

Briefing Note

Economic Development, Indigenous Governance, & Arctic Sovereignty

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There have been differing visions for the future of Canada's north and the role of resource development in Canada's nation-building project. While for some, resource extraction is the 'magic bullet', for others there is also the fear that rather than being the solution to economic development problems, resource extraction activities may prove detrimental to the economic health of many northern communities. Beginning with the 1970s, indigenous leaders have urged the federal government to increase cooperation with local populations, especially in terms of facilitating equitable benefits of economic development, social services, education, and health, environmental protection. But there is a continuing resistance of government agencies to facilitate northern indigenous populations' control over their resources and a general failure of those who envision the future for Canadianists more generally to engage with economic development strategies. This paper assesses recent attempts towards co-management of resource development in the context of new rounds of development pressures on the Canadian North, situating part of the problem in the degree to which a scholarship in general has failed to move beyond the convenient but rather simplistic understanding of the North as 'frontier/homeland'.

Introduction

In 2010, the Standing Committee on Arctic Defence released its statement on Canada's Arctic Sovereignty. The Committee stated that "[e]xercising Arctic sovereignty is a pillar of the Northern Strategy and the number one priority set out in Statement on Canada's Arctic foreign policy. Canada's Arctic sovereignty is long-standing, well-established and based on historic title. Launched on August 20th 2010, the foreign policy statement is the international dimension of the Northern

Strategy, and it provides the international platform from which to project our national interests in the world.” So the Northern Strategy is also key to understanding that there is an important relationship between development and foreign policy. It builds upon what then Defence Minister Gordon O’Connor stated in 2006, that:

The basic problem in these [Arctic maritime boundary] disputes is a matter of resources - who owns which resources. For instance, let’s take the Beaufort Sea. We may declare that a boundary goes to the Beaufort Sea in one position and the Americans in another. If a country wanted to drill for oil in the Beaufort Sea, and there’s a lot of oil and gas there, they, at the moment, if they’re in this disputed area, wouldn’t know who to approach, whether it’s the United States in Canada to get drilling rights. So these sort of things have to get resolved (Vongdouangchanh, 2006).

The ‘sorts of things’ O’Connor referenced represented international challenges to Canada’s historical understandings of state territory in the Arctic, particularly in the Arctic Ocean. Speaking from an international studies perspective, Palosaari (2011: 18) placed this in broader perspective, arguing that “when the state sovereignty perspective is more specifically focused on the Arctic, the impact of ice retreat on issues that concern the national interest gets highlighted.”

What Palosaari referred to was what was then looming as a competitive basis for international relations in the Arctic Ocean. While much writing ensued on the North, it came largely from an International Relations scholarship where regimes, cooperation and conflict, international law and political order (see Wegge 2011; Young 2012) were the dominant issues. While some of these issues were also covered in Canadian Studies literature, what we might consider to be a Canadian Studies approach to the Canadian North still retained a distinctive interest in specific national issues and approaches, such as questions about the relationships embodied in understandings of identity, counterpoising development and environment, indigenous knowledge, and focused upon establishing sovereignty in the North. It remains somewhat distinctive from this larger approach to the North which examines relationships between state agency, environment, and geopolitics.

Grounded in a distinctive school or thought, historically, the Canadian Studies literature suggests that the North suffers from the tension of being both a frontier for resource development that defines national interests and a homeland for indigenous communities, based upon narratives of environment and development first articulated in the 1970s (see Nicol 2013; Berger 1977). It is a literature concerned with history, national history and exploration, colonization, and redemption. It was not just a region, it had a meaning. Indeed, the Arctic was even understood to be a masculine space in terms of the Victorian era, where hardy men tested their prowess against nature’s worst (see Dittmer et al. 2011)

Beginning from the perspective of a foundational Canadian Studies approach to the North, this report examines the way in which the changing landscape of economic development has been explored in the region. The problem becomes one of tracing how the literature has dealt with issues of development from the perspective of indigenous involvement in expanding economic investment and opportunity. For the most part, the Canadian Studies literature has been more absorbed with identifying and critiquing enduring colonial structures in the North, with little attention paid to how

and where such structures have changed. While Berger's frontier/homeland metaphor remains the bedrock of such a literature, Berger's 2003 analysis of the existing development landscape is less studied (Campbell, Fenge & Hanson 2011). It is this dilemma, we conclude, that challenges us to undertake a more critical read of recent events, including where does the current interest in 'Arctic sovereignty' leave us with respect to resource development and local governance? Where is the Canadian Studies literature positioning this issue as economic development in the Arctic unfolds?

Canadian Studies Perspectives on the North

Northern imagery is fluid, embodies Canadian identity, and represents the changes in the larger political and social contexts of both Canada and the world. While perspectives on the North have changed quite considerably over time and remain different for different groups of people, however, there are also some foundational beliefs. Canadian literature and historical analysis reflects this variety. Early literary works, for example, were largely responsible for creating and perpetuating the imagery of an empty space through representations of a landscape that could only be conquered by overcoming adversity and by conquering the harsh environment (Berger 1966; Grant 2010; Page 1986). The effects of this imagery were twofold: first, a clear distinction was made between those who lived in the North as uncivilized in comparison to European settlers. This perspective was reinforced by a scholarship which reinforced the concept of the 'other' through the lenses of modernity. Second, treks to the North eventually turned from being an adventure to a mission to protect sovereignty claims as explorers from other nations made their way into the North in the 20th century in particular (Grant 2010; Page 1986). Such perspectives fit well with the fact that well into the late twentieth century, the Canadian North was still greatly affected by structures and relationships which had their origins in an earlier era of colonialism; colonialism being defined as the "dominance over a separate group of people, who are viewed as subordinate, and their territories, which are presumed to be available for exploitation" (Said 1993: 8). While the era of colonial occupation, (at least for those Canadians of European decent), was effectively over by the mid-19th century, and more generally dismantled throughout the globe in the post-World War II era, by the late 20th century, many historical Canadian scholars, like Coates (1985) still viewed the political situation within Canada's northern territories as one of effective 'internal' colonialism, in the sense that the state had become the colonial master of its indigenous populations. The perspectives of indigenous scholars (like Alfred and Corntassel 2005 or Nadasdy 2012) were not heard at all.

The colonial relationship lasted somewhat later in Canada's North than it did elsewhere in Canada, (see Eber 1989; Grant 2010; Page 1986) for various reasons. Indeed, northern indigenous peoples still continued to be largely excluded from both land claim and decision-making processes well into the late 20th century (see Campbell, Fenge & Hanson 2011). The outcomes generated a crisis of underdevelopment and human security, which exists, both in the territorial and provincial Norths. Current efforts to settle remaining land claims and to create co-management structures respond to this historical legacy, because "the rights of First Nations to traditional territories and the natural resources therein are ill-defined by both the Canadian governments and the judiciary. The special rights of aboriginal people as guaranteed by treaty are not generally considered when resource development projects are proposed or resource management plans are prepared. Consequently,

resources located on aboriginal traditional territory often become the focus for conflict between government, natural resource industries, and First Nation peoples.” (Campbell 1996). Indeed, Bone (2008: 83) reminds us that by the late 20th century, the establishment of a resource economy in the North resulted in conflict over land but that even more than this, it was a conflict “between goals, preferences and values.”

Evolution of Land Claims

It is now relatively normative to consider that the appropriation of indigenous land was a colonial tool used by the Canadian government through the land treaty process. Basically, agreements were formed to outline rights to land, that while on the surface were supposed to provide equal benefit to the indigenous populations and federal government, they significantly privileged the government and marginalized the indigenous groups (Usher 2003). Treaties 8 and 11, for example, concerned land in Northern Canada, although Treaty 11 covers much more land in the region that belonged to the Dene. In both cases, the Dene did not believe that signing the treaty meant that they were giving up their rights to the land; rather, they saw it as a way of building a relationship with the state (Berger 1977).

In terms of resource development, the government used Treaty 11 as a way to gain access to natural resources for development. However, many of the Dene did not fully understand the value of the resources they on the land covered by the treaties (Fumoleau 2004). The Dene worked to rectify this wrong, and in 1973 both of these treaties were voided based on the differing interpretations of the treaty and because reserve lands were never created as outlined in the treaty (Irlbacher-Fox 2009). In 1994 the Sahtu Dene and Metis reached a new agreement in the Mackenzie Valley area of the NWT.

Elsewhere in the Canadian Arctic, there were no historical treaties, and it was not until the early 20th century that the idea of comprehensive land claims developed. The territorial North was neglected in times of peace, and sovereignty asserted by few and scattered RCMP and RCMP posts (Grant 2010). Several subsequent landmark land claims, however, brought the Inuit into the land claims process: beginning with the James Bay and Northern Quebec Agreement of the 1970s, and the Inuvialuit comprehensive land claim, also negotiated in the 1970s. Furthermore, “In the James Bay and Northern Quebec Agreement in 1974, Cree and Inuit exchanged aboriginal rights to land and resources for cash, title to hunting areas, and exclusive hunting and fishing rights in some areas. The James Bay agreement created significant new political institutions and paved the way for expanding co-management elsewhere in Canada and beyond” (Caulfield 2004: 123). Although in other ways the James Bay and Northern Quebec Agreement is not seen as an unqualified success story for the Cree, Innu or Inuit – and although since that time, there have been further arrangements in the region, such as the establishment of the Nunavik regional government – the James Bay Agreement was one of the first steps towards current self-government arrangements in Canada. Followed by the Inuvialuit Settlement Agreement, Nunavut, Nunivak, the Tlicho land settlement, and a number of other new self-governance and territorial arrangements, the era of greater indigenous control and self-governance accompanied the latest rounds of resource extraction in the north. Indeed, in many ways resource development and self-governance were related to each other. In 1984, the Inuvialuit

of the Mackenzie Delta, for example “signed an agreement with the federal government that exchanged aboriginal claims for a cash settlement, title to some 91,000 square kilometres of land, and mineral rights. These developments led to the division of the Northwest Territories and the creation of the new Nunavut Territory in 1999. The Nunavut Agreement, which laid the groundwork for the new territory, was signed in 1993. The latter also provided a settlement of claims and gave Inuit a role in decision making” (ibid.: 123). Thus both Inuit and non-Inuit were involved in the process, which includes much of the Canadian Arctic, and is also well developed in the Northwest Territories. This process to resolve land claims in the 1970s was accompanied by a push for development (Stuhl 2011; Nicol 2013). Nevertheless, the reservations of environmentalists which surfaced in the 1970s, in relation to development within the North, was reinforced by those who felt that development within the Canadian North should not proceed until land claims had been settled (Berger 1977; Christensen & Grant 2007; Watkins 1977).

This was precisely the conclusion of the Berger Inquiry. In wake of the controversial proposed development of the Mackenzie Valley, for example, the Berger Commission visited 35 communities from 1974-1977 to hear the concerns of local residents. This was the first time that the aboriginal voice was really heard with regards to proposed development. The major conclusion of the report is that it challenged the prior images of the North as an empty space when Berger (1977) proclaimed that there were duelling realities in the North – “for one group it is a frontier, for the other a homeland” (xvii). Berger’s comprehensive report covered a multitude of issues, including the environment, culture, the northern economy, and social impacts. The message the report sent was that any new development efforts cannot ignore local indigenous populations because the North is their home, development will not benefit everyone equally, and local indigenous groups will be left to deal with the consequences (Berger 1977).

Rethinking Homeland/Frontier

Since then, the dual perception of the Canadian North as both a resource frontier and homeland for indigenous and non-indigenous communities has been recognized by a number of scholars and practitioners. As such, a distinct Canadian Studies tradition on the North and northern development that began with Thomas Berger’s report on the Mackenzie Valley Pipeline (Berger 1977) has continued with a tradition of writing on development including the work of Coates (1985), Feit (1988) or by geographers like Bone’s *The Geography of the Canadian North* (2012) or even Petrov’s work in Tremblay and Chicoine’s (2013) *The Geographies of Canada* (2013). Such reports and approaches identify the special nature of Canada’s Arctic and sub-Arctic regions, the issues and challenges to its human populations, and the potential threat of large resource-oriented extraction projects like the proposed Mackenzie Valley pipeline in the 1970s, or the Windy Craggy Mine Proposal discussed by Bone in 1992. They recognize the vulnerabilities of the resource economy and advocate greater indigenous involvement in decision-making.

These assessments rightly identified the potential for large-scale environmental destruction and unalterable change to indigenous lifestyles in the north, counterpoising the politics of environment, in this region against the politics of resource extraction industries. Indeed, the political in the

Canadian Arctic context was, until the 1990s, generally exclusive of community participation within the development and mitigation processes. In other words, the homeland/frontier dichotomy resonated in a scholarship which was focused on politics and environmental debate. It situated resource development initiatives in terms of known regional economic effects, most of which had been negative for Northerners and Northern environments. DiFrancesco (2000) echoed the comments of the Royal Commission of 1995, in its assessment that “large non-renewable resource-based projects and heavy infrastructure development” had failed “to create a dynamic regional wage economy” in the North (ibid.: 122). DiFrancesco suggested that the “panoply of economic development initiatives which had been implemented” in places such as Canada’s Northwest Territories would not have the intended developmental results (ibid.: 122), primarily because of the existing political context in which regional development models had been conceived and implemented.

Over a decade later, large-scale resource extraction is still on the agenda in Canada’s northernmost regions, but the development context has changed. The development landscape has been supplemented by several major land claims agreements, like Nunavut and Nunatsiavut, as well as the establishment of Canada’s Northern Economic Strategy, its Northern Economic Development Agency and its roster of initiatives designed to encourage just such investment and development. Still, the problems are similar with respect to the potential economic and environmental legacy of extractive activities in the North, including the issue of oil and gas development in the Mackenzie Valley. Richard Caulfield (2004) has observed that since the 1970s the context of development has clearly changed, as have the management practices and overall assessment processes. The land claims have, by and large, been negotiated. Recent land claims settlements in North America, and specifically in the Canadian North, have now placed millions of square kilometres in the North, “in the hands of for-profit and non-profit entities controlled by indigenous peoples.” These corporations, Caulfield notes, “control vast resources, and they interact actively with both public and private resource governance institutions” (Caulfield 2004: 122).

It is here, again, that a Canadian Studies approach to the North distinguishes itself. While IR literature is generally concerned with the relationship between states and corporate stakeholders in the Arctic (see Wegge 2011; Dodds 2010; Borgerson 2008), the Canadian literature is more strongly focused upon the constituent parts which contribute to the Canadian state’s position in the North (see White 2008; Heininen & Nicol, 2007; Stuhl 2013; Grant 2010; Coates et al. 2008). The understanding of the relationship between state or national agency and governance issues, including regional land claims and indigenous self-government (Loukacheva 2007; Fenge 2008), as well as a running critique of the problematic consequences of state-centred definitions of sovereignty (Grant 1991; Nicol 2010; Nicol 2013) are well developed. A similar, but less developed literature distinguishes itself in debates surrounding the current landscape of economic development within the contemporary Canadian North, certainly in parts of the Western if not the entire Arctic and sub-Arctic region. While, as Caulfield (2004) notes, development of non-renewable resources such as oil and gas, gold, lead, zinc, and diamonds have had a profound impact on the livelihoods of Arctic peoples”, it is not just the fact of development that is important: rather it is the context within which exploration and resource development occurs which is crucial. Furthermore, “[e]arly development

was often associated with colonization and exploitation, where Arctic residents, who lacked recognized rights to resources, benefited little but paid substantial costs in terms of environmental impacts and loss of power. With growing attention given to indigenous land claims, resource rights, and self-determination, some Arctic peoples are now finding ways to engage productively in non-renewable resource extraction” (Caulfield 2004: 122). The unqualified belief that ‘development is bad for the North’ has little credibility, even among indigenous groups. For those outside the Canadian Arctic, attempting to make sense of the politics of development, it is important to understand that indigenous land claims – and specifically those which lead to self-governance, accompanied by more explicit control of rights to land ownership or use – are central to the new landscape of mega-project development within the Canadian North. While the long term sustainability of a wage economy linked to resource extraction for local communities is often uncertain (i.e. boom and bust cycles), the question of how revenues are shared, how investment is designated, and how control over resource extraction is regulated rests upon the success of indigenous self-governance and the consultative process it has encouraged. It is the management of the latter which, to a larger degree, influences the success of the former. As such, a new and distinctive concern with co-management of resources has complemented the rise of an indigenous studies component in Canadian Studies which is distinctively focused upon development and the North (see Campbell 1996; White 2008; Natcher and Davis 2003; Natcher 2013), of which there are approximately 34 in all of Nunavut, the NWT and the Yukon (Natcher 2013). But, as Campbell, Fenge & Hanson (2011) remind us, there seems to be a false consensus that if the problem of frontier/homeland has been assessed politically, the problem of economic development impacts and benefits is under control. Nunavut’s creation did not end the problem of self-governance in the North, nor the sharing of development benefits. Instead, there is a new complexity and intertwining of issues which is as yet, poorly addressed. This relates not just to the idea that development is inherently ‘good’ or ‘bad’ for indigenous communities and environments, depending upon whether land claims are in place, but rather how developmental frameworks continue to be manipulated in ways which lessen their potential ability to resolve the crisis of underdevelopment within First Nation communities in the Canadian North.

To better appreciate this claim, which is that the Canadian Studies literature has remained rather simplistic in its analysis of Northern development issues and focused upon seminal research in need of reassessment in contemporary terms, we need to think about three important issues. The first is whether there is any evidence to support the idea that a lens on economic development has *not* developed in the Canadian Studies literature. This is the case – only about two per cent of articles in the three flagship journals which reflect the state of Canadian studies both at home and abroad discuss the Canadian North, and of these, only two articles explicitly examine economic development issues. These are the *Journal of Canadian Studies*, *The American Review of Canadian Studies*, and the *Intentional Journal of Canadian Studies*. Approximately 600 articles have appeared over the past ten years which reference the Arctic, and while next to none deal specifically with economic development, there is limited concern, more generally, for environment and governance issues. In general, while there are several other important journals which are directed specifically to the study of the Canadian and International North which do contain more explicit discussion of

economic development issues, as well as single discipline publications which discuss development issues, in general Canadian Studies literature as a interdisciplinary field have avoided the topic.

The second issue to think about is how development is now being promoted in context of existing arrangements for self-determination within the North. Much of the literature on development is actually embedded in articles which define identity, political developments. This is true even within the Canadian studies journals explored, where land claims and sovereignty arrangements were the venue for explaining economic development issues. But even so, and this speaks to the last point, even where political discussions address development issues, there is little discussion of the economic context in type of decisions which are being made, specifically the way in which federal agencies are creating a development agenda which has at its heart, a neo-liberal development agenda, and which, as such, has very important ramifications for community development itself.

Models for Development: Two Different Visions

Reservations about economic, social or environmental consequences of specific projects in the North should not be confused with lack of support for development in general. Indigenous governments are very mindful of the role of resource industries in providing new economic opportunities in the western Canadian Arctic, particularly in the area of employment. Bone (2008) reminds us that while such development may indeed not be sustainable, and comes with a high price tag, there is a new understanding of the way in which resource development promotes economic development precisely because the nature of the global economy and commodity demands and prices have changed so much in recent years. Still, for Bone, there are predictable and intractable problems with reliance upon extractive industries for general economic diversification in the North, and this is a belief shared by many. While some agencies, for example, the Conference Board of Canada, or even diamond mining enterprises like Diavik, or Enkati, paint a promising picture of Northern development, this is not always the reality. When the Polaris and Nanisivik mines in Nunavut closed, they devastated the local communities as people lost their jobs, and there was a spike in substance use (Bowes-Lyon et al. 2010). Furthermore, it was found that any jobs skills developed in the mines were industry specific and not transferable, which calls into question the benefits of skills training the Conference Board (2011) promotes.

A 2010 study by Petrov also looked at the consequences of mine closures, specifically focusing on the Faro and Beaver Creek mines in the Yukon. Petrov (2010) stressed the resource industry in the North is not stable and goes through waves of decline, which are devastating for the local economy. Petrov found that not only did the resource industry suffer, but so did sectors that were both related to mining and sectors that were not, such as entertainment and tourism. These declines resulted in a declining GDP for the territory at a rate of 11.2% per year from 1997 to 2002.

On the other hand, indigenous communities are eager to make decisions regarding the admissibility of such projects, and in doing so play a larger decision-making role. The landscape of megaprojects, defined by Bone (2012: 171), indicates that virtually all are created by outside interest and investment. There are, of course groups such as the Aboriginal Pipeline Group, which have formally established themselves as part of the potential landscape of economic investors should the

Mackenzie Valley pipeline move forward. In other areas, through the management and investment of settlement funds, northern groups have made considerable progress and investment in the North. The magnitude of growth in this area is suggested by I and D Management statistics. I and D was formed in 2002 in partnership with Diavik mines (Rio Tinto). It represents 4 indigenous groups, including the Tlicho Investment Corporation, and has today 72% of mine employment comprised of aboriginal employees – 43% for “impact communities” (I and D, pers. Com. 2009). Since 2002, I and D has more than doubled its workforce in Diavik, employing indigenous and northerners at all levels of production, while in 2008 unemployment stood at 5.4% – a remarkable feat when compared to 17.4% in 2001 (Up Here Business 2008: 28) or 13.7% in 1999. Similarly, transfer payments account for 70% of the territories total expected revenue, again down from closer to 80%, or more, in previous decades. Indeed, the diamond mines are estimated by some locals to provide for as many as 2000 jobs region-wide, and have significantly changed the perception of locals towards their ability to become regionally self-sufficient, decreasing welfare dependency and creating the potential for a more materially affluent standard of living. There is, however, a very real problem in that every group, from indigenous governments to industry, recognizes, which is that the nature of the diamond industry is not sustainable. Jobs created by diamond mines, and the boom in construction, infrastructure development and ancillary economic activities to expand a growing and more affluent population is limited. Estimates of 20 to 40 years are given, depending upon the ability of the major corporate players like De Beers, Rio Tinto or BHP Billiton to maintain diamond mining activities in the face of a volatile global market and in the face of what may be increasingly expensive underground mining activities rather than open pit or surface pipe mining operations.

So the issue of sustainability remains a difficult one, but as far as sharing the wealth, a new landscape is emerging. Several types of agreements in place which attempt to change the exploitative nature of mining itself. These are the social and economic agreements negotiated with governments, and the IBAs (Impact Benefit Agreements) negotiated with individual communities, where, unlike the co-management boards, indigenous groups are ready and able to enter into negotiations directly with corporate investors, to gather some of the benefits of development on impact (and often even on non-impact) lands.

This is an area in which Canadian Studies scholars are only beginning to invest time and effort. Similarly, the relationship between co-management boards and decision-making is also emerging as a research area. Co-management boards appeared to pave the way for future development for indigenous populations, although few scholars were sufficiently versed in the complexity of these agreements to provide insightful analysis (see Graben 2011; White 2008; Natcher & Davis 2003). Co-management is, potentially, a process of shared stewardship or responsibility between indigenous and non-indigenous actors, the latter including regional and territorial government personnel. Co-Management boards are designed to deal with the licencing of “most undertakings related to the use of land, water, and wildlife in their respective regions or to make recommendations related to environmental impacts” (Graben 2011). Campbell (1996) shows that co-management first developed as a concept in the early 1980s, but that although institutionalized ‘co-management agreements’ had been developed in context of settlements involving aboriginal people in Québec and in the northern territories, “the experience of co-management in Québec was extremely limited and highly

criticized”. By 1984, however, with the signing of the Inuvialuit Final Agreement, co-management had evolved. For Campbell it was the IFA model which served to define subsequent understandings:

The terms of the IFA included a lump-sum compensation payment, the equivalent of full title to lands in and around the six Western Arctic communities of Inuvik, Aklavik, Tuktoyaktuk, Paulatuk, Sachs Harbour and Holman (Category I lands: 11 000 sq. km), and shared or joint management of resources on additional territory (Category II lands: 78 000 sq. km) (Dickerson, 1992: 103). Boards and committees established under the IFA to administer Category I and II lands and resources are unique in Canada. They include the Fisheries Joint Management Committee, the Wildlife Management Advisory Council (NWT), the Wildlife Management Council (North Slope), the Environmental Impact Screening Committee, and the Environmental Impact Review Board. Joint management on these boards and committees is accomplished through a 50% Inuvialuit representation. Consensus-based, they employ non adversarial methods of negotiation, and enjoy a reputation of being successful from both state and industry perspectives. In addition, each community developed its own conservation and management plans that are consistent with the regional plan developed in 1988 (Campbell, 1996).

The IFA model has been reproduced elsewhere in the North. The result is an increasing number of boards, both regulatory and advisory, which have authority over economic development and its environmental impacts. Co-management boards are now found throughout all land claims areas, including Nunavut and Nunatsiavut, with differing degrees of indigenous voice and influence. The structure and function of co-management boards is quite variable, nonetheless. Some, like the Nunavut Wildlife Management Board, are created by land claim agreements themselves, and some by federal legislation, such as the Mackenzie Valley Land and Water Board, or the Gwich’in Land Use Planning Board (White 2008). For some stakeholders, such as those invested in corporate development agendas, this creates an “over-regulated” development environment (McCrank 2008), while to others this represents a move towards more equitable and sensitive response to the need for greater civil participation within the NWT, particularly with respect to environmental and development issues (White 2008) – despite gender inequalities in representation (Natcher 2013).

While co-management has increasingly been the model whereby both indigenous and non-indigenous review panels and boards evaluate environmental oversight, most co-management boards’ concerns are limited largely to environment, wildlife and land and environmental issues, rather than education, health, or social welfare, with the Mackenzie Valley Environmental Impact Review Board being exceptional in that it has broader powers (White 2008: 72). In total, approximately 34 co-management boards exist across the Canadian territorial North. For example, in the NWT there are several such regulatory regimes established as a result of both the IFA and the subsequent Gwich’in, Sahtu and Tlicho final agreements. The latter set of agreements saw co-management boards relating to each claim entrenched in the Mackenzie Valley Resource Management Act. Arguably one of the most important co-management regimes, created as a result of “The Mackenzie Valley Resources Management Act (MVRMA)”, it has allowed “authorities to co-management boards to carry out land use planning, regulate the use of land and water and, if required conduct environmental assessments and reviews of large or complex projects. It also provides for the creation of a Cumulative Impact Monitoring Program (the NT CIMP) and an

environmental audit to be conducted once every five years”, thereby allowing for a more robust management system (see MVRMA).

The resulting landscape of regulation and control thus established were complex and often scattered, responding to local community issues under the umbrella of broader regional initiatives (see White 2008; Campbell, Fenge & Hanson 2011). Indeed, there were four land and water boards entrenched within the MVRMA, and these included the Gwich'in Land and Water Board, the Sahtu Land and Water Board, the Wek'eezhii Land and Water Board; and the Mackenzie Valley Land and Water Board.

These land and water boards were designed to undertake monitoring and permitting programs as specified in the planning and co-management negotiated with the Government of the Northwest Territory and indigenous peoples. As White (2008) has indicated, their role was designed to 'regulate the use of land and water, and the deposit of waste, through the issuance and management of Land Use Permits and Water Licences'. For example, for the Gwich'in Tribal Council, this meant that it has the right “to sit on any board that is set up to carry out environmental monitoring and testing within the Gwich'in Settlement Area. If a government department is given the responsibility for this, they must work with the Gwich'in Tribal Council.” (<http://gwichintribalcouncil.com/cmb/>).

White maintains that despite their flaws, the co-management boards have seemed to provide traction for greater indigenous voice in decision-making. He observes, however, that their faults are many: “Individual boards exhibit serious flaws (and some have been painfully dysfunctional), while systematic problems and shortcomings are evident across the entire range of land-claim boards. Among other things, they have been criticized for providing little more than token aboriginal influence over land and wildlife decisions, for remaining (via funding arrangements and appointment provisions) essentially under the control of the federal government (or, less frequently, the territorial governments) and, perhaps most damningly, for undercutting rather than enhancing aboriginal peoples' self-determination and autonomy by enmeshing them in Western modes of thought and behaviour ” (White, 2008, 72).

Indeed, the failure of co-management boards to live up to their potential has also been identified by a number of authors, as has been the minority structure of many of these boards where indigenous representation has been achieved (White, 2008; see also Natcher and Davis, 2003; 2011). In many cases, indigenous knowledge has not been incorporated into decision-making Graben, 2011; Natcher and Davis, 2003).

The point here is that there is no longer a simple dichotomy of 'development is bad' or 'development is good'. This analysis allows us to explore more closely the political economy landscape in which economic development initiatives in the North are situated. At this point it is important to note that the literature resulting from a Canadian Studies approach to economic development in the North closely situated the goals of development as dependent upon the efficacy of local governance, land claims and co-management structures and relationships. Scholarly and indigenous assessments as to the positive (White, 2008) or negative (Alfred and Cornassel, 2005) outcomes of the process were varied, but there was essential agreement on the fact that land claims,

co-management boards, and the political agenda of indigenous self-governance in the North was essentially the best way to proceed.

Moreover, the point is that the Canadian Studies literature, in general, has been reluctant to dig deeper, and it is only by digging deeper that a real assessment of the way in which development could and should proceed can be made. Instead, it remains focused upon colonial structures and identity/sovereignty narratives.

Since the mid to late 2010's, however, there has been a fundamental shift in the landscape of regulatory control and the visioning of economic development policies. Since the time that the land and water boards were established, and co-management became normative, however, two significant events have happened. First, a political agenda of neoliberalism was advanced specifically for northern territorial development, and secondly, territorial devolution was put forward. In both instances the relationship between development and political agency were oriented towards serving broad corporate interests to enhance opportunities for large-scale regional investment. The Conference Board of Canada (2011), for example, argues that resource development in the North will provide employment and bring revenue into the territories. Indeed, the Conference Board (2011) states that many northern communities want to participate in development projects, not just as employees, but as participants throughout the whole process. It is this type of logic which has also seen a broader strategy of development in the form of the Federal Government's Northern Strategy, its organization of Canada's Northern Economic Development Agency (CAN NOR), and its business agenda as a platform for the Canadian Arctic Council Chairmanship in 2013. Both of these events were influenced by a Conservative Federal Government's approach to the North as laid out in its 'Northern Strategy' (see Northern Strategy). The same strategy left the provincial powers more vulnerable and dependent. All un-owned land and resource royalties in the territories has been under federal not territorial control, meaning that the territories did not have access to them the same way provinces would. The devolution of powers of control over natural resources creates considerable opportunity for territorial governments to generate income through larger shares of resource bonanzas.

Building upon this model, recent policy and legislation initiated by both federal and territorial governments has contributed to a reassessment of co-management structures. This is why (beginning in 2003, with revisions to the Yukon Act which that led to devolution of resource management authority to the Yukon, and continuing today with the devolution of similar powers to the NWT as well as the continuing accommodation of the role of and claims agreements towards similar ends) economic development needs to be understood in institutional and political context. The structure of local power arrangements has always been instrumental in the way in which the benefits of development have been embedded, or not, within northern communities.

In April 2003, for example, the Yukon Act ensured devolution of resource management. Much like a provincial government, it gained control over its natural resources. This gives the Yukon the right to collect royalties on Crown land owned by the federal government. In a development climate here large areas of Crown land are being explored and potentially invested in for their natural resource development, such a new territorial power is substantive. It meant that monies which would have

previously flowed out of the north, to the benefit of those elsewhere in the nation, are now directly retained by the Yukon Territory. Similarly, the Northwest Territories have now seen gains on territorial powers as a new devolution agreement was reached in 2014 (see Anthony Specca's commentary in this Yearbook).

For the Yukon and the Northwest Territories, there have been significant gains associated with devolution agreements recently concluded. Devolution and the landscape of land claim agreements is instrumental to economic development processes in the Canadian North. There is also a significant impact for indigenous governance exerted by this devolutionary process. The new devolution act in the Northwest Territories, for example, does away with local land and water boards negotiated as part of the land claims agreements. The Devolution Act combines all boards into a single land and water board, made up of members from across the territory. The rationale is 'regulatory simplification', and was first articulated by McCrank in 2008.

Devolution and the deregulation is thus consistent with what could be termed a new neoliberal approach to Northern economic development, brought to bear by the current Harper Government. This agenda builds upon what the federal government calls its "Northern Strategy", introduced in 2007. The goals of this strategy were articulated in 2009, in *Canada's Northern Strategy: Our North, Our Heritage, Our Future*. Cornerstone pieces of this agenda also include the Economic Action Plan, and the 2010 Northern Jobs and Growth Act. The latter impacts upon the Nunavut Planning and Project Assessment Act and the Northwest Territories Surface Rights Board Act, along with amendments related to the Yukon Surface Rights Board Act. While the intent of the Northern Jobs and Growth Act is partly to meet the Government of Canada's outstanding legislative obligations under the Nunavut Land Claims Agreement and the Gwich'in and Sahtu Land Claim Agreements, it also is very invested in streamlining and improving regulatory processes in the North – and is therefore very much an outcome of projects such as the McCrank Report of 2008.

Conclusions

If we return to our original framework – looking at this process of development and devolution from a 'Canadian Studies' perspective, what results is a web of development discourses and initiatives which are not easily reduced to a single framework of analysis. Development agendas which create new relationships between citizens, states, corporations, environment and resources, and responding to a social agenda which increasingly legitimizes and calls for strengthened indigenous involvement and self-determination. Canada's Arctic is now looking very much like many other 'underdeveloped' regions – that is to say communities undergoing considerable developmental pressure while being caught up in a development agenda directed from distant capitals. Still, the development agenda is intersected by a rising indigenous rights agenda, strong new voices from a multitude of local, regional and global lobby and stakeholder groups. It is in this context that we return to the idea of 'sovereignty'. Indeed it the latter, 'sovereignty', which tends to occupy the Canadian Studies literature (Byers 2010; Huebert 2010; Coates et al. 2008) focus on the north more substantively than 'economic development'. Partly, this is because the legacy of Canadian Studies itself has linked political economy to state, and has either romanticized or villainized resource

extraction industries, depending upon whether state or indigenous interests are described. Berger's inquiry, for example, seemed to suggest to many that economic development was not in the interests of indigenous peoples and northerners, and therefore all development was bad, although this is not exactly what Berger said. This essentialization and polarization of the two perspectives has left interest in mapping the less exciting, but more important, minutia of the landscape of development to fewer scholars, like Campbell (1996), Fenge and Hason (2011), Robidoux (2004), Bone (2012), DiFrancesco (2000), Petrov (2010; 2013), or indigenous writers whose work is less accessed by mainstream academia. It also competes with larger nation-building narratives and state agency, particularly in terms of the state's colonial legacy – and it is the latter of these that we have found particularly compelling over time and in which we have invested most of our scholarly efforts. Campbell, Fenge & Hason (2011) see this as an obsession with the political lens of Arctic academia, and perhaps in this assessment they are correct.

Berger (2005, 2006) himself has argued only recently that the fact of land claim agreements has not resolved the very real and complex issues that face northern communities in their assertion to have some control over their own fate. The holding status of devolution for Nunavut is a case in point. Development and its environmental impacts are important areas of fate control. The way in which regulatory boards have been established, funded, also plays a role. The federal government has not lived up to many of its solicitations, and as such this jeopardizes much meaningful development discourse, development for which many indigenous and non-indigenous Northerners are anxious for. This, we believe, is an important topic in which 'Canadianists' should engage.

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