Mixing Politics and Business in the Canadian Arctic: Inuit Corporate Governance in Nunavik and the Inuvialuit Settlement Region

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Introduction

Since the 1970s, Inuit peoples in the Canadian Arctic have gradually expanded their autonomy through the successful negotiation of comprehensive land claims agreements and other devolutionary arrangements. A critical, yet understudied, aspect of this expansion has been the role that Inuit economic development corporations (IEDCs) have played in preparing Inuit regions, economically and politically for eventual self-government. As the organizations which are responsible for managing and investing the funds obtained from the modern treaties signed by the Inuit and non-Inuit governments, IEDCs provide a range of valuable programs, services and economic opportunities at the regional and local levels. In addition to this important capacity building function, IEDCs have also represented their respective regions in self-government negotiations with other levels of government. As a result, they have become powerful and influential organizations in the regions they serve.

This corporate-led governance approach, which we call Inuit corporate governance, offers a new perspective on the development of

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Aboriginal self-government in Canada. Inuit corporate governance exists when Inuit corporations formed to administer land claims agreements engage in governance activities in their region. Rather than advocating for or arguing against this model of governance, this article seeks to describe how this model works in practice and analyzes its implications in light of the existing Canadian literature on self-government. By demonstrating that economic organizations such as IEDCs can play a positive role in the dynamic process of Aboriginal self-government in Canada, Inuit corporate governance responds to a large segment of scholarly opinion which suggests that the relationship between Aboriginal peoples and the liberal-capitalist order is inherently antagonistic and negative (Alfred, 2005; Coulthard, 2007; Kuokkanen, 2011; Macdonald, 2011). In particular, Inuit corporate governance is advantageous because it provides Aboriginal groups with de facto self-government and the opportunity to develop economic and political capacity in advance of adopting a more comprehensive and formal form of self-government. This opportunity to develop capacity prior to negotiating a self-government agreement is particularly important because capacity has been identified as the crucial component for the successful implementation of Aboriginal self-government in Canada (RCAP, 1996; White, 2009a). At the same time, adopting the Inuit corporate governance model may be problematic because it can entrench competing centres of power in future Aboriginal self-government structures.

The article is divided into three parts. Part one reviews the normative and conceptual debates that structure the scholarly discourse on Aboriginal self-government and corporate governance in Canada. The specific purpose of this overview is to situate Inuit corporate governance within a broader discussion about the relationship between economic development and self-government. The second part of the paper outlines the various functions of the Makivik Corporation in Nunavik and the Inuvialuit Regional Corporation (IRC) in the Inuvialuit Settlement Region (ISR). These include representation in intergovernmental negotiations on self-government; the provision of programs and services; income redistribution; and regulatory authority. This section highlights the important capacity-building functions of these IEDCs and the role they have played in preparing Nunavik and the ISR for self-government. Part three considers the normative and empirical contributions that Inuit corporate governance makes to the study of Aboriginal self-government in Canada. This paper relies on relevant secondary literature and an analysis of primary documents to describe and analyze these two Inuit regions and the governance activities that occur there. This approach is consistent with other published articles in the subfield (Alcantara et al., 2012; Kuokkanen, 2011; Macdonald, 2011).

Abstract. Over the past three decades, Inuit economic development corporations (IEDCs) have played an important role in preparing the Inuit regions of Nunavik in northern Québec and the Inuvialuit Settlement Region in the Northwest Territories for self-government. In addition to building vital capacity through the provision of services, programs and economic opportunities, IEDCs have also represented their respective regions in self-government negotiations with other levels of government. This corporate-led governance approach, which we call Inuit corporate governance, provides Aboriginal groups such as the Inuit with a de facto form of self-government and the opportunity to develop economic and political capacity in advance of adopting a more comprehensive and formal self-government arrangement. It also challenges existing assumptions about the relationship between Aboriginal peoples and the liberal—capitalist order that underpins the Canadian state.

Résumé. Durant les trois dernières décennies, les Institutions de développement économique des Inuits ont joué un rôle important en préparation à l'auto-gouvernance de la population Inuit du Nunavik, dans le Nord-du-Québec, et de l'Inuvialuit, dans les Territoires du Nord-Ouest. En plus d'avoir permis le développement d'habiletés cruciales dans le domaine de l'offre de services, de programmes et d'opportunités de développement économique, les Institutions ont également contribué, à titre de représentantes de leurs régions respectives, lors de la négociation d'ententes portant sur l'auto-gouvernance avec divers paliers de gouvernement. Cette approche de gouvernance corporative Inuit fournit aux groupes autochtones, tels les Inuits, une forme d'auto-gouvernance de facto qui génère pour eux des opportunités de se développer économiquement et politiquement, en préparation à l'adoption d'un modèle d'auto-gouvernance plus élaboré et formel. Cette approche soulève également bien des questions quant aux fondements de la relation qui existe entre les peuples autochtones et l'ordre libéral capitaliste qui sous-tend l'État canadien.

Aboriginal Self-Government: Models and Approaches

Generally speaking, two distinct currents within the broader discourse on Aboriginal self-government have emerged. The first involves a normative assessment of self-government, which focuses on the relationship between self-government and self-determination. A dominant stream of thought within this approach argues that Aboriginal peoples can only achieve meaningful self-determination if self-government is negotiated on a nation-to-nation basis (RCAP, 1996; Tully, 1995). Proponents of this view (Alfred, 2005; Coulthard, 2007; Nadasdy, 2003) assert that existing self-government arrangements are fundamentally flawed because they integrate Aboriginal peoples into the enduring colonial structures of the Canadian state, including the liberal–capitalist order, thus preventing them from exercising meaningful self-determination. Fiona Macdonald (2011: 258) and Stephanie Irlbacher-Fox (2010: 168), for instance, argue that corporate models of self-government are problematic because they limit the ability of Aboriginal groups to pursue types of self-determination that are outside of the neoliberal framework that dominates contemporary Canadian society.

This critical assessment of self-government is counterbalanced by a growing body of literature that views the relationship between Aboriginal peoples and the Canadian state in a more positive light. In his work

on Aboriginal self-government, Alan Cairns (2000) suggests that selfgovernment agreements allow for an intercultural transaction process, in which elements of Aboriginal governance are incorporated into the Canadian system of multilevel governance and in which Aboriginal governments adopt features that are common in non-Aboriginal political structures (see also Alcantara and Whitfield, 2010). Graham White's (2002) work on Nunavut, for instance, not only suggests that such political and cultural transactions are taking place, but that southern provincial governments might have something to learn from their northern counterparts. Other scholars focus more on the relationship between economic development and sovereignty, suggesting that participation in the liberal-capitalist economy can facilitate capacity building within Aboriginal communities and, by extension, the prospects for achieving selfgovernment (Findlay and Wuttunee, 2007; Helin, 2006; Newhouse, 1993; Scott, 2006; Slowey, 2008a). In general, this group of scholars tends to take a more pragmatic approach to this issue by recognizing that Aboriginal self-government does not exist in a vacuum and that Aboriginal peoples must work within the existing political and economic framework of the Canadian state if they are to achieve greater autonomy (Abele and Prince, 2003, 2006; Rodon and Grey, 2009; White, 2002; Wilson, 2008).

In essence, different sets of assumptions seem to underpin each of these normative positions. The first group of scholars rejects market-and wealth generating-based approaches on the basis that they are colonial and restrict the ability of Aboriginal groups to achieve "meaningful" self-determination. The second group of scholars assumes that intercultural change and dialogue is possible and useful since all parties can gain from the exchange. The final group of scholars accepts that the liberal—capitalistic framework is here to stay and that Aboriginal groups can benefit from that framework by working within it to achieve their goals.

Our paper analyzes the Inuit corporate governance from the second but mostly from the third set of normative assumptions, mainly because many of the Inuit groups in the Canadian Arctic have chosen self-government strategies that fit with these assumptions. These pragmatic approaches recognize that self-government is not a static or single event but instead is a dynamic process in which Aboriginal groups are constantly working within the liberal–capitalistic order to improve their self-government position.

For the past four decades, the Inuit in the Canadian Arctic have patiently developed a governance framework that extends from the local to the global. Starting with the negotiation and ratification of the first "modern" treaties in northern Québec and the western and eastern portions of the Northwest Territories, Canadian Inuit, like their brethren in Alaska and Greenland, have led the way in terms of creating new and

innovative governance models. In some respects, these new structures are consistent with the traditional political and cultural institutions that existed prior to colonization. For example, their underlying governance philosophies emphasize strong, decentralized community connections and responsibilities and often involve elders and other prominent community members in the governing process. In other ways, however, they incorporate features of Western governance such as executive bodies and boards of directors. As such, they represent a hybrid of Aboriginal and non-Aboriginal governance traditions (Alcantara and Whitfield, 2010).¹

The most fascinating and understudied examples of this hybridization are the Inuit economic development corporations (IEDCs) that have emerged throughout the Canadian Arctic. Theoretically speaking, the (limited) scholarly literature on IEDCs in Canada has tended to follow a similar path as that of the broader literature on Aboriginal self-government. Earlier studies, such as Mitchell's groundbreaking work (1996) on the emergence of an Inuit corporate elite, are critical of the relationship between IEDCs (and, specifically, the emerging Inuit corporate elite that manage these organizations) and the liberal—capitalist order. More recently, however, scholars have taken a less normative approach, accepting the important and necessary role that these organizations play and have focusing instead on the intergovernmental and intraregional relationships that embed IEDCs within a broader governance framework (Fenge, 2008; Mifflin, 2009; White 2009a).

It is not surprising that much of the attention in this area has been on the Territory of Nunavut and Nunavut Tunngavik Incorporated (NTI), an umbrella organization comprising several regional IEDCs. After all, the creation of Nunavut in 1999 was one of the most significant steps in realizing Aboriginal (albeit public) self-government in Canadian history. NTI has played a critical part not only in the lead-up to the creation of the territory but also in the period after 1999. While this particular article will not focus directly on Nunavut, the literature on Nunavut and NTI remains insightful because it draws our attention to some of the intraregional relationships (both positive and negative) between a public territorial government and the ethnically based IEDC and, in doing so, signals some of the issues that may arise in Nunavik and the ISR following the successful negotiation of a comprehensive self-government agreement.

Scholars have examined various aspects of the political, economic and social development of Nunavik (Duhaime and Robichaud, 2010; Rodon and Grey, 2009; Wilson, 2008) and the ISR (Notzke, 1995; Saku and Bone, 2000; White, 2009b). However, with the exception of Janda's (2006) study of the governance structure of the Makivik Corporation and Mitchell's earlier work (1996) on native corporations, there has been little focus on the significant and unique political role played by IEDCs in

the political, economic and social development of these regions. While economic development organizations exist in other Aboriginal communities in Canada, none has taken on the economic and political capacity-building functions performed by IECDs, such as Makivik, IRC and NTI. Indeed, the critical work of these IEDCs, both at the regional level and in self-government negotiations with other levels of government forms the basis of Inuit corporate governance, a wholly new and innovative approach to the realization of Aboriginal self-government in Canada.

Inuit Corporate Governance in Nunavik

The following general survey of Inuit corporate governance in Nunavik and the Inuvialuit Settlement Region provides an overview of the functions and responsibilities of the regional IEDCs. It is based on a qualitative analysis of primary and secondary documentation relating to these organizations. The purpose of this survey is to illustrate the varied political, economic and social roles that IEDCs have taken on over the last several decades and, consequently, their importance in terms of providing Nunavik and the ISR with de facto self-government and preparing them for formal self-government.

The survey begins with an overview of the Makivik Corporation (Makivik). In general, the initial inspiration for the corporate model adopted by Makivik was the Alaska native claims process in the United States, which resulted in the American government transferring lands and resources to a variety of regional and community-level corporations acting on behalf of the Indigenous peoples in Alaska (Berger, 1985). Makivik was the first IEDC in Canada, having been created to administer the funds obtained from the James Bay and Northern Québec Agreement (JBNQA), the first modern treaty in 1975. According to the organization's website:

Politically, culturally and economically, Makivik has led in the building and development of a vibrant region called Nunavik, where between the dualistic nations of Canada and Québec, Inuit have established their own distinct place and identity. Makivik's work demonstrates the extent that modern aboriginal treaties or land claim settlements benefit all partners, governments and Inuit. It has demonstrated the ability to define new relationships between a federal government, a powerful province and a small group of aboriginal citizens, in this case the Inuit of northern Quebec. (Makivik Corporation, 2011)

While the signing of the JBNQA and the subsequent establishment of Makivik and the other structures of regional governance were the most significant events in the modern history of Nunavik, the Inuit have a long and intimate association with this part of northern Quebec. Some scholars believe that they are the descendants of Thule hunters who migrated across the Arctic over 1000 years ago. Apart from the occasional contact with European explorers and whalers, the Inuit lived largely in isolation until the nineteenth century when a Hudson's Bay Company post was established at Fort Chimo (Kuujjuaq). The region now known as Nunavik was originally part of the Northwest Territories, a vast swathe of land that the Hudson's Bay Company transferred to the political jurisdiction of Canada in 1870 (Mitchell, 1996). In 1912, the region was transferred to the province of Québec (Rodon and Grey, 2009). These changes occurred largely unnoticed among the Inuit, probably because in the early part of the twentieth century, they were still largely self-governing and the Crown was generally uninterested in the region.

In the period after World War II, however, the Inuit became increasingly affected by the policies of the federal and provincial governments. One such policy was the creation of "Eskimo" co-operatives in the late 1950s, which spread to many communities in Nunavik in the 1960s. In 1967, La Fédération des Coopératives du Nouveau-Québec was established, as a partnership between the Inuit and the Cree, whose traditional lands were located in north-central Québec and in the James Bay region, to the south of Nunavik (FCNQ, 2011). This would set the stage for developments in the 1970s and beyond, as the Indigenous peoples of northern Québec sought to protect and promote their interests within the province of Ouébec.

In the early 1970s, the Québec government decided to move ahead with the James Bay Hydroelectric Project, a huge program of resource development in the northern and central regions of the province. While this project would bring enormous economic benefits to the province, it would also negatively affect the traditional activities and lands of the Inuit and the Cree by dramatically changing the landscape and waterways of northern Québec. In response to this threat, the Inuit created the Northern Québec Inuit Association (NQIA) and together with the James Bay Cree, they mounted a legal challenge to the project in court. This mobilization would eventually lead to a negotiated political settlement with the provincial government and as a result, the JBNQA was signed with the federal and provincial governments in 1975 (Slowey, 2008b).

The JBNQA set the stage for the political and economic evolution of Inuit self-government in Nunavik after 1975. It created a series of governance organizations that would become the framework of regional governance in Nunavik (Wilson, 2008). More importantly, for the purposes of this article, it provided the Inuit inhabitants of Nunavik with financial compensation and created an organization, the Makivik Corporation, to manage these funds on behalf of the Inuit beneficiaries to the JBNOA.

The Architecture of Indigenous Corporate Governance in Nunavik

The regional institutional structure of Nunavik contains both public and ethnic governance bodies. The public governance bodies are the Kativik Regional Government (KRG), the Nunavik Regional Board of Health and Social Services (NRBHSS) and the Kativik School Board (KSB). The NRBHSS and KSB are responsible for managing provincially mandated programs and services in the fields of health and social services and of education, respectively. The KRG serves as a supra-municipal body that manages the collective affairs of the 14 northern villages in Nunavik.

By contrast, the ethnically based Makivik Corporation is "a private, not-for-profit corporation, owned by the Nunavik Inuit." Its mission is to "protect the interests and rights of the Inuit under the JBNQA" by managing and investing the compensation funds obtained through the JBNQA to promote their economic, political and social development (Makivik Corporation, 2011). It does this through a variety of typical corporate activities, such as operating wholly owned or joint venture businesses, and providing employment opportunities and carrying out infrastructure development in the region. Unlike a typical corporation, however, it represents Nunavik in political negotiations with other levels of government and the interests of Inuit in the various land category areas outlined in the JBNQA (Shadian, 2006: 137). It also supports socio-cultural programming, infrastructure development and services in the region.

Makivik's governance structure consists of an elected executive, an elected board of directors and an elected board of governors. The fivemember executive is comprised of a president, a vice-president (renewable resources), a vice-president (economic development), a treasurer and a corporate secretary. The board of directors consists of 17 members: one from each of the 15 Inuit communities in Nunavik, a representative from the Cree community of Chisasibi and an Inuit youth representative. The appointed board of governors serves as "an advisory body of elders for the board of directors." According to Janda, "While this body, in principle, is given no specific decision-making authority, it creates a role for elders, who carry considerable weight within Nunavik communities" (2006: 795). The electorate is the Inuit beneficiaries to the JBNQA, as defined in section 3.2.4 of the JBNQA. The corporation also has an investment review committee, which is responsible for the financial success of the corporation. Consequently, while much of its corporate institutional structure is similar to that found in Western corporations, Makivik is also very strongly entrenched at the community level and takes very seriously its responsibility "to foster, promote, protect and assist in preserving the Inuit way of life, values and traditions" (Makivik Corporation, 2011).

Representation

As the successor to the Northern Québec Inuit Association (NQIA), Makivik has taken on the role of midwife to political change and self-government in Nunavik. Whereas the institutions of public regional governance are part of a provincially controlled hierarchical administrative-political structure and, as such, are responsible to provincial ministries and departments, Makivik is a corporation which is responsible to its shareholders, the Inuit beneficiaries of the JBNQA. Annual elections provide the executive and the board with a strong, community-based, representative mandate. Indeed, of all the regional governance bodies in Nunavik, Makivik is best placed to represent the region in intergovernmental negotiations on selfgovernment because of its representative legitimacy and its autonomy in relation to the other levels of government at the negotiating table. In fact, Makivik has served as the official political representative for Nunavik in intergovernmental negotiations on land claims (INAC, 2006a) and public self-government: Political Accord, 1999; Negotiation Framework Agreement, 2003; Agreement in Principle, 2007; Final Agreement, 2011.

As the representative of the Inuit beneficiaries to the JBNQA, Makivik is clearly part of the ethnic governance architecture of the region. In this sense it is distinct from other regional governance structures, such as the Kativik Regional Government, which have a public mandate. That said, it is important to note that the organization's involvement in intergovernmental negotiations with other levels of government about public self-government means that it also serves as a de facto representative of all citizens of the region (whether they are beneficiaries of the JBNQA or not). As such, it blurs the line between public and ethnic governance and representation, a characteristic of the organization that becomes even more apparent when examining its role in providing programs and services to the region.

Provision of programs and services

While Makivik has occupied an important place in the political development of Nunavik, it is also a powerful economic player in the region that manages a diverse portfolio of companies and joint ventures, as well as providing other programs and services to the region. As the representative of the Inuit beneficiaries to the JBNQA, Makivik has a responsibility, first and foremost, to manage the compensatory funds obtained though the agreement in a manner that is sustainable and that meets the needs of the beneficiaries (Government of Québec, 1978). But since many of its activities have social and economic benefits across the region and for all

the inhabitants of Nunavik, regardless of ethnicity, it can be said that Makivik has a de facto public mandate in the provision of programs and services.

Since its creation in 1978, the Makivik Corporation has invested in a number of wholly owned and joint venture companies (Janda, 2006). These investments have a dual purpose: to grow the compensatory funds obtained through the JBNQA and to provide services and employment opportunities for the region. A brief review of its investments indicates that it has been successful in meeting both of these goals. Makivik owns two regional airlines (Air Inuit and First Air) that provide critical transportation links within Nunavik and between Nunavik and other destinations in Canada. Given that none of the communities in Nunavik are linked by roads or rail, air travel is critical to the region's transportation infrastructure (Makivik, 2011).

Makivik has invested in a number of other wholly owned companies that, like its airlines, seek to meet the dual goals of financial viability and service. Examples include Nunavik Creations, which sells local arts and crafts, Nunavik Furs, which focuses on tanning and taxidermy, Halutik Enterprises, a company that provides essential fuel services and heavy equipment rentals throughout the region, and Nunavik Biosciences, which creates and markets products from seaweed and other medicinal plants and works with university researchers who analyze these products. The corporation also has joint ventures in the fisheries, shipping and tourism industries, as well as a share of Pan Arctic Inuit Logistics (PAIL), a company that holds a contract for the North Warning System in collaboration with the Department of National Defence. The other shareholders of PAIL include Inuit development corporations in the Inuvialuit Settlement Region, Nunavut and Nunatsiavut in northern Labrador. Collectively, therefore, these joint ventures not only provide employment and vital services for Nunavik, but they also foster cooperation with other Inuit regions and other levels of government (Makivik, 2011).

In keeping with its broader mandate to support the socio-cultural development of Nunavik, Makivik has funded the development of recreational facilities and services with a particular focus on the needs of youth and elders. It supports a number of Inuit organizations, including the Saputit Youth Association, Saturviit, the Inuit Women's Association of Nunavik and the Avataq Cultural Institute. Although Makivik does not play a direct role in offering educational programming, it recently joined the University of the Arctic, a consortium of post-secondary institutions that offers online programs with a view towards expanding the educational choices open to the residents of Nunavik. It also funds a post-secondary scholarship fund for Inuit beneficiaries (Makivik, 2011).

Income redistribution

Given the fact that Makivik manages a multi-million dollar compensation fund and owns and/or operates a series of economic ventures, it is not surprising that the corporation is a major source of employment in the region. Although major employers like Air Inuit operate under a preferential hiring arrangement that favours Inuit beneficiaries, Makivik generates economic wealth and opportunities that benefit all the inhabitants of Nunavik, regardless of their ethnicity or background. In addition to providing direct employment, Makivik has also sought to improve the human capacity of the region by investing in skills training. For example, it is working with regional bodies such as the Kativik Regional Government and the Kativik School Board, and the Québec and federal governments to build social housing units in all 14 communities in Nunavik (*Nunatsiaq News*, 2010). Such programs not only provide direct employment and much needed housing, but also skills training in carpentry and other trades for Inuit workers.

Regulations

In Nunavik, political and regulatory authority over matters of public administration largely rests with the institutions of regional governance. Municipal, educational and health and social services-related administration, therefore, is regulated by the Kativik Regional Government, the Kativik School Board and the Nunavik Regional Board of Health and Social Services, respectively, and in conjunction with the provincial and federal departments to which these agencies are responsible (Rodon and Grey, 2009). The Makivik Corporation must comply with federal and provincial rules and regulations on corporate organization and administration, but it is answerable to the Inuit beneficiaries of the JBNQA, not to other levels of government. Although Makivik does not play a direct regulatory role, it does contribute to the day-to-day administration of the region by supporting and funding organizations and development projects that are under the administrative jurisdiction of regional governance bodies. As a signatory to the 2007 agreement-in-principle (AIP) and on the proposed final agreement on institutional amalgamation and the creation of the Nunavik Regional Government (NRG), it has played a major role in reshaping the regulatory and administrative governance structure in the region. As a number of scholars (Janda, 2006; Wilson, 2008) have pointed out, however, after the creation of the NRG and the anticipated strengthening of the regulatory and administrative of this new public government in subsequent agreements, Makivik may find that its dominance in Nunavik will be challenged. Like Nunavut Tunngavik Incorporated in Nunavut, it will continue to be an influential player in the region, simply because of its financial prowess and its separate mandate through the JBNOA. But the NRG will likely assume the role of political representative of Nunavik in the critical negotiations with other levels of government on devolution that will define Nunavik's political and economic future.²

Inuit Corporate Governance in the Inuvialuit Settlement Region

Like the Inuit of Nunavik, some believe that the Inuvialuit are descended from the Thule that migrated to the Beaufort Sea and Mackenzie Delta regions of the Northwest Territories approximately 1000 years ago (Morrison, 1989). Unlike the majority of Indigenous groups in the south, the Inuvialuit did not sign a treaty with the Crown until the modern treaty era. In 1973, the federal government announced that it would negotiate comprehensive land claims agreements with those Aboriginal groups that had never signed treaties with the Crown (Alcantara, 2008). Following this announcement, the Inuit Tapirisat of Canada (ITC) submitted a land claim to the federal government in 1976 on behalf of all Inuit people living in the Northwest Territories. Several months later, negotiations between the ITC and the federal government broke down and ended. The Inuvialuit, however, were still interested in negotiating a treaty and turned to their own organization, the Committee for Original Peoples' Entitlement (COPE), to negotiate a separate land claims agreement with the federal government (Anderson, 1999: 75). Founded in 1970, COPE quickly became the main voice and advocate of the approximately 3,000 Inuvialuit living in the western part of the Northwest Territories.

In May 1977, COPE initiated comprehensive land claims negotiations with the Crown (Saku and Bone, 2000: 290). Negotiations progressed quickly with the parties achieving an *Agreement in Principle* in 1978 (Auditor General of Canada, 2007: 6). Six years later, the government of Canada and COPE successfully completed negotiations and signed the *Inuvialuit Final Agreement* (IFA) in June 1984.

The terms of the IFA were substantial. The agreement involved a settlement area of 435,000 square kilometers in the Northwest Territories and part of the Yukon Territory. Of that total amount, the Inuit gained ownership over 91,000 square kilometres of land, including 13,000 square kilometres of mineral rights. The cash settlement was \$152 million, plus one-time payments of \$10 million earmarked for an economic enhancement fund and \$7.5 million for a social development fund. Similar to its predecessor, the James Bay and Northern Québec Agreement, the IFA provided the Inuvialuit with wildlife harvesting rights across the entire settlement area and the right to participate in the management of the region's economy, environment and social programs (INAC, 2006b: 5). Although the land rights and monetary resources transferred to the Inuvialuit were substantial, the treaty did not include self-government and

therefore no formal Inuvialuit government currently exists. Instead, formal political authority continues to reside with the governments of Canada and the Northwest Territories (Kavik-Axys, 2002). Nonetheless, the treaty did stipulate that the Inuvialuit were entitled to receive the equivalent of any self-government powers acquired by other Aboriginal groups in the Northwest Territories.

The Architecture of Inuit Corporate Governance in the Inuvialuit Settlement Region

Despite the lack of a formal Inuvialuit political authority in the ISR, de facto Aboriginal self-government does exist in the region. After signing the IFA in 1984, COPE disbanded and was replaced by a variety of Inuvialuit land claims organizations to administer and implement the treaty. The two most important of these organizations were the Inuvialuit Regional Corporation (IRC) and the Inuvialuit Game Council (IGC); the relationship between them was left undefined by the IFA.³ Although there were some fears that the IRC's interest in economic development and the IGC's interest in conservation would result in conflict, few, if any, documented conflicts have occurred between the two organizations. Instead, much of the tension has tended to manifest itself in the relations between the IGC, the co-management boards and the federal minister of Indian and Northern Affairs Canada (Notzke, 1994: 158–60).

Although the IRC and IGC are the main treaty implementation organizations in the region, they serve and are served by a variety of other Inuvialuit organizations. Beginning with the beneficiaries of the IFA, individual Inuvialuit participate formally in the governance of the region by electing seven directors for each of the six community corporations, for a total of 42 directors. According to s. 6(1) of the IFA, these 42 community corporation directors are responsible for controlling the IRC and do so by electing an IRC chair and having each community corporation chair serve as a member of the IRC board of directors (White, 2009b: 299).

The IRC's role in the implementation of the treaty is mainly economic, although its activities also have political and governance implications. Upon the completion of the treaty, the Crown transferred initial control of the treaty lands and the financial resources promised in the treaty to the IRC to be used for the benefit of the Inuvialuit. To further the economic development goals of the Inuvialuit, the IRC formed a number of wholly owned subsidiaries to pursue economic development opportunities in the region and to manage the financial resources that flowed from the treaty. The IRC also created the Inuvialuit Development Corporation (IDC), which has focused on creating a diversified asset base, generating financial returns from those assets, creating employment opportunities, and providing skills and training to the Inu-

vialuit (Dana et al., 2008: 159). In 2008, the Inuvialuit Development Corporation generated over \$300 million in revenues with a profit of \$2.7 million. In that same year, it reported assets worth \$209 million and a worker base of 400 beneficiaries earning an average of \$26,000 a year (IDC, 2010a; IDC, 2010b). Other IRC subsidiaries include the Inuvialuit Investment Corporation, the Inuvialuit Land Corporation, the Inuvialuit Land Administration, and the Inuvialuit Petroleum Corporation.

In addition to electing board members to the IRC, the six Inuvialuit community corporations are responsible for establishing and determining the membership of the Inuvialuit Community Corporation hunters and trappers committees. Each of these hunters and trappers committees in turn elects two representatives to represent their communities on the 13-member IGC, which is the other main land claims organization that administers and implements the IFA. The main purpose of the IGC is to "represent the collective Inuvialuit interest in all matters pertaining to the management of wildlife and wildlife habitat in the Inuvialuit Settlement Region. This responsibility gives the IGC authority for matters related to harvesting rights, renewable resource management, and conservation" (Joint Secretariat Inuvialuit Settlement Region, 2010). The IGC is also responsible for selecting the Inuvialuit members for the five co-management boards operating in the region: the Environmental Impact Screening Committee, the Environmental Impact Review Committee, the Fisheries Joint Management Committee, the Wildlife Management Advisory Council for the Northwest Territories and the Wildlife Management Advisory Council for the North Slope Lands in the Yukon Territory.

Formally speaking, the ISR remains under the political jurisdiction of the federal and NWT governments of Canada. As such, the Crown continues to be the main provider of things like roads and transportation, law making and enforcement, health care, education, and the like. Yet the Inuvialuit in the ISR do in fact have de facto Aboriginal self-government. Although this regime is fairly limited when compared to other Indigenous self-governing groups, the Indigenous corporate governance architecture in the region still provides Inuvialuit beneficiaries with four types governance benefits: i) internal and external representation; ii) the provision of selected programs and services typically associated with self-government; iii) income redistribution; and iv) regulatory powers over fishing, wildlife harvesting, land use, and environmental protection in the ISR.

Representation

The corporate governance structure in the region provides the Inuvialuit with a form of internal and external representation. The beneficiaries, or citizens, of the ISR elect representatives and hold them accountable by voting for community corporation board members, who in turn elect,

select and/or serve on the two main land claims organizations, the IRC and the IGC. These bodies then act as representative organizations to give voice to the Inuvialuit within the political structures of the region, the territory, in Ottawa, and internationally. Internally, the IRC allocates funding to the six community corporations created out of the Inuvialuit Final Agreement (IFA) and administers a variety of social and economic programs. Externally, the IRC has negotiated with the Crown to acquire the Kittigazuit military site in exchange for the Pingo National Landmark, which was accomplished according to the terms of the IFA (Indian and Northern Affairs Canada, 2009). Finally, the IRC has been the lead negotiating organization for the Inuvialuit during self-government agreement negotiations with the federal and territorial governments of Canada. Its role has been to appoint the Inuvialuit negotiators and to establish the negotiating mandates.

At the territorial level, the IRC has represented Inuvialuit interests by working with the government of the Northwest Territories (GNWT) on a variety of issues. The IRC has been the main voice for the Inuvialuit in the recent territorial devolution negotiations with the federal government. Internationally, the IRC has represented the interests of the Inuvialuit at and through the Inuit Circumpolar Conference (ICC), which was "founded in 1977 to promote Inuit unity and to put the Inuit at the centre of international decision making on issues that affect their interests and concerns" (ITK, 2007: 55). Both Nellie Cournoyea, the IRC's chair and CEO, and the president of the Makivik Corporation, sit on the ICC Canada's board of directors and thus play an important role in linking and representing regional organizations into national and international structures and processes (Inuit Circumpolar Council—Canada, 2011).

Similarly, the IGC acts as a representative for the Inuvialuit in a variety of internal and external arenas. For instance, internally, the IGC allocates Inuvialuit harvesting quotas to the six ISR communities and assigns them a specific number of community hunting and trapping areas. Externally, it provides advice directly to the federal government on issues relating to fishing, wildlife and environmental protection. It also appoints representatives to Canadian delegations to international meetings and bodies dealing with issues that potentially affect Inuvialuit wildlife interests. Finally, the IGC appoints the Inuvialuit representatives for the five co-management boards established by the IFA.

Programs and services

In addition to representation, the Indigenous governance architecture in the region, mostly through the activities of the IRC and its subsidiaries, provides programs and services aimed at the economic and social wellbeing of Inuvialuit beneficiaries. In terms of career development, the IRC and its subsidiaries provide on-the-job training and permanent employment for beneficiaries. As mentioned previously, the Inuvialuit Development Corporation employs approximately 400 beneficiaries to carry out its activities. The Inuvialuit Land Administration Commission requires that Aboriginal and non-Aboriginal organizations that submit a land use application hire qualified Inuvialuit workers and provide business and training opportunities, where possible (Klengenberg, 1993: 5).

In addition to the actions and policies of its economic subsidiaries, the IRC has created the Community Development Division (CDD) to provide income and employment support as well as education and training and to promote health and well-being, community-level economic development, culture, language and tradition protection and Aboriginal healing, among other social initiatives. These activities are delivered either by the CDD on its own or in conjunction with the Inuit Tapiriit Kanatami and/or the federal and territorial governments of Canada. These programs are not supposed to replace existing government programs but are instead supposed to meet the specific needs of the Inuvialuit beneficiaries of the ISR. In terms of social services and programming, the CDD manages the Canadian Prenatal Nutrition Program in the region. It also administers the Inuvialuit Child Development Program, which runs an Aboriginal Head Start program in Paulatuk, child programming in Aklavik and Tuktoyaktuk, and a day care in Holman (Inuvialuit Final Agreement Implementation Coordinating Committee, 2005). It also created the Inuvialuit Education Foundation, which provides education assistance and support to Inuvialuit students.

In short, the economic and social programs provided by the IRC to its members are substantial. Although the Inuvialuit do not have a self-government agreement and thus cannot provide programs and services that replace or duplicate federal and territorial ones, the IRC has constructed a small-scale welfare state regime that provides its members with significant social and economic support tailored to the specific needs of its population.

Income redistribution

Another type of governance activity in the region undertaken by the land claims organizations is income redistribution, which is accomplished through the payment of dividends, treaty payments, income support and other forms of financial assistance for needy individuals. Some of this support, like the Harvesters Assistance Program and the Elders Assistance Program, has already been mentioned above. In addition to these targeted population income support programs, the IRC provides each ben-

eficiary with an annual dividend payment, based on the income generated by the developmental activities of the IRC. According to the IRC distribution policy, beneficiaries are entitled to annual dividend payments of 15 per cent of the lesser amount of the consolidated net after tax income for the year or the five-year average of the consolidated net after tax income on a yearly basis (IRC, 2009).

Regulations

The final element of Inuit corporate governance in the ISR is the regulatory regime it establishes through the IGC and its related co-management boards. In essence, the IGC and co-management boards are responsible for helping to craft regulations concerning environmental protection and the harvesting and conservation of fish and wildlife in the region, all of which are crucial to the culture and well-being of the Inuvialuit. In addition to its advisory and representative functions, the IGC appoints the Inuvialuit representatives to the five co-management boards in the region. Collectively, these boards are responsible for providing recommendations to the Minister of Indian Affairs regarding proposed developments, environmental reviews, and fisheries/wildlife management in the ISR. Although these recommendations are non-binding (Kavik-Axvs, 2002: 4-1), evidence suggests that the impact of Inuvialuit input and participation on the boards has been substantial (see Notzke, 1995: 39; White, 2009b). Part of the reason for their success may be that, unlike other co-management regimes in the Canadian north, Inuvialuit representatives at the co-management table are mandated to represent their constituents' interests.

In short, despite lacking a formal political government, the Inuvialuit do exercise a form of Indigenous self-government in the Inuvialuit region in which corporate actors play a key role. Governance is undertaken by the Inuvialuit Regional Corporation and its subsidiaries, and the Inuvialuit Game Council and its related organizations. Although clearly the governance structure in the ISR is not as comprehensive as those that stem from negotiated self-government agreements (see Alcantara and Whitfield, 2010), the Inuvialuit do benefit from the substantial governance activities of their land claims corporations.

Normative and Empirical Implications of Inuit Corporate Governance

The core objective of this paper was to demonstrate that de facto self-government does in fact exist in Nunavik and the Inuvialuit Settlement Region and that the existing literature on Aboriginal self-government needs to better appreciate, both normatively and empirically, the critical role

that IEDCs play, both in the day-to-day governance of these regions and in preparing them for self-government in the future. In normative terms, the case studies indicate that the relationship between Aboriginal peoples and the liberal—capitalist order is not inherently antagonistic. In fact, a closer look at the governance activities undertaken by the IEDCs in Nunavik and the ISR indicates that there are important benefits that flow from these organizations. The benefits they provide are not only immediate in the form of representation, programs and services, income redistribution, and regulation, they are also long term in the form of economic and political capacity, something which is crucial to the successful implementation of future self-government structures and arrangements.

The IEDCs analyzed in this paper are well placed to provide both of these immediate and long-term benefits. As the administrators of the compensation money obtained from their respective land claims agreements, they have access to economic and financial capital that is not available to other regional governance bodies. They also have a democratic and cultural legitimacy, as representatives of the Inuit beneficiaries who comprise the vast majority of the population in each region. Furthermore, unlike other regional organizations, which are embedded in provincial and federal administrative structures, IEDCs have exercised autonomy from the institutions of the Canadian state to carry out their political responsibilities in negotiations with other levels of government.

As longstanding and stable components of the institutional architecture of their regions, IEDCs, such as Makivik and the Inuvialuit Regional Corporation, have also made an important contribution to the building of economic and political capacity at the regional level. Aside from the tangible economic benefits that accrue to these regions in the form of employment, vital services and socio-cultural programs, IEDCs have become a training ground for the region's leaders and decision makers. As both regions look towards the future, they are well prepared to take on the challenges of self-government. Participating as board members and leaders within the land claims corporations, for instance, has prepared individuals for leadership positions within a conventional government structure.

Similarly, IEDCs provide an important pool of human capital for a future government to draw on when it builds its civil service and bureaucracy. Indeed, employees working for the IEDCs will have gained considerable experience and expertise through their work in generating and implementing a variety of programs, services, income redistribution plans, and economic and environmental regulations. Their ongoing involvement in self-government negotiations also strengthens this human capacity development. As a result, the existence of Inuit corporate governance prior to a self-government agreement may help the Inuit in Nunavik and in the ISR to address the capacity problems that other Inuit and Aborig-

inal governments, like Nunavut, are currently experiencing (White, 2009a: 78). Such capacity building was made possible because the IEDCs have actively engaged with the institutions of the Canadian state, including the liberal—capitalist order that is an entrenched reality of political and economic life in this country.

Empirically, the research indicates that IEDCs do much of the heavy lifting in terms of providing important public goods, including programs and services, the redistribution of income and regulations governing environmental and economic activities on treaty lands. In and of itself, this is a unique and innovative approach to governance compared to other Indigenous communities in Canada where such governance functions are carried out by band councils or other traditional or conventional governance bodies. The unconventional nature of this governance approach is only bolstered by the fact that IEDCs have as acted as regional representatives in self-government negotiations. Although neither region has yet reached a final agreement, both have made significant progress in recent years and much of this can be attributed to the efforts of the IEDCs.

Another empirical contribution of this research is to show that Inuit corporate governance, as it exists in Nunavik and the ISR, is both a transitory and permanent form of governance. On the one hand, it is transitory because the IEDCs are currently negotiating self-government agreements with the Crown. The fact that they are actively involved in these negotiations indicates that neither corporation sees the status quo as a permanent solution. On the other hand, evidence suggests that Inuit corporate governance may continue to exist in a modified form after a self-government agreement is completed. In Nunavut, for instance, the Nunavut Tunngavik Incorporated remains the principal political organization representing Inuit interests despite successfully negotiating a treaty and creating the government of Nunavut, a public form of Aboriginal self-government (White, 2009b: 298). Should the Inuit in Nunavik and the ISR choose a similar form of public government, it is highly likely that both land claims corporations would continue to exist as the main vehicles for representing Inuit beneficiaries within the new governance structures of their regions. Even if the Inuit groups chose an ethnic form of self-government, the land claims corporations would continue to exist and would help the new Inuit governments undertake some its responsibilities, such as economic development initiatives in the regions. In short, the prior existence of Inuit corporate governance in both regions may result in the IEDCs continuing to have an important role in the regional governance structures even after a self-government agreement is reached.

Earlier in the article, we suggested that IEDCs have thus far performed the role of midwife to self-government. In other words they are assisting in the process of preparing their regions for the birth of selfgovernment and are playing a critical role in the delivery of the future political system. As midwives, once the birth is complete, the IEDCs should step quietly into the background, allowing the new regional government to take on the task of running the new government. Such an outcome would confirm the transitory nature of IEDCs, at least in terms of the future political governance of these regions. Taking this analogy further, however, one could easily see the IEDCs in the role (or thinking of themselves in the role) of surrogate parent or even birth mother to the new government. In both of these scenarios, the IEDCs would expect to have more direct and substantial involvement in the new government. Given that they would continue to represent the Inuit beneficiaries, and the fact that they played such a prominent part in the negotiations leading up to self-government, it would be hard to deny their involvement. However, the presence of two competing governance bodies, one ethnically based and one publicly based, could be a recipe for instability and tension.

Finally, Inuit corporate governance may have both positive and negative implications for the future of Aboriginal self-government because the model intertwines business and political interests. Concerns about this issue have been raised in the literature on Aboriginal economic development (in particular, see Cornell and Kalt, 1998). In both regions, the IEDCs are negotiating the self-government agreements, yet these corporations originally came into being for the express purpose of managing the economic benefits that flowed out of their respective treaties. As such, both corporations have long faced strong incentives to focus on producing and distributing wealth, either directly or indirectly through corporate activities, payments and the delivery of programs and services. As mentioned above, for instance, the mandate of the Inuvialuit Regional Council is very much business oriented, as opposed to the mandate of the Inuvialuit Game Council, which is much more conservation oriented. The potential danger here is that since the IRC is negotiating the self-government agreement, the final governance structure may more strongly reflect economic rather than conservation or other interests. In the case of Nunavik, it is not clear what role the Makivik Corporation will play in any future self-government arrangement. Thus far, it has supported the creation of an amalgamated public governance model in the region. But the nature of the interaction between the proposed public government and the ethnically based Makivik Corporation remains to be seen.

Conclusion

As these regions evolve, politically and economically, there is no denying that IEDCs have played and will continue to play a critical role in

their development. This paper has argued that this corporate-led governance approach is an important yet underappreciated aspect of Aboriginal self-government that highlights the need for Aboriginal peoples to engage with the institutions of the Canadian state in their pursuit of selfgovernment. As both a transitory and a permanent form of governance, its relevance for Inuit beneficiaries and the regions in general, both now and in the future, is significant.

In many respects, however, this article represents a first step in a comprehensive evaluation of this particular approach to achieving self-government. Indeed, future research is needed on several fronts. First, students of Aboriginal self-government might explore how this model impacts the tension between the public and ethnic dimensions of Aboriginal self-government. Does the presence of Inuit corporate governance affect the choice of government (public versus ethnic)? Relatedly, what impact do IEDCs have on self-government negotiations in general?

Second, students of Aboriginal self-government might examine the interaction between business and political imperatives during the negotiation and the implementation of the self-government agreement. To a certain extent, this research has already been started by scholars working on the relationship between economic and political development in Aboriginal communities (Cornell and Kalt, 1998; Scott, 2006; Slowey, 2008a). A continued focus on Inuit corporate governance may help test a variety of hypotheses relating to the argument that economic prosperity is contingent on the separation of business and political interests in the day-to-day economic activities of Indigenous governments.

Notes

- Some of these governance structures are controlled and maintained by the Inuit and/ or the residents of the region in question (Inuit and non-Inuit). Others, like comanagement boards, have representation from the regions as well as other levels of government (provincial/territorial and federal). While co-management boards also involve "hybridization," the focus of this article is regional government structures.
- 2 In April 2011, the citizens of Nunavik voted against the proposed *Final Agreement* on the Creation of the Nunavik Regional Government (CBC News, 2011).
- 3 In addition to the Inuvialuit Regional Corporation and the Inuvialuit Gaming Council, there are six community corporations based in the communities of Aklavik, Inuvik, Paulatuk, Sachs Harbour, Tuktoyaktuk and Ulukhaktok.

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