

CHAPTER 8

Nunatsiavut Land Claims and the Politics of Inuit Wildlife Harvesting

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Wildlife harvesting has always been of fundamental importance to Labrador Inuit, both as a source of sustenance and as a source of trade goods. Many species, including seal, whale, walrus, caribou, Arctic char, cod, and Arctic fox have for centuries provided Inuit with food, clothes, tools, household materials, fuel, and products for trade with other Aboriginal groups and with European merchants. The choice of species and pattern of Inuit harvesting have varied over time and with changes in the global economy, but Inuit have retained the cultural and economic value of their reliance on wildlife.

For the past 250 years, outside interests have increasingly interfered with, undermined, or ignored the importance of Inuit harvesting activities. Ever since Moravian missionaries arrived in Labrador in the mid-1700s, outsiders have pursued their own self-interest and employed ever-changing ideas about “ideal” Inuit livelihoods and society to influence Inuit economic and cultural practices. The form of this interference by missionaries, traders, organizations, and governments has fluctuated, but its presence has been constant. Depending on prevailing ideas about how Inuit should best support themselves, these groups alternately encouraged Inuit to retain their self-sufficiency by maintaining a diverse harvesting economy, or supported Inuit in more extensive participation in global trading networks or industrial wage labour. By the 1970s, Inuit were so exasperated with this outside

interference in all aspects of their lives, including harvesting, housing, health, education, and economic issues, that they decided to assert their rights to govern their society and the lands and resources of Nunatsiavut by filing a land claims proposal. Land claims negotiations continued for thirty years, and the Labrador Inuit were eventually successful in establishing their resource and governance rights. Nonetheless, Inuit negotiators had to struggle against entrenched assumptions about what constitutes “Inuitness”—assumptions that were similar to ideas used in the past in efforts to influence Inuit livelihoods.

This chapter examines how ideas about “ideal” Inuit livelihoods and society were influential in historical attempts to regulate Inuit economic activities, and how these ideas still permeate Inuit-government relationships by manifesting themselves in the Labrador Inuit Land Claims Agreement (INAC 2005). The final agreement, signed in 2005, affirms Inuit harvesting rights and governance, but it also demonstrates how the politics of the recognition of Inuit rights can be restricted to simplified and limited definitions of Inuit economic and social activities. Although the land claims process uses more subtle means, it continues the practice of outside agencies attempting to control Inuit and their resources. Despite this, however, Labrador Inuit are working within the confines of the final agreement and the possibilities that it does offer in order to determine their own futures.

Wildlife Harvesting in Nunatsiavut: Historical Attempts at Control

Since time immemorial, the Labrador Inuit have used the resources from our land to survive. This survival stemmed from the cultural and customary law practices and the traditional method of hunting, fishing, and gathering. Since Confederation, federal and provincial laws and regulations have been imposed upon us. These laws and regulations have been drafted by governments who had no knowledge of, or respect for, the aboriginal rights of the Labrador Inuit, nor for our absolute dependency upon the land and its resources for our survival. These factors have led to increasing frustration, and mistrust toward governments and others. (W. Andersen 1990)

Wildlife harvesting has always been a fundamental component of Labrador Inuit livelihoods, and it continues to play an important role in the culture, economy, and diet of Inuit today (Brice-Bennett 1977; Natcher and Felt this volume). Harvesting practices for both subsistence and trade needs have overlapped since well before the first Europeans arrived in Labrador in

the 1500s; wildlife has been a source of livelihood through food, the domestic use of animal products, and the trade and sale of furs, meat, and other materials (Kaplan 1983). Over the years, the interrelationship between subsistence and commercial activities has become increasingly complex as Inuit involvement in the global economy has increased and new dynamics among wage labour, cash, global markets, and harvesting have developed (Wenzel et al. 2000; Natcher 2009). Since the arrival of outside agencies in Labrador in the eighteenth century, various interests have attempted to control Inuit involvement in these global networks. Driven by imperial, colonial, or commercial motivations, these agencies have thereby tried to guide the social transformation of Inuit by influencing their harvesting strategies.

Moravian missionaries made the first major attempt at social transformation in the late 1700s when, supported by the British Crown, they established missions on large land grants in northern Labrador. These missions were intended to attract and isolate Inuit, through what historian James Hiller (1971) calls a “containment policy,” in order to protect the Inuit from unscrupulous traders and convert them to Christianity, as well as to prevent them from further disrupting the lucrative British fishery to the south. The missionaries encouraged Inuit to settle at these missions, and to trade with them, but they struggled to find a suitable economic base for the more sedentary life that they were trying to create (Brice-Bennett 1990; Hiller 1967, 1971). They soon realized that they could not require that converts live at the villages year-round if the mission stations were to be financially viable—both because they could not afford to feed everyone in the settlements, and because they would be thereby reducing their supply of animal products for the trade that supported the Mission (Hiller 1971). The missionaries therefore revised their tactics and instead encouraged Inuit to continue to support themselves (and the Mission) by harvesting food (and trade products), but to minimize their movements by spending some of the year at the missions. Missionaries would later frame this approach as one of cultural protection, although it was originally driven by the Mission’s economic circumstances: “The Moravians tried to preserve the Eskimos [sic] in their old mode of living and not to introduce trade goods which would lead to the downfall of the Eskimos” (Peacock 1959, 63), as a Moravian minister explained in 1959. “[They] endeavoured as far as possible, to encourage the Eskimos to pursue their natural mode of life and to hunt seals” (77). The missionaries “have instilled habits of morality and clean living, and have weeded out habits that are bad and harmful, they have urged the people to keep closely to their native foods and habits of life, and clothing; in a word, their policy has been to make the Eskimo a better Eskimo” (Hutton 1912, 337).

The missionaries attempted to change Inuit economic behaviour that conflicted with their own goals by criticizing Inuit sharing practices and values. The value of sharing is intrinsic to a nomadic hunting lifestyle, but it was seen by the missionaries as antithetical to settled life in the Mission and to the Moravian goals of “civilizing” Inuit with the doctrines of Protestantism and capitalist ethics. “Rational” economic behaviour, according to the missionaries, included the individual accumulation of goods for future use, and the Inuit ethic of sharing was seen as irrational and wasteful, as well as bad for the trading business (Kennedy 1977; Kleivan 1966). Inuit often reacted to these arguments, as they did to many other imposed practices and ideologies, with tacit disapproval, and they continued to uphold the fundamental value and the practice of sharing (Hiller 1967; Kennedy 1977; Kleivan 1966; Brice-Bennett 1990; Natcher et al. this volume).

In the mid-1800s, Moravian missionaries, intent on keeping Inuit even closer to the mission stations, encouraged them to start fishing commercially for cod, an activity that would provide them with the cash to pay for the supplies needed for winter sealing activities. The Moravians also introduced seal nets to increase the efficiency of the commercial seal harvest. The Mission traded the seal products, and Inuit kept the meat, skins, and oil for domestic purposes. By the end of the century, the cod and seal fisheries played a fundamental role in both Inuit livelihoods and Moravian trade. Inuit continued to hunt, gather, and fish other species for their own sustenance in addition to participating in these commercial harvesting activities, and the missionaries encouraged a diverse economy by providing equipment and a market for a wide variety of Inuit goods (Brice-Bennett 1990).

In the 1900s global market fluctuations and the influence of traders on harvesting decisions resulted in some profitable years, but they created many more periods of considerable economic and social hardship. In 1926, for example, when the Hudson's Bay Company leased trading rights from the Moravian Mission, it encouraged Inuit to increase their white fox trapping activities and to limit the time afforded to subsistence harvesting. Fox are unlike seals or cod in that they do not also provide domestic food, and so when the fox pelt markets dropped in the 1930s, many Inuit were left without a source of income or food, and without the equipment needed to pursue other species. When the Hudson's Bay Company closed many of its stores in northern Labrador in 1942, the provincial government took over trade on the coast and initiated a new era of renewed support for a diversified economy through increased seal netting and by encouraging families to stay on the land (Brice-Bennett 1986). However, dropping prices for cod and diminished markets for seal products and fur pelts after World War II hampered these efforts and left many Labrador families in severe economic straits.

In the wake of these economic crises, the Newfoundland government intensified its presence in Labrador and joined the Moravian missionaries in the attempt to shape Inuit livelihoods. The prevailing notions among these agencies about what constituted suitable Inuit economic activity, and whether Inuit should be more self-reliant or more involved in global trading systems, influenced the trading opportunities and equipment that they offered to Inuit. At times during the early to mid-twentieth century, the Mission, the government trading operation, and other traders used economic and social pressure to persuade Inuit to pursue commercial species, such as cod or white fox, in order to supply the trading business and earn credit. At other times, they encouraged Inuit to pursue a more diverse harvesting strategy in order to maintain their self-reliance. These influences undoubtedly affected Inuit greatly in their harvesting decisions, but Inuit also based their choices on global market conditions, species availability, equipment, alternative economic opportunities, and other social factors.

The uncertainty and the hardships created by a reliance on turbulent global markets for fish and fur led many people to view the wage labour opportunities from the region's new industrial developments as potential alternatives to participation in the renewable resources economy. Governments and other organizations debated how Inuit should be incorporated into "modern" Canadian society and provided with a more stable economic basis than the harvesting economy had afforded (Jenness 1965). The advent of transfer payments and federal funding for Aboriginal communities in Labrador in the 1960s also led to governmental concerns about Inuit dependency on the public purse and the necessity of developing more secure sources of livelihoods.

Many policy makers in this era saw the harvesting of country food as a remnant of "pre-modern" times in Labrador (Hefferton 1959; Rockwood 1955). Although the Moravians and, for a time, the provincial government had supported a diverse economy of harvesting for both food and commercial products, modernization ambitions in Labrador in the mid-twentieth century resulted in increased attempts to provide Inuit with wage labour opportunities that would keep them in settlements, where they could also be provided with education and health services. "Both the Eskimos [sic] and the Indians have been encouraged and assisted in hunting and fishing," wrote the minister of Public Welfare in 1959, "but we regard these activities as 'holding operations' until the economy in the area becomes more diversified. However, with the development of the mineral resources of Labrador, there is hope that some progress in this direction will be possible" (Hefferton 1959: 97–98). As the director of the provincial Department of Northern Labrador Affairs argued in 1955, "For the Eskimos, Indians, and half-breeds

of Northern Labrador, the days of the primitive hunting economy are numbered.... The needs of the Eskimo [include] a vigorous Health, Education, and Welfare programme to fit him for the society of the future" (Rockwood 1955, 10). Modernization would provide the government with the dual benefits of creating "productive" and sedentary citizens and (the less articulated benefit) of removing people from land, thus potentially making it available for development (Tester and Kulchyski 1994).

Although many policy makers discounted the economic viability of the subsistence¹ (i.e., non-commercial) hunting and fishing economy during this period and attempted to persuade Inuit to pursue other economic activities, both subsistence and commercial harvesting continued to be fundamental sources of livelihood for Inuit and foundations of cultural vitality. Despite attempts by the government to regulate Inuit activity, the extent, economic value, and social importance of subsistence harvesting remained largely invisible to bureaucratic methods of data collection and understanding (Kulchyski and Tester 2007). This invisibility helped to maintain the flexibility of harvesting and sharing activities and to preserve the vitality of culturally driven practices, but it also served to support the perspective among policy makers that subsistence harvesting was economically irrelevant.

The fundamental importance of subsistence and commercial harvesting to Inuit continued, despite all attempts to "modernize" the north coast and all impacts of these policies on harvesting. In the early 1970s, although the cod fishery was in decline, the market price of sealskins reached an all-time high, and harvesting was, for a while, a self-sufficient way of life. However, by the late 1970s and 1980s, the animal rights movement had caused the sealskin markets to collapse, and the price of equipment and fuel had risen to levels that made it almost impossible for someone without a source of cash income to hunt or fish (Williamson 1997; Brice-Bennett 1986). Many populations of important species were declining, including cod, char, salmon, and seals, although the number of sports hunting and fishing camps in the area was growing.² Increasing levels of government regulation also meant that the

1 "Subsistence" harvesting refers here to harvesting that provides food and other products for the sustenance of families and sharing networks, as opposed to providing explicitly for markets. However, the distinction between subsistence and commercial harvesting is often blurred, as harvesters may participate in both practices simultaneously.

2 In 1976 Bill Edmunds of the Labrador Inuit Association reported that there were forty-three sport fishing camps in Labrador, and that fewer than six of them were run by Labradorians (LRAC 1976).

cost for licences and the limitations placed on harvesting activities presented Inuit with significant barriers to making a living (Ames 1977).

These challenges to their livelihood, coupled with the threat of industrial development to the traditional land-based economy in the Nunatsiavut region in the 1970s, galvanized Inuit to reassert control over their own political and economic possibilities. Foreign and Canadian fishing fleets had already destroyed cod stocks off the coast by the 1970s, and uranium exploration in the Makkovik/Postville area, offshore drilling for oil and gas, and plans for national parks in northern and central Labrador were perceived as further attempts by outside interests to claim local resources, potentially harm the environment, and inhibit Inuit pursuit of their own livelihoods. These activities, as well as the national movement for the recognition of Aboriginal rights, spurred Inuit to initiate both political and economic strategies of increased self-determination.

The Aboriginal rights movements and court decisions of the 1960s and 1970s regarding Aboriginal rights resulted in the federal government agreeing to fund and administer a land claims process. In Labrador, the Inuit created the Labrador Inuit Association (LIA) in the early 1970s and submitted a land claim proposal in 1977. The land use and occupancy study for the land claim, *Our Footprints Are Everywhere*, documented the depth of Inuit knowledge about the environment, as well as the Inuit's proven success in managing the harvest through cultural governance (Brice-Bennett 1977). The LIA also funded research on how Inuit could become more self-reliant economically while maintaining a way of life that valued and included harvesting (see, for example, Ames 1977; Usher 1982). In order to negotiate for adequate support for a harvesting economy, the LIA explored the possibility of institutionalizing Inuit customary laws, including those concerning harvesting and sharing. Inuit negotiators put great effort into developing the case for incorporating Inuit law into the land claims agreement, but they encountered great reluctance on the part of the province to accept non-codified laws, and more generally to relinquish any sort of real authority over resources to Inuit (A. Procter field notes 2008).

Efforts to negotiate support for Inuit harvesting in the land claim talks were generally buoyed by the development, during the negotiation period (1977–2005), of legal consensus in Canada about the Aboriginal right to harvest. Existing Aboriginal rights were enshrined in the Canadian Constitution in 1982, and the Supreme Court of Canada's *R. v. Sparrow* decision of 1990 recognized the Aboriginal right to hunt and fish in traditional territories for food and ceremonial purposes, and limited the right of governments to control this harvesting. Aboriginal harvesting for food was acknowledged as

having priority over sports or commercial use, although conservation and safety concerns override all harvesting rights (Imai 2008).

Many of the Inuit concerns about their harvesting rights were therefore resolved by legal developments in the rest of Canada while they were at the negotiation table, but other concerns remained in question. The Canadian judiciary generally recognized the importance of protecting Inuit livelihoods only as far as subsistence harvesting needs extended. Commercial rights to harvest were not granted the same recognition as subsistence rights. The courts recognized an Aboriginal right to commercial hunting or fishing in only a handful of cases across the country, and these cases either involved a treaty right (e.g., the *R. v. Marshall* decision in Nova Scotia in 1999) or succeeded in proving that commercial activities had been central to the Aboriginal culture in question before contact with Europeans.³ The rights of Labrador Inuit to subsistence harvesting were therefore protected under these legal developments, but their right to make a living from harvested resources was not so obviously recognized.

Away from the negotiation table, Inuit efforts at developing a viable economy for the Labrador north coast have consistently, although by no means exclusively, focused on harvesting activities. With the decline of the cod fishery in the 1960s and 1970s, the coastal industry turned to salmon and char. In the late 1970s Inuit formed the Torngat Fish Producers Co-operative Society in an attempt to regain local control over resources, and the co-op has since worked on expanding the fishery to include scallop, crab, turbot, and shrimp. In the early 1980s, with caribou numbers high, the provincial government returned to the possibility of a sports hunt, and this time, the Labrador Inuit Development Corporation responded by initiating an Inuit commercial hunt, amid great controversy about the cultural appropriateness of such an activity. The new industry provided much-needed employment and provided country foods to regional and provincial markets (Notzke 1994). After a few years, however, the hunt was cancelled due to inspection regulation issues, and it has remained closed since. The development of a renewed seal fishery based in Rigolet has also been discussed recently, and Inuit organizations have initiated community freezer programs, in which country foods are collected centrally and then given to residents who need them. When the land claims negotiations were finally resolved, these attempts to maintain a resilient harvesting economy were bolstered by the

3 The *R. v. Van der Peet* case of 1996 outlined this test to determine which activities could be recognized as Aboriginal rights (Imai 2008).

final agreement's recognition of Inuit rights and Inuit involvement in wildlife management.

The Labrador Inuit Land Claims Agreement

The Labrador Inuit Land Claims Agreement, when it was finalized in 2005, reflected Inuit political and economic interests in maintaining and supporting a harvesting economy. Under the agreement, the Inuit of Nunatsiavut possess specific harvesting and management rights, jurisdiction over some areas of land, and a degree of control over governance issues. The agreement specifies that people who live in the communities of the Labrador Inuit Settlement Area (LISA) have the right to harvest wildlife in LISA without licences and generally without quotas, up to their level of need, but with very specific conditions.

The agreement addresses many Inuit concerns by acknowledging the economic needs of Inuit and the cultural importance of subsistence harvesting. It outlines harvesting jurisdiction for the Nunatsiavut government and establishes co-management boards and procedures for the inclusion of Inuit and Inuit knowledge in resource management. It also confirms the pre-eminence of subsistence harvesting over sports hunting, and, notably, provides Inuit with some rights to commercial harvesting.

The agreement, however, continues the trend of attempting to influence the role of harvesting in Inuit society by delineating some very specific limitations to recognized Inuit rights. In order to attain official recognition of their rights, Inuit negotiators had to conform to requirements and limitations as determined by the federal and provincial governments in their land claims negotiation policies. These limitations defined what the governments would recognize as specifically Aboriginal, and therefore what would be accepted as a potential area in which to negotiate Aboriginal rights. In terms of harvesting, the land claims process employs this politics of recognition to influence and control the kinds of economic activities that are recognized as Inuit. Based in large part on the desire of the judiciary and the federal government to limit and define Aboriginal rights in order to protect non-Aboriginal interests, the politics of recognition employs many of the same ideas that other groups have used in Labrador to influence Inuit harvesting activities in the past.

This section describes the negotiated role of Inuit in the governance of harvesting, and then examines how the legacy of ideas used in historical attempts at economic and social control continues to impact the politics of recognition and the future of harvesting in Nunatsiavut.

Inuit Involvement and Knowledge in Harvesting Governance

The face of wildlife management has changed with the creation of Nunatsiavut. Inuit now participate on co-management boards for wildlife and plants, the fisheries, Torngat Mountains National Park, and land use planning in LISA. The Torngat Wildlife and Plants Co-Management Board recommends the total allowable harvest for caribou and migratory birds, and decides on the total allowable harvest for all other species for the settlement area. The Nunatsiavut government (NG) has the jurisdiction to regulate some harvesting activities, including all harvesting on Labrador Inuit Lands, and it has greater involvement in advising and consulting with the provincial and federal governments on fish and wildlife issues.

With this newly affirmed Inuit jurisdiction, however, comes the requirement that the NG collect information for use in justifications for decisions or for recommendations to other governments. Depending on the species or issue involved, the onus may be on the NG to provide certain types of information, as outlined in the final agreement,⁴ to provincial or federal ministers in order to substantiate recommendations for the ministers' final decisions. The NG must therefore monitor the harvesting activities of their constituents and solicit information from them that for years Inuit have refused to offer to other government officials.⁵ This information may then be shared with other governments in order to influence the final decisions of the provincial or federal ministers.

4 For example, the final agreement (INAC 2005) outlines the appropriate information needed (from the NG) to justify (to the Department of Fisheries and Oceans) a decision about domestic harvest levels for fish: "13.6.6: The Inuit Domestic Harvest Level is an estimate of the quantity of a species or stock of Fish or Aquatic Plant in the Labrador Inuit Settlement Area needed annually by Inuit for their food, social and ceremonial purposes that is based on all relevant available information, including:

- a) any data that may be compiled on an ongoing basis by the Nunatsiavut Government using Inuit traditional knowledge;
- b) any data that may be compiled on an ongoing basis by the Nunatsiavut Government during monitoring of the Inuit Domestic Fishery;
- c) historical data;
- d) information on variations in the availability and accessibility of the species or stock of Fish or Aquatic Plant; and
- e) information that may be provided by the Nunatsiavut Government about the nutritional, social and ceremonial importance of the species or stock of Fish or Aquatic Plant to Inuit."

5 Very few people, for instance, submitted information to the provincial government on their wildlife harvesting licence returns in the 1970s (Ames 1977), and the situation is no different today.

Inuit harvesting activities will therefore be increasingly monitored and supervised, often by Inuit bureaucrats themselves, in order to provide justifications to the Nunatsiavut and other governments. Subsistence harvesting, once almost invisible to governmental agencies, will now be thoroughly documented as the NG takes on the information-gathering role (Scott 1998; Kulchyski and Tester 2007; Sandlos 2007). The Inuit and the provincial and federal governments have thus all benefited in some way from the land claims agreement negotiations. While the Inuit have gained greater influence and control, the other governments are closer to achieving their long-standing surveillance goals by influencing and supporting Inuit participation in harvesting management, information collection, and enforcement in Nunatsiavut. Labrador Inuit are assuming and even augmenting the administrative duties of previous governments, but perhaps with this change in the face of wildlife management will also come a change in the priority and understanding given to Inuit concerns and approaches.

Livelihoods and Inuit Harvesting

One of the most blatant examples of outside interference in Inuit livelihoods, from the Inuit point of view, was the provincial government's historical indifference to the vital role of harvesting for Inuit livelihoods. Restrictive harvesting regulations "hamper[ed] their pursuit of an adequate living" and were often designed for sports hunters or for Newfoundland conditions (Ames 1977, 1). In response to these concerns, and based on legal decisions such as *R. v. Sparrow*, the land claims agreement gives priority to Inuit subsistence harvesting over the activities of sports hunters and fishermen if conservation limits need to be established (INAC 2005, 12.5.3). The economic interests of the existing outfitters are protected in the agreement, however, as it ensures that they retain priority over any new Inuit commercial wildlife operations in access to quotas (12.4.20), and that the NG does not "deny or unreasonably restrict" their access to Labrador Inuit Lands (12.10.7). Despite strong condemnation by many Inuit of sports hunting and fishing, the agreement also reflects the provincial government's desire to see Inuit become more involved in the industry through the right to participate in the management, employment, and ownership of outfitting enterprises (12.10).

Inuit concerns when they initiated the land claims process in the 1970s were based on much more than the issue of maintaining priority over various competing interests in fish and wildlife, however; they were focused more generally on the impact of wildlife laws on their ability to make a living, and on their desire for increased control over their resources. Inuit leaders hoped that the land claims process could address these livelihood issues, which were not limited solely to subsistence issues.

The structure of land claims negotiations and associated legal decisions, however, forced the Labrador Inuit to separate these two components. Accordingly, the LIA demonstrated the importance of subsistence harvesting in their land claims campaign, and it succeeded in convincing the other parties of the need to address their concerns. Once dismissed by advocates of modernization, the Inuit subsistence harvest is now understood and accepted by policy makers as vital for cultural continuity, human health, and social well-being (Freeman 1986; Nuttall et al. 2005). These academic and legal efforts highlight the importance of subsistence harvesting as a socially, nutritionally, and economically relevant component of Inuit life.

As a result of these efforts, the final agreement assures Labrador Inuit of more extensive harvesting rights than were previously recognized, and it includes provisions that acknowledge Inuit needs and sharing practices. The removal of most quotas, bag limits, and licences allows Inuit to harvest more cost-effectively for the amount of fish and wildlife needed for extended sharing networks (see Ames 1977; Natcher et al. this volume). The agreement also often allows for the transfer of quotas, when they do exist, so that people can harvest for the needs of others. In addition, the LIA negotiated special privileges for Inuit who live outside the Labrador Inuit Settlement Area to harvest in designated areas outside Nunatsiavut (INAC 2005, 12.13.10).

In contrast to some other land claims agreements, the Labrador Inuit agreement offers limited institutionalized means of support for harvesting. For example, the James Bay and Northern Quebec Final Agreement initiated an income support program for local Cree hunters, and programs have been developed in Nunavik to provide country foods for Inuit communities. In Labrador, the Innu Nation runs an outpost program that allows families to spend long periods of time in the country. These programs help to overcome obstacles to their pursuit of harvesting activities and address the current reality that, given the cost of equipment and fuel, money is an integral part of the harvesting economy (Wenzel et al. 2000; Gombay 2005). Although the Labrador Inuit Land Claims Agreement does recognize Inuit rights to harvesting, and a harvesting support program was discussed at the negotiation table, the agreement does not explicitly outline supportive measures for the harvesting economy in the way that these other jurisdictions have done. Instead, LIA negotiators decided to have the Labrador Inuit agreement provide available funding if the NG chooses to develop harvesting support programs in the future (T. Andersen 2009, pers. comm.). Community freezer programs in Nunatsiavut and in Upper Lake Melville have received NG funding in recent years, and these programs help to distribute country foods such as caribou, salmon, char, and berries to Inuit who do not otherwise have the means to obtain them.

The precise and detailed definition in the final agreement of what exactly constitutes Inuit subsistence highlights some of the cultural politics of land claims negotiations and illustrates the continuation of historical attempts to control Inuit by regulating their harvesting activities. The agreement states that if no harvesting limits are set for conservation purposes, Inuit have “the right to harvest throughout the Labrador Inuit Settlement Area up to their full level of needs for food, social and ceremonial purposes” (INAC 2005, 12.3.2). The sale of wildlife or plants is prohibited except in specific situations (12.3.9), but Inuit “have the right to give, trade, exchange or barter among themselves, and with other aboriginal individuals, any Wildlife or Plants Harvested,” subject to certain restrictions (12.3.10). However, Inuit do have the right to sell non-edible wildlife products, as well as tools or artwork made from plants (12.3.12 a and b).

Other Inuit land claims agreements provide similar restrictions, but many are less explicit in distinguishing between monetary and non-monetary disposition of harvested wildlife. The Nunavut Land Claim Agreement (INAC 1993), for instance, gives Inuit the right to harvest up to the “full level of his or her *economic*, social, and cultural needs” (5.6.1, *emph. mine*). Nunavut Inuit also have the “right to *sell*, barter, exchange and give” harvested wildlife (5.7.30). The Inuvialuit Final Agreement (INAC 1984), although more restrictive, states that “Inuvialuit may *sell*, trade and barter game among Inuvialuit beneficiaries” (section 14.12, *emph. mine*). Although economic rights are limited (to exchange only among beneficiaries in the Inuvialuit agreement), these other agreements do allow a role for monetary exchange in the sale of harvested wildlife. The Nunatsiavut agreement, on the other hand, strictly limits the disposition of products to non-monetary exchanges.

Most of these limitations on Inuit harvesting centre on the role of subsistence in the definition of what it means to be Aboriginal. According to a LIA negotiator, the federal and provincial governments followed a template for what constituted “Aboriginalness” that was made up of lands, subsistence harvesting, and forestry. “It was just a mindset,” he said. “The federal negotiator knew that it held no weight” (T. Andersen 2008, *pers. comm.*). The LIA engaged this recognition template’s criteria to gain subsistence rights, but found them to be constraining in their attempts to achieve all of their harvesting goals. This equivalency of Inuit with subsistence was non-negotiable, despite all LIA attempts to convince the other parties of the importance of a long history of a mixed economy in which subsistence harvesting and commercial activities were intertwined.

Other institutions in Labrador have offered similar opinions about what constitutes “Inuitness.” The International Grenfell Association, for instance,

a health-care provider in the region during the mid-twentieth century, required that, in order for people to be recognized as Inuit, they demonstrate that they were of “Eskimo [sic] cultural orientation—inclined to lead the traditional Eskimo way of life (economic) and use of Eskimo language” (Brantenberg 1977, 402). However, they would lose “Eskimo” status “if relocated to wage-earning communities and independent means of employment” (*ibid.*). The requirement that Inuit be confined to a “traditional economic way of life” and not participate in wage labour if they are to be recognized as Inuit (and therefore presumably receive some special benefit) reflects the colonial method of asserting economic control by clothing it in cultural terms.

The recognition of Aboriginal status through the land claims process involved similar assumptions. The “template” that the federal and provincial governments used in this case to determine “Aboriginalness” was based on an image of people who engage in the non-monetary exchange of edible wildlife amongst themselves, and who harvest for their food, social, and ceremonial needs. Recognition was therefore only bestowed if this image remained true, and the rights offered were limited to these practices. Inuit have always engaged, and continue to engage, in the non-monetary exchange of country foods, and the practice is undoubtedly a fundamental aspect of Inuit life. However, limiting authenticity, identity, and associated rights for Inuit to such a simplified understanding of subsistence harvesting ignores the long history of Inuit participation in commercial activities and the ways in which subsistence harvesting has articulated and become embedded in a cash economy (Stern 2006; Searles 2006; Wenzel 2000; Usher 1982; Dahl 2000). It denies Inuit the possibility of social change and adaptation, and it fails to offer any protection for practices that allow them to survive as contemporary communities. This simplification, although perhaps expedient to the land claims recognition process, works to assume control over Inuit social transformation and economic activities (Barcham 2000; Scott 2001; Alfred 2005).

These requirements for recognition also have other controlling political and economic effects. One justification for a restriction on the monetary disposition of country foods is the potential impact that a commercial incentive may have on species conservation (Gombay 2005). Other restrictions in the final agreement may reflect concerns about the need for official food inspection of commercial edible products. However, denying Inuit the right to govern species conservation, harvesting, and processing themselves, either through regulatory or cultural means (such as Inuit customary laws), exposes the underlying desire on the part of other governments to assert con-

trol over resources (Sandlos 2007; Kulchyski and Tester 2007). Conservation is a foundation of provincial wildlife policy, but the protection of economic interests in the outfitting industry and the widespread governmental enthusiasm for industrial economic development in Labrador raise doubts about the importance of conservation in overall provincial aims. The structure of land claims agreements and the recognition of Aboriginal rights in Canada thus work to limit Inuit authenticity to insular economic practices, and to deny the legitimacy of Inuit expertise and Inuit rights to have a central and authoritative role in renewable resource management.

The land claims process therefore works to influence the role of harvesting in Inuit communities, but it is much more subtle than earlier efforts to control Inuit livelihoods and society. It does not resort to the sort of direct attempts at guiding Inuit economic activities that the Moravians and early traders used, nor does it use the blatant rhetoric and large-scale programs of the 1950s and 1960s that were concerned with modernization and assimilation. Instead, it encourages Inuit themselves to embrace recognition criteria in order to regain economic and political influence in Labrador. Based in national discussions and legal opinions about Aboriginal rights, these recognition criteria have emerged as a result of ongoing debates between diverse Aboriginal peoples, various governmental interests, legal advisors, and the general public. As a result, many Aboriginal people do see justification behind at least some of the recognition criteria. The ideas about what it means to be Inuit therefore are in many ways more pervasive than earlier definitions and ideas that were summarily dismissed by Inuit as being products of outsider interference. The requirement that Inuit adapt themselves to the criteria of recognition outlined by the federal and provincial governments in the land claims process can, as this chapter has shown, nonetheless result in limited and limiting possibilities for Inuit to control their own livelihoods.

Commercial Rights and Contradictions

When they initiated their land claim in the 1970s, Labrador Inuit had ambitions that encompassed much more than subsistence harvesting rights; their ambitions centred on the ability to determine and sustain their own economic, social, and political futures. The Inuit did succeed in convincing the federal government of the need to acknowledge the role of the commercial fishery in their lives, and they negotiated the right to benefit from this industry. The inclusion of these rights was a first in Inuit land claims agreements, and the LIA heralded this success as a breakthrough (T. Andersen 2008, pers comm.). Subsistence fishing is restricted by many of the same rules as those for wildlife, but commercial fishing is given added consideration. The

final agreement provides the NG with the right to specific proportions of commercial fishing and processing licences for any additional allocations of certain species that the Department of Fisheries and Oceans (DFO) may make in the future. In addition, Section 13.12 of the final agreement specifies that the minister of the DFO must take into account the history of Inuit commercial fishing of Arctic char, Atlantic salmon, and scallop when issuing further licences. Priority is also given to Inuit for some opportunities related to aquaculture.

The success of the LIA negotiators in having these commercial fishing rights included in the final agreement illustrates the cracks within the federal and provincial template of “Aboriginalness.” If the history of Inuit participation in the commercial char, salmon, and scallop fisheries is recognized, why is the historical Inuit participation in other industries not recognized? These inconsistencies reveal the arbitrary nature of the land claims template for recognition and suggest that it is simply the state’s desire for control that underlies the use of such precise definitions in negotiating Inuit rights.

Conclusion

Northern Labrador has endured a long history of outside interests and governments attempting to control Inuit economic activities, either by using ideas of modernization to influence Inuit to cease their harvesting activities, or by using ideas of cultural essentialism to require that Inuit adhere to a simplified and economically restrictive version of themselves. Beginning with the Moravian Mission’s efforts to shield Inuit from the effects of full participation in global trading networks, and continuing through years of changing government policy on the ideal role of harvesting in Inuit livelihoods, these ideas have played a major role in shaping the form of interference in Inuit economies. Many of these efforts were certainly made with the best intentions, and in the perceived best interest of the Inuit, but they were forms of interference nonetheless, and most often they occurred without any kind of input from Inuit themselves.

Echoes of modernization and cultural essentialism continue to influence the land claims agreement and recent policy. Throughout the last century, the modernization and economic development ambitions of the federal and provincial governments have driven policies that discourage Inuit harvesting by restricting harvesting, sharing, and the disposition of wildlife products, by giving preferential treatment to sports harvesters, by risking the destruction of habitat from industrial development, and by promoting economic development strategies that do not allow for Inuit participation in harvesting activities. Efforts to restrict Inuit control to mainly subsistence activities

similarly allow the provincial and federal governments to control and benefit from any commercial fish and wildlife industries. Such efforts illustrate the underlying motives of the provincial and federal governments to retain control of Nunatsiavut resources and often point to an interest in economic benefit over any interest in either conservation or Inuit needs.

Since the 1970s, Labrador Inuit have managed to question some of the ideas about the role of Inuit harvesting through successful negotiation and advocacy for their rights. They have succeeded in regaining control over their livelihoods through recognized harvesting rights in the land claims agreement, as well as through other economic development and resource governance provisions. Their subsistence harvesting rights acknowledge the fundamental role of country foods in the domestic economy and in cultural vitality and health, and the importance of the commercial fishery was given some consideration in agreement provisions that allow Inuit to benefit from additional quota allocations. Inuit have gained increased involvement in environmental governance, including management over harvesting, land use, and environmental impact assessment, and through negotiated requirements in the Impact and Benefit Agreement for the Voisey's Bay mine.

With these new governance arrangements, the Nunatsiavut government now has the opportunity to influence the future of Inuit harvesting by determining the priority given to Inuit harvesting and to the protection of habitat in its policies and co-management board recommendations. For hundreds of years, Inuit have relied on a combination of commercial and subsistence harvesting for their livelihoods, and these activities' importance remains strong (see Natcher et al., Hanrahan this volume) despite all attempts to restrict, discourage, or guide harvesting practices. The Nunatsiavut government can now determine its own course. Although bound by the restrictions in the final agreement, and thus always affected by outside influences on their harvesting activities, the Labrador Inuit have negotiated a significant increase in authority in resource management, and hopefully also the chance to finally make their own choices about their economic activities and social transformations.

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