

Indigenous decision making processes: what can we learn from traditional governance?

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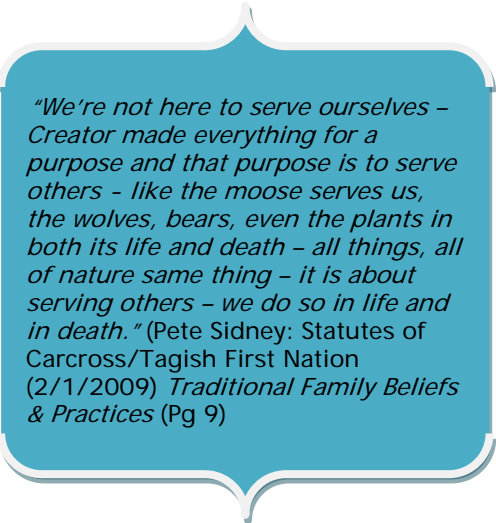
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Traditional Indigenous Governance

Introduction

The Arctic is emerging as an international place of interest. As ecological health and economic resources continue to dominate global debates, there is growing recognition of the importance of effective Arctic Governance. While these debates rise in prominence, missing is an acknowledgement that the Arctic is homeland to various Indigenous peoples. To evolve Arctic governance without a central role for Indigenous peoples and their special knowledge, understandings and methodology would be a travesty of any stated commitment to addressing the very real issues facing the Arctic. Arctic Indigenous peoples have survived and thrived in a challenging and beautiful part of the world that they respect, love and understand – demonstrated by their powerful ecological record for safeguarding their natural environments. There exists a vast store house of Indigenous knowledge to share on the governance process itself.

This paper presents information about elements of traditional governance that should be considered in



"We're not here to serve ourselves – Creator made everything for a purpose and that purpose is to serve others – like the moose serves us, the wolves, bears, even the plants in both its life and death – all things, all of nature same thing – it is about serving others – we do so in life and in death." (Pete Sidney: Statutes of Carcross/Tagish First Nation (2/1/2009) Traditional Family Beliefs & Practices (Pg 9)

current governance processes. It identifies key features of traditional Arctic Indigenous governance from Inuit in Alaska, Canada and Greenland, from Canada's First Nations residing in the Yukon, Northwest Territories (NWT), Labrador and the northern most part of the provinces, and from the Sami residing in Sweden, Finland and Norway. This paper does not claim to comprehensively represent any particular cultural group, nor does it suggest that all Indigenous governing traditions are the same. Indeed, Indigenous peoples are committed to accommodating cultural differences and

recognize how important it is to build flexibility into systems to ensure that cultural diversity is respected.¹ It features some of the commonalities between Indigenous cultures while also demonstrating fundamental differences to non-aboriginal governing systems.

¹ Aboriginal peoples from across the Arctic consistently express – to public officials - that the differences between communities must be respected even when decision making varies due to different perspectives based on knowledge of their environment and their history.

Oral tradition is an important means for sharing knowledge through oral narratives, music, abstract art, including pictographs, carvings, and other visual arts.² As Inuvialuit Nellie Cournoyea says,

"All the world has laws. There are many thousands of different animals on this earth and they all have their own laws. Look at the different kinds of trees; they all have their own laws. When we walk in the bush we think of all of them. This is how we learn the way of all life, and the things we don't know, we get to know. This is why God put things on this world and why we are entreating each other!" (Jimmy B. Rabesca (1990) 'Strong Like Two People', Dogrib Community Services Board, Pg 33-35)

The oral histories are the literature of the people. The stories and legends represent a cosmology of Inuvialuit culture. They describe how the earth was made and how the people of the earth came about.³

Current Challenges

"The government of the Dene before the Europeans was one of collective agreement. We did not have people, leaders sit by themselves somewhere and make decisions and come back and impose them on our people. We are not going to have an organization that does that".
(George Erasmus (1975) in 'Stories Told: Stories and Images of the Berger Inquiry')

To respectfully articulate understandings of Indigenous governance, this paper draws from statements made by elders and leaders that have been recorded in written, audio and video formats. It is hoped that this paper will generate interest in the production of a video designed to capture the essence of these important governance practices through the voices of the people themselves. Statements related to *Current Challenges* (right side bars) have been selected to demonstrate the difficulties Indigenous peoples face in dealing with the continuing colonial attitudes of most governments. Other quotes relate to cultural values and beliefs (in coloured boxes) to help the reader understand underlying worldviews.

This paper does not focus on the multitude of modern governance organizations that Indigenous peoples are engaged in, that is the focus of others. The analysis provided here aims at showing the relevance of Indigenous practices to members of the Arctic Council, as it is an Arctic organization representing Indigenous peoples. This paper is of the opinion that the Council will benefit from putting similar practices in place as it will support effective decisions on matters of great international importance. Future discussion should consider how these traditions can be utilized by modern public

² The close association between oral traditions and the well developed visual arts is a non written form of transmitting history and events, the majority of which constitute an affinity to and knowledge of land stewardship. (Personal communication from William Demmert, October 24, 2009)

³ Cournoyea 1997:11

and Indigenous governments and organizations. It aims to inspire Arctic Indigenous peoples who are working to mediate the relationship between their cultural experience and modern governance systems. The paper explores governance by considering the following aspects: leadership, decision-making, protocols, dispute resolution, values and principles. The paper will end with suggestions for next steps.

Governance

It is possible to observe governance as it involves “the interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say.”⁴ Governance, then, is about how governments, citizens, and other social organizations interact.

In many Indigenous languages, the concept of governance means ‘our way of life’ or ‘our life’⁵, therefore, understanding the patterns of life for Indigenous peoples provides insight into the patterns of governance. Indigenous peoples of the Arctic, like peoples at other latitudes, travelled seasonally following the resources they depended on to sustain themselves. For most of the annual cycle, Indigenous peoples lived in relatively small communities, where the family is the basic economic and social support of community governance.⁶ This meant that in many areas, governance respected family autonomy and supported collective responsibility, a balance reaffirmed through communal practices

such as food sharing. Major regional decisions were, and continue to be, made at larger gatherings that occur at least once a year and sometimes three to four times a year. Whether making traditional annual rounds, attending annual gatherings, or sitting in meetings with representatives from international institutions, Arctic Indigenous peoples follow traditional systems.

“We cannot control nature. We can only control our own behaviour.”
(Chief Joe Linklater, Old Crow, Yukon, quoted September 20, 2008 in report on ‘*Sharing Knowledge – Workshop on Climate Change Impacts and Adaptation Strategies*’ (Pg 4)

⁴ Plumptre and Graham 1999:2

⁵ Royal Commission on Aboriginal Peoples, 1996:115.

⁶ Arnakak 2000

Traditional mores and customs dictated many of the protocols and decisions that were carried out in daily life and monitored and reinforced by Clan leaders and elders of the clan. The Tlingit practiced a very strict social, economic, and governance structure that identified Clan territory, the material line, male leadership, and land ownership, that set the stage for decision-making.⁷

"When people were summoned to gather around the drum, they did so in harmonious accord. When two people from different villages gathered around the drum there was nothing between the two except kindness and compassion. This drum was used to gather people in dance celebrations, to maintain harmony and to strengthen family ties and the guest that came to the dance festival were given the best foods prepared for the event. The way I understand it, the drum can be talked about in many ways." (Yup'k elder Wassilie Berlin while examining the Jacobsen collection at the ethnologisches Museum Berlin and quoted on page 113 in 'Ciuliamta Akluit: Things of Our Ancestors')

Leadership

In reviewing traditional governance practices, it is apparent that leaders are knowledgeable on many fronts – on how people should be

together, the patterns and flow of the land and animals, and how to deal with social and economic challenges. The complex and dynamic social environment and physical landscape of each homeland requires each nation to have a variety of leaders.⁸ Leadership is acknowledged at various levels, such as the local and regional, while the choice of a leader depends on an individual's expertise and the needs of particular situation.⁹

Qualifications

Knowledgeable individuals, in most societies, are considered to be good candidates for leadership, yet how one becomes 'knowledgeable' differs between cultures. Within Western societies, years spent acquiring a formal educational degree constitutes being

Current Challenges

"It would be fair to state that all First Nations communities have experienced serious forms of divisions amongst themselves as a result of elections. Not only do we have divided loyalties ...but these election systems have divided families, brother against brother, sister against sister, parents against their own children, and elders against elders". (Wally McKay from Northern Ontario quote in 1999 in 'Instruments of Governance: Restoring First Nations Governments')

⁷ Demmert Personal Communication 10/24/2009

⁸ For the purposes of this paper, leadership will largely focus on 'camp leaders'/community leaders and elders. While this is the case, this paper also recognizes the necessary guidance and leadership provided by spiritual leaders. Spiritual leaders played a direct and necessary role in supporting communities in subsistent life. Understanding the complex role and responsibility of spiritual leaders would require an additional paper.

⁹ Gillespie 1968; Helm 2000; Legat and Zoe 2000

'knowledgeable' and qualified to hold various leadership positions. This formal experience values postulations and theoretical frameworks, while minimizing experience. Whereas within Indigenous societies, learning oral narratives provides historical and current information about places, people and resources, and acquiring first hand experience, either on the land or in the community, creates opportunity for knowledge and specialized leadership. For Inuit, the recognition of critical skills and abilities and an openness to consult elders in the decision making process was essential to good leadership.

Traditionally, leadership was flexible, and based largely upon consensus. For example, if several families were living in the same camp for a period, the best caribou hunter might be consulted in planning the next caribou hunt. If a berry-picking or fishing expedition was being planned, the woman with the most experience might be consulted. The leadership that did exist tended to be temporary and based upon required skills alone. Ultimate cultural authority rested with the elders. Not only were elders held in high regard, but they also represented a vast wealth of traditional — and vital — knowledge.¹⁰

It is never assumed that one leader has all of the qualities needed and the current electoral process has created difficulties by selecting leaders that are 'in authority' rather than selected as 'an authority' of a specific kind.¹¹ Being 'an authority' is exemplified in the terms for leadership.

The Innu, term is *utshimaul* that literally means 'first man' who takes charge of particular expeditions on different occasions.¹² The Cree term for leadership is *nikaniwin*, refers to walking ahead or being in front,¹³ while the hunting leaders, who coordinate the hunt and social relations, is *okimah*. *Okimah* is respected for, and accepted as: having a sense of correct practice, the ability to make good decisions, and shows leadership in a consensus system. Like the *k'aawo* among the Tłı̨chǫ Dene, the *okimah*, *nikaniwin* and *utshimaul* have no right to impose decision on others, rather people can choose to follow or name another leader.

Current Challenges

"Of all the challenges faced by negotiators, the reconciliation of the values, ideals, and aspirations of different peoples is the most difficult"
(William Anderson III of the Labrador Inuit Association as quoted in a 1990 'Northern Perspectives')

¹⁰ Qitsualik 1999

¹¹ Legat 2007:245-253

¹² Leacock 1994:165.

¹³ Jobin 2005:42

The Sami also recognize the value of experience as critical to their way of life and the primary basis for the selection of leaders.

A reindeer herder gets more experience the older he becomes; he has seen different types of years and seen the results of different types of decisions. He has seen the use of different types of strategies and taken part in many strategies. He knows his reindeer's annual migration system and how to herd reindeer within the system.¹⁴

Becoming a leader

There are many ways a leader is chosen. Leaders who gained their position as a birthright began receiving direct lessons and instructions from their relatives as a means to learn the role they will assume – as the experience of the Tlingit show. For the Tlingit, oral narratives are shared to ensure that future leaders had the knowledge - in addition to their birthright- as well as the capabilities and experience to provide effective leadership. Central to effective traditional leadership in most Arctic Indigenous societies is an understanding and respect for the land and their relationship with it. Inuk scholar Peter Aaju writes:

These great *angajuqqaat* [leaders] who got their status through their abilities as great hunters, or through a combination of ability and birth-right, held a lot of power. In a world where you depended totally on game you owe your life to the people who feed you.¹⁵

Arctic Indigenous peoples equate being knowledgeable with being experienced; leaders express this by thinking of others and being able to vision outcomes. Leaders exercised considerable authority because of their specialized expertise. This holds true whether the social norm for leaders is hereditary or if leaders are selected based largely on recognized capabilities. The Han of Alaska, state that leaders who lack life experience, cause their followers to wander aimlessly,

Current Challenges

"We really need to consider how to best draw from the strengths of our traditions to select leaders in modern times. Elders played a significant role in ensuring that leaders were selected who were committed to the well being of our Nation socially, economically and culturally and who had the broader vision of our Nation at heart. They looked for people who lived the traditional values of kindness, respect, and stewardship and who demonstrated responsibility and integrity in their actions. Re-instating a role for elders in the leadership selection process would help ensure the continuation of those values and virtues we hold dear". James Wahshee, Personal communication, December 15, 2009

¹⁴ Labba, Niklas. Personal Communication, November 15, 2009

¹⁵ Oosten 1999:113

just as caribou whose leaders have been killed. For the Han, traditional leaders are older harvesters with experience.¹⁶

Inuit societies had a mix of hereditary and selection traditions. The *angakkuq* was not there to judge a person, neither was he there to set the laws. He was there to find out who had broken the *tirigusuusit* and get them to confess. At the same time he held a lot of power since he could kill people with his *tuurngaq*. Finally, the camp leaders exercised considerable authority.

In Aaju [Peter]'s words, "These great angajuqqaat who got their status through their abilities as great hunters, or through a combination of ability and birth-right, held a lot of power."¹⁷

Responsiveness

Yet importantly a major part of the leaders strength and capacity came from their community (whether family, camp or region unit). Leaders are not respected if they force people, and people are encouraged

"You always take care of the animals and the land, if you take care of it with respect, it will always take care of you." Terry Sawyer, Oct 2007, YouTube, Gwich'in Traditional Government (Segment 3)

to never depend on them. Rather leaders are responsible to guide and offer suggestions. Leaders are consistently kept in check by their community. It has never been the leader that defines the community rather it is through the strength of the community that strong leaders emerge. It is through the continual work and interaction of the leader with the community, that leaders remember the importance of humility and the importance of respect for their position.

Leaders embody the traits that the community understand to be important and their strength is largely determined by the strength of their people.

Traditional leaders are vital to the survival and stewardship of all entities that are of the land; therefore, Arctic peoples continue to take time to consider who will be best suited to deal with a particular situation.

¹⁶ Mishler and Simeone 2004:94.

¹⁷ Oosten 1999

Decision- making

Consensus Building

Indigenous peoples following traditional practices actively consider ways to accommodate others. For them, there are no ‘opposition parties’, instead there different perspectives and different ways.

Decision-making within most northern Indigenous communities is in the form of consensus. Inherent in the consensus process is respect for the roles of all people, including those of women, young people, and elders.¹⁸ As stated above there are practices in place to ensure that everyone is heard.

We believe the processes engaged to work through difficult challenges must promote trust, understanding and respect among all parties. Our first response to any challenge depends on processes that are voluntary, inclusive, generate high levels of collaborative problem solving, create safe spaces for difficult conversations, afford the flexibility to embrace holistic approaches to redress systemic causes of family breakdown, and build integrated comprehensive solutions. Our foundation for addressing the underlying causes of risk is built upon working collaboratively within our community and with all other governments (Tlingit Elders)¹⁹.

Current Challenges

“Yes, an elder could say anything he wanted to the camp leader if he knew he was doing something wrong. If an elder felt you needed talking to, you would be filled with trepidation. We had great respect and fear of elders. Today we seem to be scared to talk to our leaders about their behaviour because we feel they are not going to listen.” (Lucassie Nutaraaluk as quoted on pages 120-121 in ‘Interviewing Inuit Elders: Traditional Law’)

Learning from the past

The Inland Tlingit, Tagish and Tutchone have formal ceremonies where relevant narratives are told, whereas the Tłı̨ch̨o and other Dene share oral narratives whenever an individual “needs a story to think-with”. Similarly when ‘feeding the fire’, people ask for guidance and thank the ancestors for the stories from the past that can be used to analyze and help direct contemporary thought and activity. The important stories of Yamoza (a leader who helped establish traditional laws and respectful relationships) and other key leaders tell how they listened to the concerns and problems of the people before providing a solution and action for the people to follow. And, if the problem was more wide spread, affecting other nations and indigenous communities, leaders listened to the situation and the solutions taken by their neighbouring nations. The Chipewyan listened to the experiences of the Cree south of them and the Tłı̨ch̨o in turn listened to the Chipewyan regarding their experience in dealing with the Federal Treaty Commissioner.

¹⁸ See the Report of the Royal Commission On Aboriginal Peoples.

¹⁹ Carcross/Tagish Traditional Family Beliefs and Practices, nd

"From the moment of conception, mother and child are considered sacred. Everyone in the community carries the responsibility of ensuring the mother (and therefore the child), are happy and that her needs are being met. She is treated with respect and her peace of mind is considered critical to the healthy development of the unborn child. The Dene believe that these practices actually teach the unborn child integrity (integration of spirit, mind, body and feelings), humility, obedience, and kindness because the child begins to experience these things through its mother." Chief Roy Fabian, 1999, 'The Dene Human Development Process' (Pg 1)

News of the Queen's representatives going across Canada to negotiate Treaties travelled to the far north where people were extremely wary as they had heard of the land grab, the creation of reserves and hunting restrictions in the south.²⁰

Indigenous Peoples of the Arctic depend on their knowledge from the past to make meaningful decisions in the present. Although most indigenous now use the terms 'history' and 'historical', they do not disconnect from the past as many modern western decision makers do. Indigenous leaders are expected to know the past and understand the relevance of the past to current circumstances even when they seem to be vastly different.

We have come a long way...a way we can be proud of...we got here because we have sought out the wisdom of our Elders...that is our way and if we are to succeed it will need to always be our way". (Andy Carvill, Past CTFN Chief)²¹

Citizens - How were the decisions and actions of citizens key to successful governance?

The role of 'ordinary' citizens in many democratic societies is limited to voting every few years to identify leaders to make decisions for them. Most Arctic Indigenous cultures view this practice as giving away responsibilities of the citizen that ought not to be given away. Within traditional indigenous governing systems, those who choose to follow a leader have a responsibility to assist with tasks for which they have specialized knowledge and a role to continue to remind the leader of their broader responsibilities beyond themselves. If a leader ignores their responsibilities within an electoral system, they are likely to be voted out during the next election – that is if people remember, paid attention to their track record and are not 'manipulated' through promises of doing things differently.

²⁰ Fumoleau 2004

²¹ Carcross/Tagish Traditional Family Beliefs and Practices, nd

As responsible citizens, Indigenous people pay attention to both their leader's words as well as their actions. They remember and remind the leader of their strengths and weaknesses, so leaders will work together with those who have other strengths to ensure the well being of the society as a whole. The actions of the northern Indigenous citizen is not limited to once every few years, rather they are conscious of their responsibility to watch their leaders on a daily basis. The idea of following the most capable and skilled hunter has been well documented in the Arctic. Relations between humans are based on principles of respect and reciprocity just as they are for hunters and animals. For this reason harvesters will follow the leader who understands this principle. To reiterate, social

relations, including ones' relationship with the leader, is maintained by respect for the personal autonomy of everyone and willingness to share in all circumstances, including through difficult times.²²

The Naskapi of Labrador are constantly watching the lead hunters to determine who they will follow.²³ The Dene of the Northwest Territories and Yukon also follow the most appropriate individual who whether hunting,

trapping, trading or negotiating current agreements with industry.²⁴ They considered whom to follow by thinking about who is the most capable to accomplish the tasks necessary to maintain their own

Current Challenges

The government and the oil companies talk about 'balance', a balance between the environment and the economy. But this is no balance, this whole scheme is unbalanced to the point it is out of control. We aboriginal people need to demand a stop to this until we can find out where the mess is going. We have to ask the hard questions: do we need this? Is this kind of development just a waste? What is going to happen to our land and our water? And our people? As Dene we do not differentiate between the land, water, air, earth, wildlife, birds, fish and people. The people and the land are inseparable. That is real balance.

(Grand Chief Herb Norwegian, speaking about tar sands development in Fort McMurray, Alberta – Polaris Institute Newsletter 'Energy

"We are valued not for what we possess, but for how we share with our family, how we selflessly reach out to help other families. Our potlatch ceremonies are one means of being generous, of celebrating giving to others, of being selfless." (Statutes of Carcross/Tagish First Nation (2/1/2009) "Traditional Family Beliefs & Practices" (Pg 9).

²² Preston 1975; Tanner, 1979; Brightman 1973; Legat 2007; Helm 2000; Berkes et al 1991

²³ Henriksen 1973.

²⁴This has been documented by Helm (1963: 17, 2000) who worked mostly with the Slavey and Tłı̄chǫ in the Northwest Territories, Slobodin (1969) among the Peel River Gwich'in whose territory encompasses lands in both the Northwest and Yukon Territories, and D.M. Smith (1982: 36) among the Chipewyan of Fort Resolution; and Legat (2007) among the Tłı̄chǫ Dene.

personal autonomy and the self-determination of the group, especially given the continual development demands on their land.

If leaders go astray elders will not hesitate to counsel them.

If I was distributing meat and discriminated against a widow or another who was less fortunate, I would be counselled, even though I had a very high profile in the community. If an elder felt that the isumataq had made an error, he would discuss with the other elders how to deal with the isumataq. In the old days, when we were totally dependent on wildlife, I would make the decisions

On integrity...

I am not going to talk about what I don't know because I don't want to make mistakes. Levi Illuittuq

I would like to sit back and reflect and listen because if we all talk at once we are going to start talking without thinking. Peter Suvaksiuq:

We all make mistakes. We even make mistakes about things we know. Jose Angutinngurniq
Inuit Perspectives on the 20th Century.

concerning hunting. Hunting decisions were not my wife's responsibility, but if she knew I was making a bad decision, she had the obligation to tell me.... If a person who is older is making a decision and you think it is wrong, you have the obligation to tell them that. Emile Imaruittuq²⁵.

The Sami recognize the benefits of disagreement in the consensus process to their way of life.

Each "siida" (clan) has a leader that makes the practical herding decisions. The leader (siidaisit) is often from the family with the highest amount of reindeers. This person's personality, knowledge and eagerness to work with the reindeers give him status and respect enough to be invited by other "siida" leaders to make collective decisions. The "siida" itself does not choose its own leader; this is done by the other "siida" leaders as they choose whom to talk to. If a "siida" member disagree, and want to become the leader, he will join the chosen leader in the collective decision discussion. In the discussion the disagreeing member will try to state better arguments concerning this collective matter.²⁶

Current Challenges

The word '*pijariiqpunga*' has no English equivalent. In traditional Inuit culture, each speaker is allowed his or her own *isuma*. Others won't interrupt until a speaker indicates that they've said all they needed to. There is no time limit: a speaker can sit in silence for quite a while, yet no one will speak until he or she ends with '*pijariiqpunga*.' It means that they're finished, and someone else can have a turn to speak.

Governing Protocols

Indigenous peoples have protocols or rules to guide behaviour to help ensure the integrity of their relationships whether they are dealing with matters internally or with others, internationally. These rules address ethical matters as well as procedural matters. Their importance cannot be overstated as

²⁵ Oosten 1999:50.

²⁶ Niklas Labba, Personal Communication. November 15, 2009.

they are central to ensuring that the societal values and ethics are at the forefront of any decisions. They speak to the roles and responsibilities of citizens and that of leaders.

Hosting a meeting or receiving a delegation

In most traditional Arctic societies the 'visitor' is introduced, made comfortable, offered food and invited to state their business or make their presentation. This is then followed by the host leaders and elders listening to their community members and caucusing to discuss their response. In responding, it becomes clear that the values that people hold may not vary significantly between cultures. Virtually all cultures would identify the importance of family, caring and sharing for those less fortunate and being economically viable as important to their people. However the weight or importance given to any particular value can differ significantly between cultures and often produces very different choices. For this reason, it is common for many traditional leaders to spend significant time talking about the historical events leading to the present time. In doing so, they often relay underlying cultural values and beliefs in the hopes that their counterpart will reciprocate thus giving them a better understanding of where 'they are coming from'.

Travelling to another jurisdiction

When travelling to a foreign land Dene visitors 'pay' the land and seek the blessing of the ancestors of the area whom they are visiting by making offerings and prayers. This behaviour signifies the making of a commitment to be respectful of all life in the homeland of their host. Dene, like other Arctic Indigenous peoples, would never go to another land to exploit the resources in a manner that would alter the health of that land, wildlife, plants and people, and it continues to baffle them as to how peoples with the Western perspective can disrespect the homeland of Indigenous peoples. These practices keep at the forefront stewardship responsibilities held regardless of location. They are acutely aware of their responsibility to respect the land of others by following the rules of that place.

Current Challenges

The government constructed "sameby" (government imposed law) interrupts and weakens the traditional dynamic that was created by generations to meet different types of grazing conditions. The possibility for individual reindeer herders to make their own decisions, concerning "siida" (herding strategy and the choosing of winter grazing) has ended. The arena where the "siida" leaders could take consensus decisions is not authorised by the legal act (Sameby). The "sameby" construction with its structure of decision-making has turned reindeer herding into an individual competition on grazing areas, sustained with modern technology. (Niklas Labba, Sami, Personal Communications, November 15, 2009)

Consultation with Elders

Consistent with the value placed on knowledge gained from past experience, Indigenous peoples of the Arctic regularly consult their elders on all matters. When meeting with the Queen of England's representative Treaty Agent Macrae in 1896, Dene Chief Drygeese refused to consider any proposals until first meeting with the elders.²⁷ This process was explained by Tłı̨chǫ elders in the early 1990, when they narrated the story of M̄owhì, who was selected to 'talk for' the Tłı̨chǫ Dene when the Federal Commissioner proposed Treaty 11 to them. Prior to the arrival of the commissioner, the Tłı̨chǫ talked for six days.²⁸ The Tłı̨chǫ elders explained the process. First, several thousand Tłı̨chǫ Dene listened to stories they heard from the Chipewyan and Slavey living on the south side of Great Slave Lake. Next, the leaders and elders discussed at length who would be best suited to deal with the Treaty Commissioner before choosing M̄owhì to speak for them. Once selected, M̄owhì continued to seek the advice of his elders and to listen to what the Tłı̨chǫ as a whole wished to allow the Euro-Canadians to do on Tłı̨chǫ n̄èèk'è or the 'place where the Tłı̨chǫ belong'.

Cooperation and Dispute Resolution

The Alaskan Tlingit scholar William Demmert suggests that disputes between Indigenous rights-holders from two nations might lend themselves to customary or traditional indigenous practices utilized in the past by each nation including healing circles, the talking stick and consensus building. Usually when disputes reach the point where a resolution is necessary between nations, northern indigenous peoples will talk, listen, agree on a solution and take action to ensure a resolution.

The agreement is based on the honour and integrity of the people involved. The serious conflict between the Chipewyan and the Tłı̨chǫ in the early 1800s was resolved when Akaitcho and Edzo talked, listened and agreed they would live in peace. During the overlap negotiations initiated by the Federal government young people from both Nations attacked each other. The elders - from each of the Nations - talked and directed their leaders to agree on an

Current Challenges

"By being able to govern the predators and taking away the predators that causes problems, we would be able to live like we always have done, side by side with predators. Today predators consumes our future, a lost reindeer will give effects for several years. We do not want to feed predators; we have enough feeding ourselves." (Sami elder (April 1990) as quoted by; Olof J Sikku & Eivind Torp, Vargen är värst 2004)

²⁷ Fumoleau 2004.

²⁸ Legat and Zoe. 2000.

overlap solution quickly to ensure young Dene understood peace agreements had been made in the past and were to be respected.²⁹ Similarly, the Sami find practical solutions to disagreements;

If there is too much disagreement inside a 'siida' it might split up. In practical reindeer herding this 'siida' split is the dynamic that provides sustainability to reindeer herding. It prevents that knowledge becomes static or tied to some specific persons. In one way it secures that the best decisions are taken, to prevent disasters where reindeers will die by starvation or be killed by predators. The issues that split 'siidas' are usually connected to the decisions about herding strategy and the use of grazing areas.³⁰

Similarly for the Inuit, handling disputes effectively is considered an important leadership quality. As Emile Imaruittuq explains:

Maybe he (*Ittuksaarjuat*) became a leader because he was able to direct people and he was able to talk to people when there were disputes. Even when there were disputes in other camps people went to him or request his presence, and he would talk to them. He would tell them how they should behave. It was his way of helping others that made people consider him a leader.³¹

Resolving conflicts is more complex, however, when fundamental cultural differences exist. Durst³² identifies the following differences in key concepts:

Concept	Indigenous	Western
Kindness	Harmony in interpersonal relations & capacity for caring	Charity as it is shown especially for the unfortunate & helpless
Sharing	Generosity, cooperativeness, desiring harmony & collective wellbeing	An obligation rather than unconditional generosity
Honesty	Truthfulness and integrity; honesty conditioned by respect	Truthfulness and respectability; abiding by defined laws in an upright and creditable manner
Strength	Strength of character, fortitude, self-mastery of peace, harmony and well-being	Control, confidence, determination, persistence and forth-rightness are all needed to gain mastery of a situation

²⁹ Legat 2007.

³⁰ Niklas Labba. Personal Communication, November 15, 2009.

³¹ Oosten 1999: 119

³² Durst 1995: 25

Cultural Values & Principles

In reviewing traditional governance it is clear that distinct principles based on strong cultural values are present in discussions within Indigenous communities when considering their options and choices for the future. *Maligait* is currently understood as ‘traditional custom law’ – it was what guided Inuit in their conduct/behaviour/how to live. As the following quotes shows, *maligait* was ever present. This presence was not because *maligait* was written down or there was not one central force responsible for promoting them – they were ingrained within Inuit, and supported/remembered by leaders, elders, hunters and family members. In many ways *maligait* represents individual responsibility and the collective support based on the recognition of that responsibility.

When I think of paper I think you can tear it up and the laws are gone. The *maligait* of the Inuit are not on paper. They are inside people’s heads and they will not disappear or be torn to pieces. Even if a person dies, the *maligait* will not disappear.” (Mariano Aupilaarjuk, Inuk elder).³³

Similarly, among the Sami traditional values are not forgotten or put aside.

The Sami way of life is to be bound together by cultural and traditional values. The social affinity within the group of reindeer herders creates a common identity. The decisions taken by a member is valued in relation to the common identity. This valuation is an ongoing process that strengthens the common identity. The freedom to take own decisions, and the respect for others decisions, creates a dynamic. Young people do not abandon the traditions and values; they adapt.³⁴

Current Challenges

“I really blame the young leaders, they don’t know what to say to the white man and we elders are never invited to meetings....I told my nephew that and he said, “Don’t stop us where you were, don’t take us back into the past.” And I said to him: “You’ve never seen the past. Take us with you so we can help, you are not as strong as we are, we have seen more.... You grew up in the community with the houses.” That’s what I said to him. But he never said anything back to me.” Comment by 70-year old Kaniueketat from the film *The Two Worlds of the Innu* (Wilson, 1994) in Samson 2003: 35)

Consideration of impacts on future generations

When attending any meeting in which indigenous peoples are considering their choices, concern for young people and the ‘future generations’ is passionately expressed. Leaders are expected to openly

³³ Oosten 1999: 14

³⁴ Labba 2004

discuss and consider the impacts of their decisions on future generations. Often this means considering impacts over a period of hundreds of years as well as the short term. All aspects of well-being are considered: spiritual, intellectual, physical, economic, ecological and social well-being were and continue to be carefully considered as a normal part of determining what choices need to be made or action need to be taken.

We know that five hundred years from now, someone with skin of my colour and moccasins on his feet will climb up the Ramparts and rest and look over the river and feel that he too has a place in the universe and he will thank the same spirit that I thank, that his ancestors have looked after his land well and he will be proud to be Dene” (Chief Frank T’Seleie during the 1975 Mackenzie Valley Pipeline Inquiry)³⁵

Respect for all forms of life

As Inuit Elder Mariano Aupilaarjuk explains: “The living

person and the land are actually tied up together because without

one the other doesn’t survive and vice versa. You have to protect the land in order to receive from the land. If you start mistreating the land, then it won’t support you ... In order to survive from the land, you have to protect it. The land is so important for us to survive and live on; that’s why we treat it as part of ourselves³⁶.

The relationship between the Inuit and the land was one, like a newborn baby to her mother.

Brian Aglukark, ‘Inuit and the Land as one’ in *Nunavut ’99*.

Current Challenges

“The word Dene is two words De and Ne. De refers to the river that flows and ne is earth. Put together Dene means flowing from Mother Earth. It is in this belief that the Dene had no concept of land ownership. Non-Dene have laid claim to the lands that the Creator has put under our care, this has resulted in the land claims process which has forced the Dene to claim land ownership. We cannot sell land, just as it would be inconceivable for non-Dene to sell their mother or trade her for another. The Euro-Canadian legal framework forces us to change our relationship to the land. This has been a source of great difficulty and has resulted in many delays in resolving questions of rights and responsibilities for land in the various aboriginal rights processes. Chief Roy Fabian, 1999, ‘The Dene Human Development Process’ (Pg 3)

Unlike western societies who control harvesting as a demonstration of respecting the environment, many circumpolar indigenous peoples consider the sustainability of specific animal populations as a

³⁵ Scott 2007

³⁶ Bennett & Rowley 2004: 118.

function of spiritual reciprocity and love between hunters' gratitude and animals' generosity. As long as hunters take what is offered in a correct way, the animal spirit and resources are renewed and the animals will continue to make themselves available to them.

As remembered by Joanasie Qajaarjuaq:

The boys were taught the importance of having knowledge against cruelty to animals from boyhood throughout their upbringing, as they become successful hunters. They were made to know that if they wounded an animal, they must make every effort to get it. Men were taught the instant kill, to make sure the animal they hunted did not suffer as a result, whether it was a land animal, a sea mammal, or any other living creature. People had to respect their existence and avoid any form of abuse or cause any kind of suffering. This is one of the ancient rules that we continue to practice.³⁷

Sharing

Food sharing was an expression of gratitude and celebration after a successful hunt, and is still practiced as a means of reaffirming relationships both within a community and with visitors. The practice of food sharing provides an opportunity for people to build, maintain and update relationships in an open arena,

the sharing of stories, of hunts, of memories, or other

experiences. Food sharing reaffirms the importance of good relationships. Supporting good relationship building happens at all levels and with peoples from other cultures.

There are things unseen, the sounds of animals, the wolf's cry, echoes wailing around us. We hear these things unseen. These were believed. Now we only believe what we see, not what we don't see. That is why things have been changed. The spiritual world is unseen. This comes to us from our ancestors. The spiritual world has to be made clear to our children. We have to make our children believers again. They have to learn to interpret the unseen ..."

Elizabeth Mackenzie, Yellowknife, June 1991, *Diavik, Our Foundation, Our Future* Pg 7

Spiritual Guidance

Ceremony is used to help people 'rise above' their personal agendas and remind people of their greater responsibilities.

Such ceremonies recognize the presence of ancestral connections and their historic contributions to the well being of the people and the land. Individuals use prayers to seek the guidance of these spirits and they ask for wisdom, openness and honesty in their deliberations. Often ceremonies and sharing of experiences through oral narratives that come from the past will last for days before people discuss the issues at

³⁷ Bennett & Rowley 2004: 50.

hand. This is seen as a good use of time as it often leads to fewer difficulties in reaching agreement.

Acceptance of others

If there is a single characteristic that typifies Inuit culture, it is the concept known as isuma. As with so many concepts unique to Inuit, isuma is difficult for non-Inuit to grasp. It refers to the innermost thoughts and feelings a person has — their mindset. A fundamental tenet of Inuit society was the sacred nature of isuma: that another's mind was not to be intruded upon. This dynamic of respect runs throughout Inuit society and lies at its very core. Its influence can be seen in the unwillingness of Inuit to offer opinions as to what others may be thinking, or in the quiet contemplation of Inuit during a meeting or general discussion.

Reciprocity

There are principles of reciprocity that are based in a belief system related to the maintenance of balance.

The elders...belief is that the earth is in layers...that's the way the earth balances..over the years of extracting all of these minerals, all of the gas and oil and you're not paying the land back. We're extracting too much from Mother Earth and not (giving) back. (Slavey Language Expert, Dora Grandjambe)³⁸

Conclusion

When we first start doing something, we have to develop our abilities. We don't always know everything right away. Cornelius Nutaraq (Oosten, Jarich & Frederic Laugrand (eds.) 2001. *Inuit Perspectives on the 20th Century: Travelling and Surviving on our land* (129) Nunavut Arctic College: Iqaluit, NU)

This discussion paper shows traditional governance – particularly leadership qualities and responsibilities – are similar among Arctic Indigenous peoples. In all cases leaders are those who have authority based on experience and the ability to use their knowledge to make decisions that ensure the well being of the group. Although firm and capable of making key decisions, these leaders are also individuals who listen ensuring consensus. We also found that Indigenous governing systems support personal autonomy and

³⁸ SENES Consultants 2008:27.

responsibility among those who follow and work with their leaders.

Current members of the Arctic Council may want to consider changes to their structure and decision making processes to reflect the longest standing traditions and residents of the region. Such considerations should include the Permanent Participants (Indigenous representatives) and provide them with further opportunities to carry out comprehensive research and development initiatives to build on their traditions and bring forward proposals for change to the current governing system.

Future discussion papers should consider how these traditions can be utilized by modern public and Indigenous governments and organizations.

Next steps

As this discussion paper illuminates, good governing practises exist within Arctic Indigenous Nations. To make real contributions to change, however, it will be important to increase understandings of these practices with the general public, and consider feedback from those Arctic Indigenous people who wish to comment. To increase awareness of traditional governance, the production of a video/DVD would be an appropriate medium. The visual and audio format is conducive to the oral tradition and will be of interest to an audience of diverse backgrounds and cultures. Through the video/DVD format the actual sound and expression of the elders' statements can be heard as they have been passed on or recorded through time. A visual and audio production of the elders' 'words' together with current Indigenous leaders expressing their ideas on how to strengthen Arctic governance would help lay the foundation for the change that the Arctic Council thinks is necessary.

References

Adelson, Naomi. 2000. *'Being Alive Well': Health and the Politics of Cree Well-Being*. Toronto: University of Toronto Press.

Aglukark, Brian. "Living with Change" in *Nunavut '99*. Access November 30, 2009. Available at http://www.nunavut.com/nunavut99/english/inuit_land.html

Anderson, William III. 1990. *Northern Perspectives*:18: 2:March-April.

Arnakak, Jaypeetee. August 25, 2000. *Nunatsiaq News* [Web page]. Accessed December 3, 2009. Available at http://www.nunatsiaq.com/archives/nunavut000831/nvt20825_17.html

Bennett, John & Susan Rowley (eds.) 2004. *Uqalurait: AN Oral History of Nunavut*. McGill-Queen's University Press: Montreal, PQ & Kingston, ON.

Berkes, Fikret, Peter George and Richard J. Preston. 1991. "Co-management: The Evolution in Theory and Practice of the Joint Administration of Living Resources" in *Alternatives*:18:2: 12-18.

Brightman, Robert. 1973. *Grateful Prey: Rock Cree Human-Animal Relationships*. Regina: Canadian Plains Research Centre.

Carcross/Tagish Traditional Family Beliefs and Practices. ND. *Tlingit Elder Book Two*. Unpublished draft. CESO Aboriginal Services. June 1999. Instruments of Governance: Restoring First Nations Government.

Cournoyea, Nellie. "Documenting the Oral History of the Inuvialuit" in John Moss, ed., *Echoing Silence: Essays on Arctic Narrative*. Ottawa: University of Ottawa Press: 7 -13.

Durst, Douglas. *Aboriginal Self-government and Social Services: Finding the path to empowerment*. Jointly sponsored by Miawpukek Mi'kamaway Mawi'omi, Council of the Conne River Micmacs, Newfoundland and Innu Nation Board of Directors, Sheshatshit, Nitassinan, Labrador. Canada: National Welfare Grants Program.

Fumoleau, Rene. 2004. *As Long as this Land Shall Last*. Calgary: University of Calgary Press. Originally published by McClelland & Stewart in 1975.

Gillespie, Beryl C. 1968. *Political Organization of the Yellowknife Dogrib*. Unpublished report on 1968 Ethnographic Field Season.

Helm, June. 2000. *The People of Denendeh*. Montreal: McGill-Queen's University Press.

Jobin, Shalene. 2005. *Guiding Philosophy and Governance Model of Bent Arrow Traditional Healing Society*. Masters Dissertation. Victoria: University of Victoria.

Leacock, Eleanor Burke. 1995 "The Montagnais-Niskapi of the Labrador Peninsula," in R. Bruce Morrison and C. Roderick Wilson (eds.). *Native Peoples: The Canadian Experience* (2nd edition) Toronto: McClelland & Stewart: 150-180.

Labba, N. 2004, Vindkraft i Renskötseområdet. Diedut 1.

Legat. 2007. *Walking the Land, Feeding the Fire Becoming and Being Knowledgeable among the Tâîchô Dene* Doctoral Thesis in Social Anthropology. Aberdeen, Scotland: University of Aberdeen, Scotland

Legat and Zoe. 2000. *Tâîchô Traditional Governance*. Hay River: Dene Cultural Institute.

Meade, Marie (translated) and Anne Fienup-Riordan (ed.) 2005. *Ciuliamta Akluit: Things of our ancestors*. Seattle: University of Washington Press.

Mishler, Craig and William E. Simeone. 2004. *Han Hân Hwëch'in: People of the River*. Fairbanks: University of Alaska Press.

Nunavut'99: Changing the Map of Canada. [Web Page created April 1999]. Available at <http://www.nunavut.com/nunavut99>

Qitsualik, Rachel Attitug. "Living with Change" in *Nunavut '99: Changing the Map of Canada*. Accessed December 1, 2009, available at <http://www.nunavut.com/nunavut99>

Oosten, Jarich, Frederic Laugraud and Wim Rasing (eds.) 1999. *Interviewing Inuit Elders: Traditional Law*. Iqaluit: Nunavut Arctic College.

Plumptre, Tim and John Graham. 1999. *Governance and Good Governance: International and Aboriginal Perspectives*. [put on Web page <http://www.iog.ca> December 3, 1999]. Accessed November 28, 2009

SENE Consultants Ltd. 2008. *Traditional Knowledge & Cumulative Impacts Monitoring Practitioners Workshop* Ndilo.

Samson, Colin. 2003. *A Way of Life that does not Exist: Canada and the extinguishment of the Innu*. St. John's: ISER Books.

Scott, Patrick. 2007. *Stories Told: Stories and Images of the Berger Inquiry*. Yellowknife: The Edzo Institute.

Tanner, Adrian. 1979. *Bringing Home Animals: Religious Ideology And Mode of Production of the Mistassini Cree Hunters*. St. John's: Memorial University Institute of Social and Economic Research.