

Canadian Contradictions: Forty Years of Northern Political Development

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ABSTRACT. Postwar northern political history is interpreted as a compressed reiteration of older patterns of Canadian development. It is argued that Native people and northerners have reacted to two contradictory tendencies in the Canadian constitutional tradition: liberal individualism and Tory top-down pragmatism. The general argument is that understanding current northern debates in this way exposes some grounds for long-term optimism about aboriginal and territorial self-government.

Key words: territorial political development, federal northern administration

RÉSUMÉ. On interprète l'histoire politique du Nord depuis la dernière guerre comme la répétition, en accéléré, des schémas antérieurs de développement du Canada. L'auteur soutient que les indigènes et les habitants du Nord ont réagi à deux tendances contradictoires dans la tradition constitutionnelle du Canada, à savoir l'individualisme des libéraux et le pragmatisme des conservateurs qui s'exerçait de haut en bas. L'idée générale est de démontrer qu'à partir de cette ligne de pensée, la compréhension des débats actuels sur le Nord débouche sur un optimisme à long terme quant à un auto-gouvernement aborigène et territorial.

Mots clés: développement politique territorial, administration fédérale du Nord

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INTRODUCTION

A sympathetic friend from France asked a very simple question this summer: Why does Canada exist? As an economist aware of the powerful tug of the United States economy, and a citizen of a nation with much more cultural coherence, he meant: How does Canada survive?

His question prompted an hour of increasingly involved and perhaps not very persuasive explanation from the Canadians present. We were not surprised that explanation was so difficult. Canadians are accustomed to this problem.

In this essay, I propose that one account of Canada's survival is to be found in a careful reading of the recent political history of Canada's two northern territories. When the question of Canadian identity arises, it has been traditional for politicians (like John Diefenbaker) and writers (Pierre Berton and Farley Mowat) to invoke northern imagery. Recent northern political history has revealed, however, that the old northern images are mere romance. Native peoples' political mobilization, their communication of their own interpretation of northern reality and their plans for the North's future have fundamentally changed the way in which the North is comprehended.

This change has only increased the importance of understanding northern political and economic issues; "the North" continues to be evocative. This is so because recent northern political development has been a compressed reiteration of earlier national struggles and dilemmas, and because current outstanding issues in the North crystallize major national concerns.

To make this case, I must rely upon some undefended generalizations about the characteristic patterns of Canadian development. These generalizations are not universally accepted, but neither are they idiosyncratic. They are developed from the works cited in the next section of the paper. The generalizations frame a narrative overview of the major phases in northern political history, with emphasis upon the last 40 years.

Considering the recent period in this way exposes its continuity with the rest of Canadian development. The continuity is related to contradictions in Canadian conceptions of the role of

the state and the nature of democracy and to the persistence of the "National Policy" economic development strategy. When the similarities are exposed, differences become more obvious. The most important of these is that, in contrast to the situation in the rest of the country, the foundations of northern constitutional practice have not solidified, nor has the economy of the North fully taken shape. Very great national issues still hang in the balance.

COLONIAL DOMINION: PATTERNS OF CANADIAN DEVELOPMENT

Canada as a politically independent nation has known a protracted gestation. It was over 50 years after Confederation in 1867 before Canadian representatives spoke for Canada internationally without British sponsorship. The written constitution was patriated over a century after Confederation, and we are still completing the long collective labour to agree upon a written text.

There are good reasons for the difficult birth. We began with a hybrid form, a federal structure grafted to the parliamentary model that evolved in tiny, unitary, imperial England. From the beginning, compromise has been important. The presence of Quebec, and of francophones in other provinces, has compelled recognition of difference. There have been repeated attempts to accommodate the goal of equal treatment to the reality of cultural differences (Russell, 1977; Forsey, 1962).

Compromise has also been difficult. Colonial patterns of government prevailed through small-holder rebellions in Upper and Lower Canada in the 1830s, during the negotiations that produced Confederation, and after 1867 during the consolidation of Dominion control over the lands north and west of Ontario (Thomas, 1978; Whitaker, 1977). The old written constitution, the British North America Act (now the Constitution [1867]) soberly divides jurisdiction and revenue opportunities between two levels of government and carefully delineates the extent of religious and educational expression for francophone, Roman Catholic Quebec. The machinery of government is outlined as a function of executive prerogative, not as an

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expression of the citizens' will. To the extent that systematic expression of the will of the people was considered at Confederation, it is clear that all drafters assumed that Canadian practice would follow the British parliamentary model and that practices in Canada would evolve here as conditions dictated. This assumption persists as the "unwritten" part of our constitution. Thus the Constitution (1867) lacks the inspiring revolutionary rhetoric of, for example, the American constitution, as well as any reference to responsible government (control of the budget by elected officials) or to individual rights.

Constitutions record the balance of social forces in the nations for which they are written. The British North America Act was drafted by a fractious colonial elite who conceived the Canadian state as a solution to various problems of markets and capitalization created by American protectionism and expansionism and the waning of commercial privileges granted to British colonies (Dawson, 1970:20-39). These conditions determined that the state would play from the beginning an active role in creating a domestic economy. The Fathers of Confederation used the new Canadian state to borrow the capital needed to build a transcontinental transportation system, to displace western indigenous peoples with no more than the necessary level of coercion, to import a labour force, and to raise tariff barriers that protected central Canadian manufacturing from U.S. competition. This was the National Policy of 1878-79, a program that worked reasonably well for 50 years. In a favourable international market setting, a national economy was created in which western farmers produced wheat for export while providing a captive market for manufactured goods from central Canada. Capital drained steadily from the old commercial centres of the Maritimes to central Canada (Fowke, 1973; Paquet, 1968).

The state that achieved these feats cannot be seen as *laissez-faire*. A *laissez-faire* state is minimalist, an umpire restrained from active intervention in the economy except where it is necessary to enforce the rules of fair competition by protecting the rights of individual economic and political actors (Rea, 1968). Early Canadian conceptions of the role of the state were "Tory," the old form of British conservatism elaborated by Edmund Burke and by Canada's pre-Confederation colonial administrators (Whitaker, 1977; Goodwin, 1961). In the Tory conception, the state is seen as an instrument for promoting capitalist development by pragmatic intervention where market forces fail or are absent.

In Canada, the Tory conception of the role of the state has always contained contradictory tendencies. First, there has been the expectation that sooner or later the time would come for the state to withdraw. After the motor of capitalist development had been started, the state was expected to become more *laissez-faire*, more appropriate to a "normal" capitalist liberal democracy. Canada's geography and the federal system, among other factors, have inhibited realization of this goal. The federal state remained important for "regional development" and other forms of capital redistribution and for protection of sovereignty on the frontiers. Entrepreneurs located outside the centre of power have pressed alternately for Tory interventions more suited to their needs and for liberation from the heavy hand of state policy.

There have also been countervailing pressures "from below," in the form of resistance to the top-down Tory administrative style. The state, used so unself-consciously by merchants and landholders to create a national economy, was pressed to provide the preconditions of better lives to the rest of the

population. In often isolated battles all over the country, workers, Native peoples, farmers, women, and religious dissenters fought for political, economic, and social rights. These struggles generated political movements and political ideas with a strong "regional" flavour. They all challenged the commercial alliance and Tory philosophy through which Canada was born. The Metis revolt in the late 19th century, Native resistance elsewhere in the country, the prairie farmers' movement, the Social Gospel movement, women's struggles for the vote, and socialist labour organizations all attacked in different ways the economic and political terms of Confederation.

Warfare, conquest, coercion, evacuation, civil disobedience, resistance, and great struggles have transformed Canadian life. In this process, we did not forge a national mythology of revolutionary achievement, as similar events have done in, for example, the United States or France. This aspect of our legacy is instead a tradition of gradual, piecemeal, unremarked reform worked painfully through the Byzantine architecture of federalism.

The entire history of federal northern administration reflects these national patterns. The northern territories were administered for decades as colonies of the South, at first lackadaisically and then, after World War II, with sudden energy. The National Policy strategy, which had opened the West, was revived for the North, like a recurring dream, whenever it appeared that northern resource development was possible. Repeatedly, the dream faded when geography and changes in the world economy frustrated development (Paquet, 1968:41-42).

In the last 40 years, northern challenges to colonial administration, the National Policy development strategy, and the traditionally halting pace of Canadian constitutional change have occupied centre stage. Because the territorial North is home to distinct, self-conscious, and proportionately numerous Native societies, as well as to a settler population, northerners confront the familiar questions of ethnic particularity and equal participation.

EARLY DOMINION ADMINISTRATION

The Dominion government purchased "Rupert's Land and the North-West" from the Hudson's Bay Company in 1870; in 1880, Great Britain transferred to Canada jurisdiction over the Arctic Islands. For decades after, however, the federal state was preoccupied with national consolidation south of the 60th parallel. Relations with indigenous and migrant northerners were conducted almost absent-mindedly, on a crisis basis. Attention was drawn northward episodically, by the threat of American annexation of Canadian lands and by short-lived concentrations of non-Native settlement that attended mineral developments.

Mineral "discoveries" by migrants provoked brief spurts of enthusiasm in the South for northern development. Where these discoveries led to production (in the Yukon after 1898 and at Norman Wells after 1921), Dominion regulations were duly drafted, following principles similar to those used to encourage mineral development in the rest of the country (Zaslow, 1973; Martin, 1973). As was the practice in the South, treaties were sought with northern Native societies only where open conflict threatened between migrants and indigenous people. No treaty was ever signed with Yukon Indians or with the Inuit of the Arctic. Treaty Eight (1898) and Treaty Eleven (1921) were negotiated hastily with the indigenous peoples of northern Alberta and Saskatchewan and with the Dene of the Mackenzie

Valley when fortune seekers invaded these lands and disrupted Native land use (Fumoleau, 1973; Thomas, 1978).

The Yukon Territory was created in 1898 in response to the Klondike gold rush. The gold rush drew a large and heterogeneous population of non-Natives to an area barely within the reach of Dominion authority. Eventually, the presence of these migrants and fears in Ottawa of American annexation led to the creation of the Yukon Territory and the establishment of a territorial government in the Yukon. While the migrant population remained large, there was some experimentation with intermediary forms of responsible government, but these were abandoned in favour of a contracted and less democratic territorial state structure during the 1920s, as gold fever and the migrant population both ebbed (Coates, 1985; Morrison, 1968).

The current boundaries of the Northwest Territories (N.W.T.) delineate the land that remained after the staged extension of provincial boundaries northward and the creation of the Yukon Territory and the new provinces of Saskatchewan and Alberta. The Northwest Territories Act (1905) established a fairly broad legislative framework for the self-government of the N.W.T., including jurisdiction in many areas of provincial authority. Until the 1950s, however, the powers listed in the act were exercised by a small group of Dominion civil servants resident in Ottawa.

The human population of the territorial North was left largely in a "state of nature." Social services were provided by non-state institutions (principally the fur-trading companies and the churches) and in different ways by the indigenous peoples and the settlers for themselves. The only permanent state representatives were the Royal North-West Mounted Police, whose presence was used both to maintain sovereignty and to keep the peace. While Dominion policy towards Native people in southern Canada had the official objective of making them "good, industrious and useful citizens" by settling them on reserves and replacing the hunt with agriculture, it was felt that northern Native people ought best "follow their natural mode of living and not . . . depend upon white men's food and clothing which are unsuited to their needs" (Fumoleau, 1973; Judd, 1969b:11).

THE NEW APPROACH: A PROBLEM OF DEVELOPMENT?

Early federal interest in northern Canada was sporadic and slight. The Dominion government was preoccupied with western development, intervening in the North only when mineral discoveries suggested that there was opportunity for economic development or threats to Canadian sovereignty. The Second World War and the global changes that followed completely transformed the federal stance.

With Japan's attack on Pearl Harbor in 1941, the western continental Arctic became an area of potential strategic importance. American military personnel rapidly constructed the Alaska Highway, a winter road from the Mackenzie Valley to Alberta, the Canol pipeline, and an oil refinery in Whitehorse, all in anticipation of the need to defend against an invasion from the Pacific (Coates, 1985). The U.S. military effort had a major impact. David Judd has estimated that between 1941 and 1946, the American military population in northern Canada outnumbered Canadian residents three to one (Judd, 1969a).

The advent of the Cold War immediately after the defeat of Germany and Japan sustained northern military activity. Military personnel in reduced numbers remained in several locations, and in the 1950s weather and radar systems were

constructed, while scientific research and military training exercises continued.

All of this activity created powerful incentives for the development of a new federal approach to northern administration. The American military presence in the North raised concerns for Canadian sovereignty. Concern for sovereignty provoked some delicate diplomatic maneuvering. It also created interest in establishing a more effective state presence in the North (Armstrong *et al.*, 1978; Judd, 1969a).

Reinforcing this interest were two other factors. First, military activity in the North had begun to create the technology and an infrastructure that promised to render northern resource development practical, while global markets for these resources were forming. As a part of the war effort, a new office was created within the Department of Mines and Resources in 1943 to gather information about northern geography, resources, and population. This office produced a report, *Canada's New Northwest* (1947), which treated the region as an economic unit of potential importance to the national economy. Both Liberal and Progressive Conservative governments in the decades following incorporated the same reasoning in their national economic policies.

The Liberal government of Louis St. Laurent recognized in the expanding American economy opportunities to market northern resources and found in the strong state instruments developed during the war the means to promote northern resources development. Later, Prime Minister John Diefenbaker gave vivid political expression to the same economic strategy.

In Diefenbaker's "Northern Vision," the North was to be opened by means of a "new National Policy" (Coates, 1985; Rea, 1968). The North, like the west 50 years earlier, would provide staple export commodities. Northern minerals, like western wheat in an earlier period, would fuel the engine of the national economy by providing export credits, jobs, and investment opportunities. The role of the federal state would be to facilitate resource development. A Territorial Roads program and a "Roads to Resources" policy were announced, a railway was constructed to Pine Point, and new oil and gas regulations were drafted to promote exploration.

Increased penetration of the North by southerners had a second effect. It created a much greater awareness in southern Canada of the circumstances of northern indigenous people. Native northerners were suffering economic hardships as a result of a sharp decline in world fur prices, and they were exposed to new diseases from the South. There were well-publicized reports of starvation. In a period of national expansion of social welfare services and continued federal presence in the North, it was impossible to sustain the old "state of nature" policy.

The state response to this imperative was compatible in certain respects with northern resource development. It also represented the extension of full-scale colonial administration to the territorial North. The full administrative apparatus was established very quickly.

Low-rent housing was provided in settlements, to which the nomadic and scattered Native societies were induced and persuaded to relocate. The population was brought together to facilitate delivery of educational, medical, and social services. Also for this purpose, the Inuit were assigned "disc numbers" to make record-keeping possible for southerners unfamiliar with Inuit naming customs and language. As early as 1949, efforts were begun to bring Native children into the school system.

Over a few years, the old church-run hostel schools were taken over and new primary and post-primary schools constructed. Church-run hospitals were also absorbed into a new public health system, which incorporated a system of nursing stations in small communities and provision of advanced treatment at larger facilities in the South.

Family allowance payments were introduced in the North soon after their 1944 introduction in the South. By the early 1960s, virtually all Native and non-Native northerners were receiving the full panoply of social welfare transfer payments, including old age pension, social assistance, disabled and blind person's allowance and, for waged workers, unemployment insurance.

During 1949-53, individual and group trap line registration was introduced in both territories to regulate game harvesting. Programs were begun

to encourage natives to develop agricultural activities where this seemed possible, to stimulate the growth of home and handicraft industries, to instruct and interest natives in the economical management of fur, fish and other wildlife resources, and even to operate retail stores. [Rea, 1968:37-39.]

There were even programs to teach Native women "housekeeping" skills.

In all of these measures, it is possible to discern a new federal interpretation of the situation of Native people (see Jenness, 1968; Robertson, 1960). Their hardships were understood as a consequence of "disadvantage." Besides emergency measures to deal with immediate problems, there was another, longer term strategy to overcome Native peoples' disadvantaged circumstances by ensuring their full and equal participation as *Canadian citizens* in both the wage economy and the formal political process. In retrospect, the striking thing about the new approach was the extent to which it was developed without consultation with the people towards whom it was directed. But retrospective judgements are too easily made: in this period, only a handful of people in Canada had any level of knowledge about northern Native societies, communication with and among these societies was inhibited by linguistic, technological, and geographical barriers, and there were powerful economic and social welfare incentives for proceeding quickly.

Further, there were measures designed to improve the political representation of northerners and attempts to prepare Native northerners for political participation. Like the social welfare and economic development measures, most of these attempts were coloured by non-Native assumptions about appropriate pace and means and by a reluctance in Ottawa to devolve power. In this period, little was done to improve the political representation of Yukoners; instead, steps were taken to bring the Northwest Territories to the level of self-government already long established in Yukon.

Yukoners who were not status Indians had elected a representative to the federal Parliament since 1902. In 1947, the Yukon constituency was extended to include the western Northwest Territories, and then in 1952, in response to regional protest, a separate constituency was established for the Mackenzie District. In 1954, provisions were made for the Inuit of the Eastern Arctic to vote. Status Indians across the country were given the right to vote in federal elections finally in 1960 (Rea, 1968:43-45).

In stages beginning in 1951, the N.W.T. Territorial Council gained gradually a greater proportion of elected members. A

federal Commission of Inquiry led by A.W.R. Carrothers resulted in the relocation of the seat of N.W.T. government from Ottawa to Yellowknife in 1967 and over the next few years the transfer of administrative responsibilities to the N.W.T. Appointed members remained on the council until 1975, and the commissioner retained a seat in the executive council until 1984. Until very recently in both territories, the commissioners remained very powerful. They were responsible to the federal cabinet, and the federal government retained the power to disallow territorial legislation and to alter territorial budgets (Dacks, 1981).

In the 1950s, there were attempts also to stimulate municipal government participation in northern communities. Most communities were provided with a federal administrator, the Northern Service Officer (NSO), who established in his assigned community a settlement council of elected representatives to deal with matters of municipal concern. The intention of these initiatives was apparently to train northern Native people in the forms of liberal democratic self-government, but in this respect the early local government efforts were largely unsuccessful. The language barrier for community adults and their unfamiliarity with representative majority decision-making procedures discouraged Native participation, as did a marked power imbalance expressed in the position of the NSO.

It was the NSO's role to relay the expressed needs of the communities to headquarters in Ottawa and to relay Ottawa's decisions back to the community. Because little power and no budgetary control were devolved to the communities, the NSO was frequently in the position of representing Ottawa more effectively locally than he was able to represent the community in Ottawa. There was thus relatively little incentive for Native residents to overcome the other barriers to their participation in settlement councils (Brody, 1975; Bean, 1977). Many Inuit found it more effective to write directly to Ottawa, in syllabics, with specific requests (G. Rowley, pers. comm. 1987).

More meaningful opportunities for participation were provided by some civil servants responsible for social program delivery. For example, housing programs in the N.W.T. and the Arctic Co-operatives program across the territorial North were administered in a fashion intended to evolve towards local control. Community-based housing and cooperatives associations were established, and community members were trained for administration and service delivery. These initiatives provided Native people with an opportunity to develop the skills for dealing with state-provided programs and for taking control in their new life circumstances.

This trend, however, was offset and sometimes subverted by an overall consolidation of federal control. Implementation of the new programs brought major changes to the structure of northern administration in Ottawa. The Advisory Committee on Northern Development was created in 1948 as a mechanism for interdepartmental coordination of northern policies and programs. In 1954, the Department of Resources and Development was recast as the Department of Northern Affairs and National Resources (DNANR), to emphasize that "the centre of gravity of the department [was] being moved north" (Rea, 1968:47). In 1965, major responsibility for national Indian affairs was added to the portfolio, which was renamed Indian Affairs and Northern Development in 1966. Expanding budgets and administrative consolidation in Ottawa far outstripped progress towards democratization in communities and in the territorial legislative branches.

There is practical consistency in the overall postwar federal approach. The aspirations of federal politicians regarding exploitation of northern resources were compatible with the need to address the hardships being endured by northern Native people. The difficult circumstances of northern Natives appeared to southern civil servants to be a consequence of Native people's unpreparedness for wage employment and the absence of viable economic opportunities; the remedy was federal programs to develop a Native labour force and to create business and employment opportunities. Jobs were to be provided, ultimately, in the mineral extraction projects stimulated by the new National Policy.

The postwar federal approach also displays the two contradictory strands in Canadian political ideology and practice. The interpretation of the circumstances of northern Native people as a result of individual disadvantage is fundamentally liberal, as is the solution implied by this interpretation. In addition, all of the postwar state initiatives bore the stamp of Canada's Tory beginnings. The northern National Policy, the new social welfare programs, and even the forms of democratic self-government were introduced from the top down. Administrators retained decision-making authority; political control was devolved very gradually.

As it turned out, neither the economic development strategy nor the programs to ameliorate Native people's "disadvantaged" position succeeded in their longer term objectives. The "Roads to Resources" were built, but the North did not become a new cornucopia of exportable commodities. Health, education, and social welfare programs were introduced effectively, but northerners remained in a disadvantaged position with respect to both the waged workforce and the political process. The explanation for the short-term administrative success and longer term political failure of these federal designs did not become clear until the Native people's version of northern history was revealed in the 1970s, when they found a means to make themselves heard.

THE CHANGING BALANCE OF POWER IN THE 1970s

The dramatic events of the 1970s can be understood as the cumulative effect of "the new National Policy" and the new federal approach to northern Native administration. Both sets of policies had the unforeseen and apparently paradoxical effect of creating resistance to further state intervention. The paradox dissolves, however, when Native people's experience of the policies is taken into account.

Wartime and postwar interventions in the territorial North brought mixed blessings. The material circumstances of Native northerners improved over the hard years, when trapping had ceased to provide a good living and when epidemic diseases and occasionally famine visited. The new health care facilities, infusions of cash in the form of social welfare payments, improved communications systems, and government-provided houses alleviated many hardships.

On the other hand, the new life in the settlements brought social problems. The new settlements concentrated populations at unprecedented levels, straining the old authority patterns and kin-based sharing relationships. In some cases, people were relocated far from their traditional hunting and trapping areas, and for others there were powerful influences to hunt and trap less: social welfare payments became a regular source of supplementary income in many households. The educational

programs separated children from their parents physically, as they were attending school, and ultimately psychologically, as they absorbed a non-traditional education while missing the traditional lessons of their elders in the communities. A sense of dislocation from traditional life and the lack of local control over the distribution of the new benefits made dealing with these problems difficult for many individuals. Some opportunities for local control were created, but the success of these only underlined the fundamental lack of local and regional control over other aspects of public life.

"Province-like" control remained in Ottawa with the Department of Indian Affairs and Northern Development, which was reaching the zenith of its power at the end of the 1960s. Fattened on the rapid expansion of federal northern programs, buoyed by the government's political commitment to northern resource development, the Ministry of Indian Affairs and Northern Development was a strong second-string influence in cabinet during this period. Since the 1950s the northern department had used regulatory changes and other forms of encouragement to support exploration for northern petroleum resources, but in two decades of exploration, very little oil or gas had been found. Finally in 1968, when a United States exploration company discovered commercial quantities of oil in Prudhoe Bay, Alaska, it even appeared that the long search for northern petroleum resources was coming to an end, and that the dream of economic growth based on a National Policy for the North would be realized.

The prospect of oil and gas development in the North raised for Ottawa a complex web of intersecting sovereignty, environmental, and economic considerations. These were confronted with varying degrees of creativity, but no new model of economic development was proposed (Dosman, 1975; Bregha, 1979). Federal officials began to plan the construction of a transportation corridor in the Mackenzie Valley for Alaskan oil, in anticipation of eventual Canadian discoveries. Prime Minister Pierre Trudeau explained federal objectives by comparing the proposed Mackenzie Valley pipeline to the Canadian Pacific Railway, which had opened the West for settlement and wheat production in the 19th century. The pipeline corridor would open the North to a new wave of development and prosperity.

This time around, however, the federal "Northern Vision" encountered organized regional resistance. The late 1960s were a period of national mobilization for the Native movement, provoked by the 1969 white paper on Indian policy. The white paper announced a new direction for Indian policy that was consistent with much of federal behaviour in the postwar period but inconsistent with the wishes of Indian people: it closed the book on the past, including existing treaties and outstanding disputes, and proposed instead the assimilation of Indians into the mainstream of Canadian society (Weaver, 1975).

The white paper galvanized Native protest across the country. In the optimistic mood of the early Trudeau years, the federal response to Native protest was similar to the response to other social movements of the period. Funding was provided for organizations to represent activist youth and poor people, as well as for Native organizations at the provincial, territorial, and national levels, on the official premise that the solution to the problems identified by these groups was "participatory democracy" (Weaver, 1975; Loney, 1977).

During 1969-73, Native people across the territorial North formed organizations through which to struggle for their collective interests. The Council for Yukon Indians (CYI) represented

status and non-status Indians in the Yukon Territory. The Committee for Original Peoples' Entitlement (COPE), the Indian Brotherhood of the N.W.T. (IBNWT), and the Metis Association of the N.W.T. represented the Inuvialuit, Dene, and Metis of the western N.W.T. The Inuit Tapirisat of Canada (ITC) was organized by the Inuit of the Eastern Arctic. All of these organizations eventually received federal funding. The status Indian organizations were funded by Indian Affairs; the others were funded by the Department of the Secretary of State as part of that department's responsibility to promote "citizen participation."

The existence of the aboriginal organizations introduced a new factor in territorial political life. In the N.W.T., leaders of the IBNWT (later the Dene Nation) reacted quickly to the news that a major pipeline project was intended for their territory. Believing that the disruptions that would attend this development were uncontrollable and potentially very dangerous, they commenced court action to freeze development on the land through which the pipeline was to pass. In 1973 they received a favourable decision in the Supreme Court of the N.W.T. (Dosman, 1975). To further strengthen their position, the Native leaders successfully sought support from the churches, southern environmental groups, and academics.

In the end, there was sufficient pressure to cause the minority Liberal government in Ottawa to appoint a commission of inquiry to investigate "the terms and conditions" under which a pipeline could be constructed in the Mackenzie Valley. Thomas Berger, a former New Democratic Party politician, Native rights lawyer, and British Columbia Supreme Court Justice, was appointed to conduct the inquiry.

Berger led a wide-ranging and well-publicized inquiry during 1974-76. He heard testimony from hundreds of northerners, including an unprecedented number of Native northerners whose participation was facilitated by the use of translators and a culturally appropriate hearing format. The Berger Inquiry was significant for many reasons: it became the forum for a cathartic national debate about the assumptions underlying economic growth; the innovative procedures for social and environmental impact assessment developed during the inquiry set a precedent in northern decision making; the inquiry process itself delayed a federal decision about pipeline construction until it became clear that the project was inadvisable; and perhaps most importantly, participation in the inquiry provided Native people in the Mackenzie Valley with a unique opportunity for political participation and consolidation, while northern Native organizations in general gained new national recognition (Berger, 1977; Page, 1986; Dosman, 1978; Bregha, 1979).

As the inquiry proceeded, regional Native organizations in both territories were engaged in a process of political development. Part of this development took place through participation in inquiries and hearings (such as the Berger Inquiry and the Lysyk Inquiry on the proposed Alaska Highway Pipeline in Yukon). A great deal of the political mobilization, however, was the result of grass-roots and community-building work undertaken by Native people themselves, in southern Canada as well as in the North.

The Nishga [Indians] of British Columbia took the issue of their land rights to the Supreme Court. They lost the case on a legal technicality but achieved a decision that acknowledged that Native peoples who had not signed treaties did have a form of aboriginal entitlement. Native political mobilization and this ruling prompted a formal reversal of federal policy. In 1973, the

federal government announced its willingness to negotiate aboriginal land claims for those areas of Canada not covered by treaties.

By 1975, all of the northern Native organizations had submitted "land claims proposals" to the federal government that claimed far more than real estate; each called for a fundamental readjustment in their relationship to the federal state, based upon Native peoples' interpretation of their own situation and proposing new models of self-government that blended traditional governing forms with liberal democratic principles. Their goal was to establish regional governments through which they could have sufficient control to ensure their survival as collectivities (Dacks, 1981; Page, 1986; Watkins, 1977).

The initial federal response to the first wave of claims proposals was negative. There were panicky references to the undesirability of "ethnic governments" from federal politicians who clearly had one eye on the progress of the Parti Quebecois and the impending referendum on sovereignty association in Quebec, which would have placed Quebec in a semi-autonomous position in the Canadian federation. By the early 1980s, however, it was clear that the Native organizations had gained considerable ground.

First, federal policy had recognized in 1973 the legitimacy of "comprehensive" Native land claims, completely reversing the 1969 policy that promoted the eradication of all "special rights" for aboriginal people. Procedures for negotiation and a system for funding claims research by loans against an eventual settlement were in place. While federal claims policy excluded negotiation for Native governments, in the negotiation process itself some para-governmental structures were contemplated.

Second, all of the organizations had developed strategies for working towards greater self-government outside the claims process. The CYI had decided to work towards improving existing Yukon government programs where possible, rather than to attempt to develop a totally separate system of services for their memberships. The N.W.T. Native organizations were participating in territorial electoral politics and were using this forum to advance their political goals, and the Inuit had implemented a system of regional councils within their territory to promote broadly based participation.

Third, through their national federations, Native organizations from across the country waged a successful campaign to entrench "existing" aboriginal rights in the constitution, as well as a five-year process to specify the meaning of aboriginal rights at a series of First Ministers' Conferences (meetings of the prime minister and the provincial premiers). Some progress had been made towards entrenching collective rights for aboriginal people.

Fourth, across the North, the Native organizations were recognized as legitimate representatives of their memberships on Native issues, and it had become a regular governmental practice to consult both the organizations and Native people in general when decisions were being made that might affect them.

Fifth, as a result of Native participation in the well-publicized Berger hearings, Berger's widely read final report, and political initiatives of the Native organizations, the official analytical framework regarding northern development had been expanded. It was no longer possible for attentive observers to sustain an interpretation in which Native people were seen simply as "disadvantaged" Canadians. The title of Berger's report, *Northern Frontier, Northern Homeland*, concisely expressed the new image of North, which recognized that there were both Native

and non-Native versions of northern history, leading to two visions of the future.

All of these changes were felt sharply in both territories, where the local balance of political power had shifted decisively. The Native organizations provided a means for Native people to express their views. The change was perhaps most rapid in the N.W.T. In 1975, the Territorial Council was dominated by non-Natives hostile to Native political goals and strongly supporting the Mackenzie Valley pipeline; just four years later, N.W.T. voters elected a new legislature composed of a Native majority and non-Native representatives who were determined to respond to Native concerns.

In Yukon, a similar electoral adjustment came more slowly. In 1979, Yukoners introduced party politics in territorial elections and almost immediately were granted responsible government by the short-lived federal Conservative government led by Joe Clark. (The same provision was not made for the N.W.T., where parties did not then and still do not participate in territorial elections.)

The Progressive Conservatives, who formed the first Yukon government after the introduction of party politics, elected only one Native member, but in 1985 the next territorial election returned a New Democrat majority. In this government, Native people were represented proportionately to their numbers in the territory. The new government in Yukon, like the post-1979 Legislative Assembly in the N.W.T., included also non-Native members who had concluded that it was in their interest to understand and to accommodate the Native position on key political issues, because the extreme political polarization of the 1970s had led to stalemate in both territories (Dacks, 1981; Whittington, 1985).

A NEW POLITICAL LANDSCAPE

The 1970s represented a period of dramatic confrontation and radical realignment of the balance of political forces in the North. In the 1980s, northerners faced a new political landscape, in which more room — though no one was clear how much more room — was available for aboriginal and regional self-government.

Certainly, DIAND's monopoly on northern policy was shattered. In part this was a consequence of greater involvement of other, more powerful ministries in northern development. The chaos in world energy relations during the 1970s drew cabinet attention to the development of a national energy policy, with the result that the Department of Energy, Mines and Resources assumed much greater responsibility for northern oil and gas development (Bregha, 1979; Doern and Toner, 1983). Other departments had developed relationships with northerners, as in the case of Secretary of State funding for some Native organizations.

DIAND's influence was eroded from "below" as well: Native people now dealt with the federal state from a much stronger position, through organizations capable of sustained political activity, and both territorial governments were representing northern interests with greater legitimacy and persistence. Although both northern governments still resembled colonies in their legal position, administered through federal legislation, in practice both had moved much closer to "province-like" authority during the 1970s.

These developments indicated a shift in political initiative to the North, but not to a permanent transfer of power. Constitu-

tionally and legally, control remained in Ottawa, constrained only by the energy and solidarity with which northerners exploited their *de facto* political advantage.

CONTRARY TRENDS IN THE 1980S

Federal government practices in the territorial North were transformed during the 1970s through the political mobilization of northern Native people and their new alliance with non-Native northerners. Some political power was devolved, as consultation about major projects and funding for representative Native organizations became routine and as the territorial governments moved towards more province-like behaviour. Federal economic intervention in the North was obstructed partially by these forces. Further, some basis was laid for an ideological and constitutional accommodation of Native objectives for collective self-determination in the elaboration of processes for negotiation of comprehensive claims and with the recognition of "existing aboriginal rights" in the new constitution.

In the 1980s, the contradictions inherent in these changes became more apparent. Federal action in two areas underlined the limits to northern influence over northern affairs. The imperatives of national energy policy brought a boom and then a bust to the territorial economies, and the resolution of the national constitutional process through the Meech Lake Accord produced significant setbacks for all northerners and for Native northerners in particular. At the same time, in the North, two processes were launched that provided an alternative model for decision making on constitutional and economic development. In the 1980s, the federal government exercised executive authority in secret negotiations, while political leaders in the territories created broadly based, broadly democratic deliberative forums.

Two Federal Initiatives

The federal legislation establishing the framework of government in the two territories grants to the territorial governments province-like legislative powers, with one major exception. As was the case for Alberta and Saskatchewan before 1930, jurisdiction over "Crown land" is retained by the federal level of the state. Thus the territories lack the economic power exercised by provinces in taxing and regulating non-renewable resource development.

The world energy "crisis" that began in 1973 created a situation in which federal control of northern resources gained new importance. The crisis prompted major revision of Canadian energy policy, culminating in the announcement of the National Energy Policy (NEP) in January 1980. The NEP was promoted as a program to achieve the dual goals of "Canadianization" of a significant portion of the foreign-controlled energy sector and national self-sufficiency in energy supply. Principal mechanisms for achieving self-sufficiency in energy were various kinds of subsidies to encourage exploration and development of petroleum reserves in the federally controlled land in the two territories (referred to in the NEP as "Canada Lands").

The NEP was developed by a relatively small group of senior federal officials, without consultation with northerners or, in fact, with the Department of Indian Affairs and Northern Development (Doern and Toner, 1985; Pratt, 1982). Implementation of the NEP produced an energy boom in the western N.W.T. and significantly increased activity elsewhere in the N.W.T. and in Yukon. Especially in the N.W.T., the boom was

boosted by another project, to expand the oil production system at Norman Wells and construct a small diameter pipeline along the Mackenzie Valley south from Norman Wells to Alberta. The smaller Norman Wells project was approved by the federal government just four years after Berger's recommendation that there be a ten-year moratorium on pipeline construction. There was ongoing opposition by Native organizations.

With the completion of the construction phase of the Norman Wells project, and the withdrawal of the NEP by the new Conservative government after 1984, northerners faced a sudden collapse of petroleum industry employment opportunities. Both the boom and the bust were economic events of major consequence over which northern residents had no control.

More effective participation was possible in the process through which the Canadian constitution was patriated, but in the end insufficient opportunities for participation were permitted. Northern Native people joined the successful campaign by Native people from across the country to entrench affirmation of "existing aboriginal and treaty rights" in the new constitution. It was evident that federal, provincial and Native representatives held widely diverging views about what these rights entailed. Accordingly, to the section affirming aboriginal rights was added another that provided for a series of conferences of first ministers and national Native leaders to determine what was meant by this phrase (Constitution, 1982, Sec. 35, 37). Representatives of territorial governments attended the patriation meetings but were not parties to the agreement. Both the territorial governments and national Native organizations participated in the First Ministers Conferences (FMCs) on aboriginal and treaty rights.

In 1987, the constitutionally required First Ministers Conferences concluded without agreement on the meaning of "existing aboriginal rights," leaving open the question of when or how this fundamental issue will be decided. Just one month after the failure of the last FMC on aboriginal rights, another First Ministers Conference reached an accord among the provincial premiers and the prime minister on the terms by which Quebec would enter the new Canadian constitution. This Meech Lake Accord included an agreement to revise the constitutional amendment process. If the accord is ratified, the establishment of new provincial boundaries, formation of new provinces, and reform of federal institutions will require agreement of the federal government and all ten provinces. In the 1982 version of the constitution, these changes required only the agreement of the federal government and seven of ten provinces, representing 50% of the Canadian population.

Neither the territorial governments nor the national Native organizations were invited to attend the meetings that produced the Meech Lake Accord. Native leaders reacted angrily to the accord, not because they opposed resolution of Quebec's constitutional position, but because their own distinct societies had so recently been disappointed by the same assembly of provincial and federal leaders. Inuit leader John Amagoalik commented in a television interview: "If Quebec is a distinct society, what are we? Chopped liver?"

The accord's amending formula is another source of concern for both Native leaders and the territorial governments. It seems clear that eventual provincial status for the territories will be much more difficult to achieve, and changes to northern representation — in, for example, the Senate — could be effected without territorial agreement. While no northern leader expects or demands provincial status for either territory in the near term,

all are concerned about the long-term implications of the Meech Lake Accord.

Two Territorial Initiatives

Independently of the federally led national initiatives in energy policy and constitutional development, the territorial governments addressed fundamental regional economic and constitutional questions during the 1980s. In each territory, processes were established that stand in remarkable contrast to those at the national level.

Since early 1980, residents of the N.W.T. have been participating in a process of territorial constitution-building. The process was born in the new spirit of accommodation and cooperation attending the 1979 territorial election. The Legislative Assembly created a "Constitutional Alliance" to bring members of the Legislative Assembly together with leaders of territorial Native organizations in a forum to promote discussion of future territorial government structures. Two public conferences were held for this purpose.

Then, in 1982, Inuit members of the Legislative Assembly asked the Assembly to hold a plebiscite on division of the N.W.T. They argued that division would provide more democratic government for their constituents in the Eastern Arctic by bringing the seat of government closer than Yellowknife, which is hundreds of kilometres away from any Inuit communities, and by bringing territorial boundaries into line with the area expected to be included in the Inuit land claim.

The Inuit proposal was supported by other members of the Assembly. In 1983, the plebiscite was held, and division was supported by 85% of the (predominantly Inuit) residents of the eastern N.W.T. and by 56% of territorial voters overall. In light of this result, the Constitutional Alliance divided into the Western Constitutional Forum (WCF) and the Nunavut Constitutional Forum (NCF), so that northerners' constitutional discussions could be focused upon development of separate constitutions for two new territories.

Each forum launched a process of constitutional discussion that included repeated visits to northern communities, research, and the publication of background papers, working documents, pamphlets, and newsletters in English and Native languages. Forum representatives met frequently in joint session, often publicly. The NCF reached consensus on a constitution for the proposed new eastern territory, to be called Nunavut, while the WCF, working with a much more heterogeneous population in the western N.W.T., made considerable progress.

None of this activity, however, could actually produce new territorial constitutions. Legally, division of the N.W.T. is a federal prerogative. Nine months after the plebiscite, the then Minister of Indian Affairs and Northern Development, John Munro, agreed to accept the plebiscite decision, but he attached a number of rather stringent and imprecise conditions that would have to be fulfilled before division could proceed (Abele and Dickerson, 1985). These conditions have been relaxed somewhat by later ministers. There has been a complicated period of negotiation among northerners about division, and most recently about the exact location of the new boundary that will divide the two territories. Many different interests must be satisfied in an extremely unstable political setting; in the meantime, the issue remains unresolved.

In the Yukon, the political landscape is quite different. Constitutional questions were resolved for the short term with the introduction of party politics and the achievement of respon-

sible government in 1979. Territorial politics are complex and often heated, and large questions about the economic future of the territory remain.

As in the N.W.T., perhaps the greatest political divide in Yukon has been between some non-Native business interests strongly favourable to non-renewable resource development and Native people working through the claims and other processes to gain control over the pace and direction of economic and political change. Yukon Indians, who constitute just one-third of the Yukon population, came very close to concluding a comprehensive claims agreement in 1984. They have participated in electoral politics through all three political parties. Non-Natives are a diverse group, including a local economic elite, many of whom are second- or third-generation Yukoners, independent placer miners, and a growing number of permanently resident professionals, artists, and white collar workers. All have different, although sometimes intersecting, economic interests.

Yukon economic health depends upon a few mines, government expenditures, and an associated service sector. The volatility of the heavily subsidized mining sector has meant wild fluctuations in levels of unemployment and frequent infusions of federal "emergency" capital to prevent mine closures (Coates, 1985).

In 1985, the new Yukon government introduced a number of measures intended to repair the wide breaches dividing the Yukon electorate. Probably the most innovative new measure is Yukon 2000, a participatory planning process intended to produce a long-term economic development strategy. The process is designed to unfold over several years, incorporating conferences in which participants representing various strands of opinion work through small groups to achieve consensus, supported by wide-ranging research papers. It is too early to comment upon the outcome of this process, but to date all sectors of Yukon society have worked successfully through the early phases of consensus building.

SUMMARY

These examples of federal and territorial behaviour highlight some salient trends. On the federal side are two major initiatives — one economic, the other constitutional — that conform in some respects to the patterns of Canadian development identified earlier. The National Energy Program treated the territorial North as an internal colony. Developed without northern consultation, the NEP deployed northern energy resources "in the national interest" using regulations and subsidies to implement a particular economic strategy. The territorial governments and aboriginal organizations were excluded from the secret negotiations that produced the Meech Lake Accord and thus lacked the means to defend their interests at a crucial stage in the development of the new constitution.

Clearly, the old patterns have not been abandoned: development proceeded despite outstanding Native claims, while the penultimate national constitutional agreement ignored the interests of both Native people and northerners. Yet in federal behaviour there are contradictory elements. The NEP's "Canada Lands" are the same lands that are considered by northern Native societies to be *their* lands. That the Native societies have some claim to the land has been acknowledged in federal policy, which includes provisions for working out a practical resolution of conflicting federal and Native interests. Although the territo-

rial economies are still controlled by Ottawa, the Department of Indian Affairs and Northern Development has continued to devolve other governing responsibilities to the territorial level. And while the Meech Lake part of the constitutional process excluded both Native and territorial participation, their participation was both permitted and effective at earlier stages. It is still possible, too, that their interests will be recognized before the accord is ratified. Further, it was, after all, federal funding that enabled the two northern deliberative processes to take place, and in the case of the constitutional development process, at least, federal policy has had to respond to the results.

CONCLUSIONS

This essay began with the claim that recent northern political history is evocative for Canadians because it compresses into sharp focus basic national issues and fundamental patterns of Canadian development. Specifically, four areas of congruence have been identified.

First, northern constitutional development bears the mark of Canada's colonial heritage. The Tory conception of the role of the state recognizes that market forces alone cannot be relied upon to build a national economy or to keep it functioning; nothing could have been clearer to the representatives of the four colonies who conceived Confederation. The same imperatives that led them to confederate led also to the creation of the Yukon and Northwest Territories. The same tradition of colonial domination shaped federal administration of these territories and permitted their exclusion from a crucial stage in the renegotiation of the terms of federation, which is now nearly completed.

Second, it is clear that the strategy for national economic development formulated by the fathers of Confederation, the National Policy implemented by Prime Minister John A. Macdonald, persists. The dream of a northern version of the National Policy recurred repeatedly during the 20th century, and dreamlike, it evaporated again and again in the cold light of economic reality.

Third, like the westward-looking National Policy of the 19th century, the northern version eventually provoked regional resistance. The resistance included the broad mobilization of previously excluded populations, and it was manifested in a broadly democratic and participatory format contrasting sharply with the undemocratic federal policies that gave it birth.

Fourth, northern political development helped to place on the national agenda unfinished business related to the rights of the original inhabitants of Canada, of the real founding nations who were not included in the "two nations" compromise of the British North America Act. Accommodation of cultural particularity and collective rights with respect to Native people has proven quite indigestible, constitutionally and ideologically, but mysteriously amenable to some progress at the practical level.

The original pragmatic Tory compromise with Quebec was buried in the BNA Act references to "denominational schools" and rules for the use of French in certain legislatures. It required 120 years for explicit constitutional recognition of Quebec as "a distinct society" to occur. The spectre of more "distinct" societies haunted those federal politicians who reacted with horror to Native demands for governments that permitted the survival of their collectivities. In the long gestation of Canada, though, the particularity of Quebec was finally recognized. A

precedent is established that may prove useful in the long term for aboriginal people.

The parallels between northern constitutional and economic development and other national processes are on reflection perhaps not very surprising. More interesting, I think, are the differences. History never really repeats itself, because what has gone before limits and shapes the changes that come after, and because human beings are capable of acting in awareness of their history.

Sometimes, of course, people act as if they were unconscious of prior experience: this is the lesson of the recurring National Policy dream. In varying world economic settings, both Liberal and Conservative politicians have expended large amounts of public money in attempts to replicate a probably unique national feat. The Canadian experience with the northern version of the National Policy and the evidence from other nations suggest that a development strategy based upon commodity exports is insufficient, if only because commodity prices and world markets fluctuate uncontrollably and disappear unpredictably.

Not all northern history has been lived unconsciously, however. Native people's consciousness of their own history has shaped and strengthened their political project to decolonize and to protect their collectivities. In turn, these actions expose a fundamental tension in Canadian political ideology. It is the tension between the liberal understanding of a state founded upon the political and economic rights of the individual and the Tory constitutional practice of compromise, accommodation, and state intervention.

Native people and northerners have reacted against both the liberal and Tory elements of Canadian government. Liberal ideology was expressed most baldly in the 1969 white paper on Indian policy, and generally in the redefinition of Native people as "disadvantaged" Canadians who required the removal of barriers to their individual participation in the mainstream. This view clearly misunderstood the strength of Native collectivities and the importance to them of their collective rights. On the other hand, northerners — both Native and non-Native — have resisted the heavy hand of Tory colonialism. They demand the same level of self-determination as other Canadians, as well as, for Native people, collective rights.

Paradoxically, both strands in the Canadian constitutional tradition, as they have confronted Quebec nationalism and regional differences, have created a notably open-ended political setting in which the terms of the federation are frequently renegotiated. Native people have entered these negotiations now, taking advantage of both ideological tendencies. The liberal strand in Canadian politics requires that citizens have equal rights to participation, and so funding is provided to eliminate differences in citizens' capacities to contribute. Tory pragmatism and willingness to compromise with particularity makes constitutional recognition of "distinct societies" with special rights within Canada both comprehensible and possible.

Perhaps the most ironic legacy of Canada's Tory beginnings lies in the propensity of this state-led development strategy to provoke an insistently democratic form of resistance. Here Native people and northerners joined the ranks of other Canadians who resisted imposition of the designs of a governing elite. There are particular northern reasons for the democratic pattern of northern politics: the population is small, and the traditions of aboriginal societies are directly democratic. To understand, however, the tenacity with which northern practice and northern demands have focused on the question of self-

government, it is necessary also to recall their vivid experience of colonialism. Northerners seek to implement just what is denied by colonial administration.

So how *does* Canada survive? As the northern case illustrates, we survive amidst ideological contradictions and we struggle over issues that may appear to be arcane, particularistic, or "just regional." Regional issues, however, are also national. They continue to be the basic issues of Canadian political life, and they are the source of the Canadian compromise and innovation.

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