



# Indigenous Political Institutions

PART 2

## Canada • Greenland • Sápmi

Dr. Rauna Kuokkanen

In this four-part article series, Research Professor Rauna Kuokkanen shares the key findings of her research that has been published as the book *Restructuring Relations: Indigenous Self-Determination, Governance and Gender* (Oxford University Press, 2019). For her comparative study, she interviewed over 70 Indigenous individuals from Sápmi, Greenland and Canada, the majority of whom were women. She wishes to share her findings as a means to increase awareness and empower women.

**S**elf-government is a political arrangement that enables a group to govern themselves according to their own will and through their own institutions. Typically, self-government is outlined in terms of specific areas of jurisdiction such as education, health care, policing, resource management, and cultural affairs. Considering the diversity of the world's Indigenous Peoples and their social, political and cultural traditions, there is no single approach or model for self-government.

This article considers the scope and structures of the existing political arrangements and institutions in three regions: the parliamentary system in Greenland with extensive political autonomy; the elected representative bodies of the Sámi Parliaments in Finland, Sweden and Norway; and the federal Indigenous self-government policy in Canada

## 1 Greenland: From Home Rule to Self-Rule

Over 80 per cent of Greenland's population are Indigenous Inuit. The large island was colonized by Denmark. As a result of growing dissatisfaction with the Danish rule, an internal Home Rule Committee was created in 1973. The 1979 Greenland *Home Rule Act* delegated legislative and executive authority from Danish to Greenlandic authorities, within certain areas of jurisdiction.

Home Rule was a public government focused on the building of the Greenlandic nation around institutions of Western nation-state such as democracy and parliamentarianism. In 2009, the *Greenland Self-Government Act* replaced the limited Home Rule arrangement. The new act contains 33 areas of jurisdiction, most important of which is the mineral resources. The development of oil, gas and mineral

resources has dominated the public debate because Greenland's national economy is the biggest challenge to implementing self-government in Greenland.

Unlike the other Inuit jurisdiction of Nunavut, Greenland has expressed no intention of or interest in establishing a government based on Inuit values and governance principles. The common view is that as long as the Inuit in Greenland hold the most positions of political power, the Inuit political power is secured. Many Greenlanders are critical of the continued presence of Danish authority and influence in Greenland's self-rule. This shows that political institutions are not empty shells. While they can be filled by Indigenous bodies, the institutions come with their own underlying values and ways of organizing and distributing power.



Nuuk city covered in snow with sea and mountains in the background, Greenland



## 2 Canada: The *Indian Act* Administration and Self-Government Agreements

With 60 to 80 culturally and politically distinct Indigenous nations or peoples, the question of self-government in Canada is far more complex than in Greenland or Sápmi. Many Indigenous nations are further divided into over 600 bands or communities created by the *Indian Act* administration. Different Indigenous nations and groups have very different views and positions on self-government.

Since the 1980s, there have been a number of studies and initiatives, most notably the Special Committee on Indian Self-Government and its Penner Report (1983) and in the 1990s, the Royal Commission on Aboriginal Peoples (RCAP) that have recommended the development of a process and framework for the implementation of Aboriginal self-government. The RCAP recommended a number of ways to restructure Indigenous Peoples' relationship with the state. Suggestions included the nation model, the public government model, and the community interest model.

Besides the models proposed by the RCAP report and others, the federal government's "Inherent Rights

Policy," has identified models for self-government arrangements: First Nations (the standard model seeking to replace the *Indian Act* through negotiations), Inuit (public government approach), Métis (with or without land base) and the territories (comprehensive land claims). Other ways of categorizing include dividing self-government arrangements into traditional; legislated (e.g., the *Indian Act* governance); and negotiated self-government (both inside and outside modern treaty-making). The *Indian Act* legislation can hardly be considered a form of self-government because it renders nearly all decisions by the chief and council system to the approval of the federal Minister of Indigenous Affairs.

There are currently 25 signed self-government agreements involving 43 Indigenous communities in Canada. Most of them are part of a comprehensive land claim agreement. Not all modern land claims include governance. The 1984 Inuvialuit Final Agreement, for instance, contains no provisions for self-government yet the Inuvialuit Land Administration could be considered a self-government institution.



## 3 Sápmi: Self-Administration through Sámi Parliaments

The Sámi Parliaments in Norway, Sweden, and Finland are elected Sámi representative bodies in charge of administering Sámi-related affairs, specifically Sámi cultural policy. They have been established as mainly consultative or advisory bodies rather than self-governing institutions. The Sámi Parliaments

exercise limited decision-making authority over their own affairs, mainly through the administration and dissemination of state funding. The main difference between self-government and self-administration is of political authority. In self-government, an institution has decision-making

powers over its own affairs, including resource use, civil affairs, and economic development. Intergovernmental relations are characterized by partnerships, joint decision-making, and mutual respect whereas in self-administration, only consultation is required. Self-administration is limited to administering programs, service delivery, and distribution of resources such as jobs and money.

In the past few years, the Sámi Parliament in Norway has increased its authority and political influence. The function of the Sámi Parliament

of Sweden is limited mainly to a state administrative body, creating conflicts with regard to the decision-making authority and more fundamentally, constituting a structural obstacle to Sámi self-determination. The Sámi Parliament in Finland has no power or decision-making authority except in a limited number of internal matters and allocating funding to projects related to the Sámi language, education, and culture. Focusing on culture while ignoring the legal and political status of Indigenous Peoples essentializes Indigenous Peoples and reduces Indigenous rights to minority rights.

## 4 Key Observations Comparing the Three Cases

A comparative analysis of Indigenous self-government models demonstrates that regardless of the regional, geopolitical, cultural, and other, sometimes significant differences, there is a fundamental tendency toward Western parliamentary-style institutions and arrangements. In part, this is due to the insistence by the states with whom Indigenous Peoples are expected to negotiate their autonomous arrangements. It is often also the expressed preference of Indigenous leadership.

Indigenous self-government is typically regarded as requiring a localized, culturally specific, and territorialized application and practice. However, the exercise of Indigenous self-determination seldom is localized, territorialized, or culturally specific all at once.

In Canada, negotiated self-government agreements are rarely culturally specific because they typically follow the formula set by the federal government. The Sámi Parliaments in the three Nordic countries are neither localized, territorialized, nor culturally specific. Notably, there has been little interest by a majority of the Greenlanders and the Sámi in

exploring what localized, culturally specific self-government arrangements could look like.

Greenland's self-government is commonly considered a successful example of implementing and exercising Indigenous self-determination. It is, however, a public government not based on international norms for Indigenous Peoples' rights. For many Inuit Greenlanders, self-government is a step toward the ultimate goal of full independence. In Greenland self-government represents a process toward modern nationhood and nation-building within the framework of Western institutional arrangements.

Indigenous self-government arrangements discussed here are delegated authorities, meaning that their powers derive from the state. While broadly accepted in Greenland and Sápmi, many Indigenous people in Canada are very critical of the delegated authority of self-government. It is seen to legitimize the colonial state as the ultimate authority rather than acknowledging and accepting the ongoing sovereignty and prior occupancy of Indigenous nations.



## Rauna Kuokkanen

Rauna Kuokkanen (Sámi) is a Professor of Arctic Indigenous Studies at the University of Lapland (Finland), an Adjunct Professor at the University of Toronto, and a 2021–2023 Fulbright Arctic Initiative Fellow. She previously lived and worked in Canada for nearly 20 years. Kuokkanen is a long-time advocate for the protection of Sámi sacred sites, particularly Suttésája, a sacred Sámi spring in Northern Finland. Currently, she leads the Siida School project, a community-driven renewal of Sámi Siida system.