. The claim elaborated by the federal politicians is different to the one asserted by Nunavut's politicians. Since the beginning of the 1st Assembly's proceedings on April 1st, 1999, MLAs have sought to redefine what the Legislative Assembly stands for. They have pursued a move away from the federal institutional claim which portrays the Legislative Assembly as a self-determining institution. This thesis demonstrates that, during the proceedings of the Legislative Assembly of Nunavut, MLAs from various backgrounds – either Inuit or Qalunaat, members of the executive, speaker, or just regular MLAs – have underlined the importance of indigenous traits being reflected and respected in the proceedings of their parliament. The fact that those themes have been recurring since the initial election means that even members who were not present at the Legislature's beginning, have continued to debate and place emphasis on practices such as the absence of parties or consensus in their interventions.

MLAs do that in the name of Inuit Qaujimajatuqangit as it is included is an act that regulates the Legislative Assembly's activity. Yet, the fact that no Assembly since 2002 has amended this act only proves the attachment of Nunavummiut to Inuit Qaujimajatuqangit being present in guiding the debates and processes of the Legislative Assembly of Nunavut. In addition, the thesis adds to the knowledge of IQ by highlighting that it is used in representative claims within policy debates.

8.4 Future research

This doctoral dissertation has shown that, when reproducing a Westminster model of parliament, like in any Commonwealth systems, it cannot be reproduced as an identical replica. It must be deconstructed and adapted (M'rad, 2019, p.238). The Canadian parliament does not function exactly as its British counterpart, as is the case with Nunavut and its Legislative Assembly, the difference being those politicians have used a concept – *Inuit Qaujimajatuqangit* – to turn a self-determining

institution into an institution which embodies the aboriginality of the majority of the population. This PhD encourages research centred around parliamentary debates in order to unveil how parliamentarians are deconstructing the 'imported' model.

This doctoral project invites investigation on what a post-colonial or decolonial approach to the representation can look like. Chapter 2 includes Spivak's post-colonial critique of the notion of being represented by just an individual representative. The problem identified is that indigenous people cannot be represented following the classical view of representation. Thanks to the constructivist view of representation, the agent-principal relationship in representation theory is dynamic, allowing the investigation of non-elected representatives, such as the Legislative Assembly of Nunavut.

A post-colonial contribution of representation theory should be grounded on this constitutive conception of representation, meaning that the constituency is co-created with the representative. The interdependence between the principal and the agent of representation enables the study of other forms of representation and also the discussion on innovative ways to represent indigeneity and minority groups. The thesis advocates a new and innovative way of discussing special representation rights, away from standard views. Researchers should build on those findings to investigate new ways of representing minorities and marginalised populations, especially indigenous populations, in a world where questions on decolonisation and reclaiming space are at the forefront of today's politics.

This thesis provides an indication on how this could be done by studying claims not fixed but as changing features according to the actors involved, as the case study shows. The institutional claim enunciated first by federal politicians changed when the makers of the claims were (and are still) Nunavut politicians. Claims can change in meaning and politicians can take ownership of them. Here lies another possible avenue for future research projects. The question remains as to which claims are more valid, the ones coming from the federal level or those from the territorial level. This would be an analysis from a normative perspective on which makers of the claims are more legitimate to make an assertation about representation. This questioning, through the prism of the representative claim, can assist in debates on decolonising space by suggesting a more dynamic approach to

representation, as demonstrated by the researcher in his thesis on the Legislative Assembly of Nunavut.

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List of Abbreviations

APTN	Aboriginal People's Television Network
CLEY	Department of Culture, Language, Elders and Youth
DEA	District Education Authority
DEW	Distant Early Warning
GN	*Government of Nunavut*
HoC	House of Commons
IQ	Inuit Qaujimajatuqangit
ICC	Inuit Circumpolar Council
ILCC	Inuit Land Claim Commission
ITC	Inuit Tapsiraat of Canada
ITK	Inuit Tapiriit Kanatami
IQK	Inuit Qaujimajatuqangit Katimajiit
IQTF	Inuit Qaujimajatuqangit Task Force
LAN	Legislative Assembly of Nunavut
MLA(s)	Member(s) of the Legislative Assembly
MP(s)	Member(s) of Parliament
NCF	Nunavut Constitutional Forum
NDP	New Democratic Party
NIRM	Nunavut Implementation Review Board
NLCA	Nunavut Land Claim Agreement
NLF	Nunavut Leadership Forum
NSDC	Nunavut Social Development Council
NTI	Nunavut Tunngavik Incorporated
NWMB	Nunavut Wildlife Management Board
NWT	Northwest Territory
TEK	Traditional Ecological Knowledge
TFN	Tunngavik Federation of Nunavut
RCAP	Royal Commission on Aboriginal People
RCPM	Royal Canadian Mountain Police
UNDRIP	United Nations Declaration on the Rights of Indigenous People

Appendix

Appendix A : Coding Framework

Name	Description
Elders	Any mentions of elders in relation to their role as transmitter of knowledge of IQ to younger generations. Mention of any social policy towards the elderly is excluded within the coding. **Example** "Our parents have seen many changes and we have been able to incorporate them into our lives. Therefore, I would like to recognize our ancestors, our grandfathers and our grandparents because they had a hard life to survive in a harsh environment."
Inuit Qaujimajatuqangit	Inuit Qaujimajaqtuangit, which can be translated as "that which has been long known to the Inuit" (White, 2006, p.17), is a concept developed to be a guiding principle for the Nunavut institutions including the Legislative Assembly. It enables the researcher to answer question 4. **Example** "This was Inuit justice and we are very proud that Malianur and his wife Akesuk Joamie and Imou Immaroitok were able to contribute. Malainur is from Rankin and Akesuk Joamie is from here. Imou Immaroitok is from Igloolik and Lucassie Nutaraluk is from Iqaluit. I know that when we are integrating Inuit Qaujimajatuqangit into the government system I believe that it would be beneficial to our non-Inuit to read this textbook."
Care	Node focusing on the care dimension of IQ. **Example** "Thank you, Mr. Speaker. In the traditional knowledge of the Inuit, we can integrate Inuit Qaujimajatuqangit into the counselling system. Has your department thought about using the elders to do traditional counselling on abusive relationships? Currently the only people who are providing counselling are the Social Service workers, RCMP, and so on. Is it possible to integrate Inuit Qaujimajatuqangit and use traditional counselling systems?"
cooperation between knowledge types	MLAs often put forward examples of cooperation between Inuit traditions including IQ and non-Inuit knowledge (often referred to as scientific knowledge). This node illustrates how Inuit can integrate other traditions within theirs.

Name	Description
	Example "The strategy was developed using scientific methods and Inuit Qaujimajatuqangit. We know Nunavummiut understand the need for a concrete plan to address climate change, as they have witnessed the affects [sic] of changing weather patterns are having on our traditional activities."
education	Node focusing on the education dimension of IQ. **Example** "Instead of our community level District Education Authorities getting the power and autonomy that they were promised, it would appear their roles and responsibilities will be diminished to the extent that they will be tasked with enforcing policies and regulations set by the minister at his discretion and to ensuring traditional knowledge or Inuit Qaujimajatuqangit is delivered in the school program."
environment	Node focusing on the environmental dimension of IQ. **Example** "During the 21st century, we are now facing difficulties worldwide with the issue of global warming which is growing at an alarming rate. With the Inuit societal values, we hear exactly the opposite of the teachings that we were taught on Inuit Qaujimajatuqangit. These people that we hear from are instant experts on wildlife, about the habitat, and about the environment. They are instant experts in everything surrounding the northern communities. There are many instant experts at the time when we are experiencing global warming in the arctic."
IQ as a construction	The basis of IQ is the knowledge that is being passed through the generations. It is also an interactive and dynamic process where IQ is still involved in and constructed through debates and discourses. **Example** "We can imagine for a moment how Inuit Qaujimajatuqangit works, whichever party is at fault will be dealt with accordingly."
IQ not used as a lip service	This child node highlights the fact that many MLAs are fearful that, beyond mentions of IQ, there is not much policy content behind the speeches. **Example** "I think it would be nice to get a lot more Inuit in the Government, but it is no good if we are just going to pay lip service to have Inuit working just for the sake of working, but actually what we should have are people, operating Inuit at the very top levels operating the Government."

Name	Description
transmission	As one of the main issues with IQ is how to transmit it to younger generations and have it entrenched into the Nunavut territory and its institutions, this node highlights any passage that references the need to pass on the traditional knowledge of IQ. As an example: any direct references on the need to pass Inuit traditions on to the younger generations.
Inuit society	Any mentions of particularities of the Inuit society within Nunavut during any MLA interventions. **Example** "The long-term maintenance of Inuktitut will require a combined effort by government, communities and families."
community	This node identifies instances where the community has a mention. Given the size of Nunavut, the community has a great role within the territory. The term 'community' can be considered as the 'non-institutional' pendant of a constituency. However, it is coded separately from the latter as this node highlights the social underpinning of a community.
hunters	References to hunters in their role in Inuit society as historically the Inuit lived mostly off hunting and fishing, and hunting is also used as a proxy for fishermen/women. **Example** "Outpost camps operate in a traditional manner and they operate more on Inuit Qaujimajatuqangit values, more so than the regular communities. I also know that they have to be approved first by the Hunters' and Trappers' Organizations."
Inuit Culture	Any reference to cultural aspects of Inuit society. **Example** "Canada's three territories have joined forces in a pan-northern approach to the Games to showcase our hospitality, spirit, culture, and traditions of the people of the north. Once again we will send athletes to compete, and in addition we will send performing and visual artists, youth ambassador volunteers and traditional sport participants to the largest event ever hosted north of 60."
<u>traditions</u>	Mentions of traditional culture. **Example** "That was the advice our elders gave to us based on our traditional Inuit customs and laws."
Inuit identity	References that enable an answer to the following question: What is Inuit? **Example**

Name	Description
	"Though educated in a residential school, I have maintained my Inuit roots, language, heritage and teachings. I know the importance of staying true to the Inuit societal values that have been passed on to me by our elders."
geography (north)	The Arctic and the northern region of Canada are central for the Inuit and their identity. This node highlights that the geographic localisation of the Nunavut influences the identity of the Nunavummiut and more specifically the Inuit. **Example** "So you hired a consultant and I am hoping, I am hoping that this consultant isn't from southern Ontario or Ottawa or something like that that has never been in the north before and I am hoping the consultant that you have hired has had a large degree of northern experience in dealing with issues in the north and that he is going to have a group of people around him that are going to be able to come up with a solution for the situation."
Inuit indigeneity	This node differs from previous nodes due to its focus on the Inuit's indigenous character. **Example** "As Mr. Puqiqnak made his Statement that traditional clothing is the best clothing to wear and is best suited for this climate, Mr. Irqittuq talked about how we can use proper pronunciations in Inuktitut and there are Inuit who could be hired to instruct people on sewing as well as land skills and how to prepare skins traditionally."
colonisation	Reference to colonisation and the impact of the Inuit and their sense of indigeneity. **Example** "What I feel is how to survive out on the land and to be proud of the Inuit tradition. We had this from way back and there are not very many of us in Canada and we are losing the Inuit way really fast."
post-colonialism/decolonialism	Any reference in any documents on how the Nunavut Legislative Assembly could be seen through a post-colonial framework. **Example** Mr. Speaker, the minister's reply was well accepted and I personally have faith in these values. Due to these reasons, many Nunavummiut have had to overcome unpleasant residential school experiences. They were apprehended as children from their parents, even though it caused many parents to suffer from worry.

Name	Description
<u>Traditional knowledge</u>	This node encompasses any references to knowledge not included in IQ. **Example** "The Inuit traditional knowledge and wisdom, we have stated that will be our base. Mr. Speaker we have heard that we will be a different government and I am very happy that is the case."
Inuit transnationality	Reference to Inuit living outside Nunavut. **Example** "The Inuit in Greenland and Canada have always exchanged their hunting rights and what not. "
surviving skills	This node codes any use of tradition/IQ as a means to survive not only at the individual level but also at a cultural level. **Example** "On behalf of our youth, I'm asking more Nunavummiut to help our youth learn about survival skills and teach them how to make traditional clothing, and about the seasonal traditional clothing that is required to survive because, of course, we live in a harsh environment."
multiculturalism	Any reference that underlines the variety of population either in Canada or Nunavut. It answers question 3. **Example** "Most of us are Inuit, but we are enriched by the wide variety of other Canadians and world peoples that find our land so appealing."
Languages	It codes any mention of language as a sign of multiculturalism. **Example** "The new language legislation will not only maintain the rights for French and English languages, but recognize the utmost importance of the Inuit language as the defining characteristics of the history and people of Nunavut."
Nunavut governance	This node codes any particularities of the government of Nunavut and how it makes it stand out within the Canadian Confederation. Furthermore, its child nodes cover different institutions or key aspects of the government of Nunavut. It answer question 1.
consensus government	Consensus government is one of the key aspects that is put forward on how IQ is integrated into the Nunavut Legislative Assembly's rules and functioning.

Name	Description
	Example
	"[Member's Statement 097 – 3(2):] Consensus Government at Work [(Rumbolt)]
	Mr. Rumbolt: Thank you, Mr. Speaker. I rise today to give due recognition to the success of consensus government.
	Mr. Speaker, as you will recall, in March of this year, I asked the Minister of Education to review the food allowance rates for residents of Sanikiluaq who receive social assistance.
	[Tuesday, December 1, 2009 Nunavut Hansard 774]
	Mr. Speaker, on Friday, I was very pleased to hear the minister announce that today, December 1, 2009, the food allowance rates for Sanikiluaq will be increased.
	[>>*Applause*]
	Mr. Speaker, I sincerely appreciate the minister's willingness to respond positively to concerns that were raised in the House. This shows that our consensus system of government can truly be successful.
	Mr. Speaker, the high cost of living and especially the high cost of food has a serious impact on the health and wellbeing of Nunavummiut. Along with some of my colleagues, I will also be addressing the issue of food mail subsidies later in this session.
	Mr. Speaker, once again, I would like to extend my appreciation to the Minister of Education for listening to the concerns of the people of Sanikiluaq and increasing the food allowance rates for my community. Thank you, Mr. Speaker."
Nunavut government	This node relates to every sign in official statutes or in debate on the institution of the Nunavut Government and the design without any mention of representation either explicitly or implicitly.
	Example
	"These structures are totally new for the Government of Nunavut and unlike any other Canadian Government or any government we know of in the circumpolar world. We plan to work with the new structures, providing ongoing monitoring and evaluation of the roles and resources to determine whether they will need to be changed or expanded in the future."
Nunavut Legislative Assembly	This code relates to every sign in official statutes or in debate on the institution of the Nunavut Legislative Assembly and the design without any mention of representation either explicitly or implicitly. It also includes comparison with another legislature.
	Example

Name	Description
	"Thank you, Mr. Speaker. I rise today to talk today about how we are progressing at the Legislative Assembly. At this time I am pleased that the discussions are moving forward but I would like to urge the members to work together as regular members. We are feeling powerless and oppressed by the government. If we are going to proceed that way into the future it will be extremely hard to have a working relationship amongst all members.
	We have been proceeding in the House with obstacles, which is expected at times. I have difficulty reading my own writing. We need to discuss issues without creating barriers and conflicts amongst ourselves. That way we will have a working relationship and we will be better in the long run for the government. I am not criticising anyone in my member's statement. Instead, I strongly encourage members to work closely together. Thank you, Mr. Speaker."
accountability	A key role of a parliament is to make the government accountable. Any references to accountability are in those nodes. **Example** "Bathurst Mandate it is stated that Inuit Qaujimajatuqangit will provide the context to develop an open, responsive and accountable government."
IQ	Any reference on how Inuit Qaujimajatuqangit is used in the context of the functioning of the parliament. **Example** "For the first time, IQ is explicitly recognized in law as something that the Assembly and its members may take into consideration during deliberations. I would like [Wednesday February 27, 2002 Nunavut Hansard 2651] to make it clear to all members today that it is up to all of us to decide how IQ can be used. The statute does not tell us as elected members what IQ is, it simply makes it clear that we now have the authority to apply it to our work."
Political parties	This node references the mentions of political parties. The absence of political parties in territorial politics is a key particularity of Nunavut's territorial politics. Mention during a Legislative Assembly debate is therefore of interest for the project, as it is a distinct feature in Westminster politics colluding with the Inuit tradition of consensus politics **Example** "...that consensus is not just within the Cabinet but with the whole Legislative Assembly members, not necessarily 100 percent but majority votes. I don't believe in the political ideology, instead, I believe in cooperation."

Name	Description
<u>Public engagement</u>	This code represents all the efforts from the Nunavut Legislative Assembly to engage with the public. It ranges from speeches in delocalised sessions to documents found on the Assembly's website (http://www.assembly.nu.ca). **Example** "Thank you, Mr. Speaker. I said earlier this week that I will be hosting a constituency meeting in Apex. Mr. Speaker, that Apex meeting is at 7:30 tonight, and I look forward, as Mr. Tootoo commented earlier this week, to a good turnout."
<u>Westminster style</u>	References on how the Westminster model influences the functioning of the assembly. **Example** "For example, we are using the British Parliamentary process; it is a Westminster-style of Government. Even Tony Blair in England was in opposition of one of the Ministers and that Member of that Parliament is still a Minister of that Parliament. If we are going to be using the Westminster style of Government, are we just going to be picking out the ones that are neutralized or are we going to apply the whole system to our system or are we going to make it more culturally friendly to Inuit? Thank you, Mr. Speaker."
Quotations	Codes any distinct quotations which reflect the spirit of the thesis and thus are coded in vivo. It is the parent node of any nodes created from coded NVivo.
AND WHEREAS the Legislative Assembly desires to ensure that its proceedings are conducted in a manner that respects Inuit Qaujimajatuqangit, while being consistent with established principles of Canadian parliamentary democracy;	
That territory is Nunavut, our land.	

Name	Description
representation	This node is a general category of nodes where the MLAs speak about representation in general. The divisions indicate what types of representation have been mentioned. **Example** "As members of the legislature and representatives of the Nunavut people, we are given the responsibility to be good leaders and to be strong leaders on behalf of the people here in the House. We are given certain authorities as representatives of Nunavut."
ambassadorial function of representation	A node which groups the two following child nodes.
<u>Nunavut government as representative</u>	Mention of the government of Nunavut as acting as a delegate on Nunavut's behalf. It nodes, for example, debates around meetings between territorial and federal ministers. **Example** "...advise my colleagues that Minister Hunter Tootoo will be absent from the House from December 2 to December 4, 2009, to attend an FPT Ministers on Housing meeting in Gatineau, Quebec. Thank you, Mr. Speaker."
<u>role of Nunavut parliamentarian</u>	Mention of the MP for Nunavut in the House of Commons as acting as a representative of Nunavut. **Example** "Nutrition North Canada Program. Many of the comments made by our Member of Parliament and the federal Minister of Indian and Northern Affairs reflect what I believe is a sincere desire on their part to see this program succeed for the benefit of all northerners. I again state that nobody will be more pleased than me to see this program have a positive impact on the lives of my constituents."
constituency representative	MLAs that put forward their link with a community whilst speaking on a subject. **Example** "The House and I look forward to working with all of the members to make life better for Nunavummiut. I am also anxious to start working on issues that are of concern to my constituents. I rise today to talk about the needs of our elders. It is often said that we need to gather the knowledge of our elders before they pass on and before it is too late."
institutional representation	Any statement that puts the Nunavut Legislative Assembly as a representation (it does not always have to be through a claim).

Name	Description
	Example I am proud of the work that has been done on our new Wildlife Act. I am glad that we now have new Municipal legislation, a new Election Act, increases to minimum wages and the tax cuts for our residents."
Nunavut for Inuit	Mentions of the Nunavut government acting as a representative of Nunavut for other government, especially at a federal level.
representation of Inuit interest	Mentions of Inuit interest being represented. This is a more substantive representation of the Inuit even if there is some crossover between this node and the one above. **Example** "Thank you Mr. Speaker. I would like to tell you a story as well. When I was a small child I was told that there was a RCMP officer coming into the community. I was very scared and intimidated. I wanted to stay home and not go out. We were living in a Qarmaq (sodhouse) and they had their own houses. It was all very foreign to us. I thought that I was going to be picked up and incarcerated by the RCMP. Some of those ministers across the communities are all Inuit today. Even the finance Minister who is not an Inuk looks like one. I am so proud to have ministers who are all Inuk. I would just like to say that I am very proud of that."
representative claims	Any claims of representation that are made explicitly. **Example** "Mr. Speaker, many Nunavummiut have voiced their support for my push to revive our traditional practices, numerous to be exact."
<u>history</u>	Claims on how Nunavut represents a turn in Canada's history and its importance. **Example** "Thank you, Mr. Speaker. Mr. Speaker, our elders in Nunavut have paved the way to the realization of an ancient dream of mankind, being our own masters in our own land, which was realized when we celebrated April 1, 1999, Nunavut Day. Mr. Speaker, the ultimate test is now to prepare the youth for the future role of leadership. Through hardship and difficulties, what was once called a vast wasteland was conquered by our elders and is now called Nunavut. Mr. Speaker, we have much to be thankful for from our elders. They have delivered us to the present and our youth, who will take us to the next step, the healthy, educated, working and economically self-sufficient Nunavut. Mr. Speaker, and honourable colleagues, please join me in recognizing our heart and soul, the elders and youth.

Name	Description
	During question period I will raise questions regarding this item. Thank you, Mr. Speaker."
<u>IQ as representation</u>	Any mention of IQ representing the Inuit identity (sometimes, IQ is mentioned as a policy basis). **Example** "They are the pieces of our culture and heritage that we all work to preserve and promote for all ages. They are the issues that hit close to home and Inuit closer to the heart. Yesterday the Inuit Qaujimajatuqangit Task Force began their meetings. For many of us, discussion of Inuit Qaujimajatuqangit raises memories of our traditional upbringing. For many of our youth it is a connection to culture and learning through stories."
surrogate representation	Claims outside the constituency claim. It refers to a classical view of representation. **Example** "We have to make sure that we represent all peoples."
symbolic representation	Claims outside the constituency claim. It refers to a classical view of representation. **Example** "Thank you. The Department of Justice has an old system that they've been using for quite a long time; the European system for example, we go by the Parliamentary rules and we have dress codes and we have decorations in the House that we have to follow as in the old English tradition, and in the democratic countries, we see beautiful buildings with expensive décor that is pleasant to look at. Are you looking at a building with the same sophisticated décor with individual washrooms for each room? What kind of décor are we looking a"
self determination	Mentions of Nunavut as a self-determination project It answers question 3. **Example** "The residents of these small communities and other small communities throughout Nunavut were as excited as anyone else about the promise of Nunavut. They expected to be served better by a government that is closer to them. A government better able to listen to their concerns and desires and frustrations and a government more able to speak with them in their own language. These promises have not yet"
self-reflexion, self-learning	Those are references from MLAs who reflect on how they view representation within the context of the Legislative Assembly. **Example**

Name	Description
	"We will learn from this leadership review how we can all do our jobs better and put priority on the policies that are important to Nunavummiut."