
Paradise Lost? The Gender Parity Plebiscite in Nunavut

by Jackie Steele and Manon Tremblay

Prior to the creation of Canada's newest Territory of Nunavut in 1999 a proposal was developed by the Nunavut Implementation Commission to promote gender equality in the new territorial legislature by creating electoral districts that would each elect one man and one woman. The resulting assembly with gender parity would have been a world's first but this proposal received only 43% of the vote and was defeated. This article looks at events leading up to the referendum and factors that contributed to its defeat

The Territory of Nunavut which means "Our Land" or "Our Home" in the Inuit language of Inuktitut is in the Canadian north and covers over 1.9 million square kilometers, representing almost 20% of the total area of Canada, and constituting the largest territorial or provincial administrative jurisdiction in Canada. This vast arctic territory is inhabited by the Inuit, a people whose culture and ways on the land have allowed them to live in conditions that most Canadians would consider inhospitable. Heavily dependent upon financial transfers from the federal government, the Territory of Nunavut has a mixed economy for which an emerging cash economy and the relationship to the land continue to be essential.

In December 1995, during discussions that preceded the creation of Nunavut as a political entity separate from the Northwest Territories, the Nunavut Implementation Commission (NIC) put forward a proposal on gender parity that was ultimately brought to the

representatives of the federal government, NWT and Nunavut Tunngavik for consideration. The proposal first defended the idea that "as groups, men and women have had different relationships with the laws and institutions created through public policy, and have had different life experiences...The call for balanced representation in politics is therefore more than a call for recognition of shared interest, it is a call for recognition for equality for a historically mistreated group in society".¹

Secondly, the paper argued that the proposal employed a model of dual-member constituencies that has been used in other provinces, and would be better suited to the Canadian legislative model than proportional representation.

Finally, it argued that dual-member constituencies would have pragmatic benefits in countering the adoption of an unworkably small legislature.² According to the proposed model, the electorate of Nunavut would have two votes to choose the two representatives of their riding, one to be chosen from a list of female candidates, and one to be chosen from the list of male candidates. Each electoral district would have had two representatives in the Legislative Assembly, namely the woman and man receiving the most support respectively. Consequently, the proposed model would have led to a legislative assembly with gender parity: a world first. In May

*Manon Tremblay is Director of the Research Centre on Women and Politics and Professor at the University of Ottawa. Jackie Steele is a doctoral candidate in Political Science and researcher at the RCWP. This is an abridged version of a chapter to appear in *Women and Westminster: Compared*, (eds) Marian Sawyer, Manon Tremblay, and Linda Trimble, forthcoming, 2006. The authors would like to thank Alex Baldwin, Director of Research, Nunavut for his generous support and timely assistance.*

26, 1997, the NIC proposal was submitted to a popular plebiscite posing the following question: Should the first Nunavut Legislative Assembly have equal numbers of men and women MLAs, with one man and one woman elected to represent each electoral district? Although only 43% of the electorate supported the proposal, a mere 39% of Nunavut residents actually cast their vote.³

Given the strong support among most of the Nunavut elite, and in particular, among all of the main Inuit organizations and the vast majority of prominent Inuit leaders, three questions emerge about the plebiscite and its defeat:

- What was the nature of the discussions among the political elite prior to the plebiscite?
- What led to the decision to delegate the matter to the population at large?
- How do we make sense of the arguments that emerged during the discussions and debates for and against the gender parity proposal?

Competing Traditions of Equality

The Nunavut Implementation Commission was attempting to render operational, in terms of political representation, the theoretical ideal of gender equality. This was asserted in terms that understood gender differences as socially affecting the life experiences and views of both men and women, and of the value of having both groups contribute to the governance of the society. The commitment to gender equality was repeatedly linked to the symbiosis of men and women in society and the fact that the survival of the Inuit people had relied on the collective contributions of men and women. According to a former senior official of the NWT Status of Women Council, it was a means of both symbolically and practically institutionalizing the theoretical commitment to the equal value of the contributions and life experiences of both men and women as the foundations of society. Indeed, the information pamphlet sent to all Nunavut homes, *Building Our Future Together: Information About Gender Parity*, clearly stated, "In traditional Inuit culture men and women were equal partners, each respected for their skills and knowledge". The equal representation of both groups would advance the public good.

Conversely, the opponents of the gender parity proposal took the liberal democratic view of representative democracy in the First-Past-the-Post trusteeship model wherein 'homo politicus' is a single universal entity devoid of social markers. The assumption was that equality was best ensured by ignoring sexual, racial or other differences. Placed firmly at the individual level, it was de-

finied in terms that relate to the individual merit and ability of a disembodied person to represent and advance the general interests of the population at large. In this view, good laws and public policy were seen to result of the equal opportunity of all individuals to compete for the role of representing the society at large. To that end, equal representation was measured in terms of the procedural equality of competition. The Director of Community Affairs and the Women's Directorate, MLA Manitok Thompson was selected by the NWT Nunavut Caucus to advance this view, and the idea that the proposal was both discriminatory (against men) by reserving seats for women who may not be the best representatives, and discriminatory against women for assuming that women could not get elected without representational guarantees.

According to NIC Legal Counsel, John Merritt, the *Nunavut Act* passed by the federal parliament in 1993 had referenced the creation of the new Territory in accordance with the existing procedures used in the NWT, and as such, the decision to adopt a new form of electoral system was seen to require that the federal parliament amend the Act to allow for a different electoral procedure to be adopted for the first election. Thereafter, the new Territory would have been at liberty to amend its electoral system as the executive saw fit. If the House of Commons were to amend the *Nunavut Act* in order to support the new system with gender parity, the issue might have taken on national implications. Already the Liberal Women's Commission had shown an interest in the developments in Nunavut. In an interview Mr. Merritt suggested that the federal Minister of Indian Affairs, faced with strong opposition from the Nunavut Caucus, made the political decision of requesting a popular plebiscite in order to have a clear mandate from Inuit society.

Competing Traditions for Gender Relations

While the terms of the debates championed by the political elites for and against the proposal centred around the theoretical foundations of "gender equality" and "equal representation", the discussions among the population seemed to have also focused more squarely upon the practical impact the proposal might have upon the roles of men and women in society. Reflecting fears that the proposal might threaten traditional roles, proponents and opponents argued that gender parity would either strengthen or weaken the family. The former likened the Nunavut Legislative Assembly with the home and defended the equal contribution of both fathers and mothers in politics with the foundation of a stronger Inuit society and culture; conversely, given the central

role of women in caregiving and in the maintenance of family relations, the latter group suggested that families would suffer if women were encouraged to participate in politics.⁴ Jens Dahl notes that women's opposition to the proposal often reflected their deep-seated commitment to maintaining strong families, and a fear of increasing social problems.⁵ The practical implications of a mere 12 women being engaged in the responsibilities of Territorial governance fell by the wayside in what became a more symbolic discussion around the proper sphere for women and men within Inuit society.

According to Suzanne Dybbroe the maintenance of cultural identity is a process related to symbolic control.⁶ So while many invoked traditional Inuit culture as having historically respected and valued the contributions of both men and women on a par without regard for their gender, others argued that men and women had distinct, yet complementary spheres of influence. Increased unemployment among men and the more prominent role of women as breadwinners was such that many men saw gender parity in politics as a further encroachment upon men's traditional roles within Inuit culture as the provider of income, information and power within society. While conservative groups suggested that gender parity was an "import" from the South, the invocation of imported Christian principles to oppose the proposal often went unquestioned. Former NIC Commissioner Clara Evalik criticized the role of religious groups in playing upon the fears of the communities in an attempt to defeat the proposal.

In effect, the discussions that resulted from the gender parity proposal were such that the population was being asked to define which version of 'Inuit traditions' (pre-contact, post-contact or a mixture of both) should form the basis of gender relations and democratic practice in their new Territory. From the perspective of the population, this hardly constituted a 'clear question' given that the previous fifty years had seen tremendous upheavals in Inuit society in terms of their connection to the land, contact with the South, the influence of Christianity, and the economic re-structuring of the family and society. It is not surprising that the proposal met with both forward-looking optimism, as well as with rampant fear if we consider that the current generations had experienced, and will likely continue to experience a tumultuous period of social, economic, and cultural transition during the first few decades of the Territory's development.

Lessons from the Nunavut Experience

The first lesson relates to the role of values in influencing political events. More specifically, it highlights two

competing ideals of equality that advanced alternative visions of how a society and its institutions should be politically organized. Clearly there is no shortage of mechanisms for guaranteeing women's representation in Westminster and/or other systems in as far as there is a genuine commitment to women being equally represented in practice. That the proposal of a two-member, gender-balanced assembly was not ultimately adopted in Nunavut does not point to any inherent incapacity of the Westminster model to adapt to modern realities, nor to an inability to take multiple identities into consideration in its representation of the political community. Rather, in as far as they are compatible with the priority given to the representation of geographically dispersed communities, the Westminster model did not prove to be inflexible towards efforts to advance women's representation. The NIC was genuinely committed to the ideal of equal representation for men and women; the mechanism best suited to institutionalize that principle was then designed to accommodate this ideal.

The novelty of a binominal representation system with gender parity cannot be overlooked, nor can we overlook the strength of the ideas guiding the political structure prior to the reforms. The gender parity proposal would have not only politically recognized the gendered differences of the human population, it would have affirmed the relevance of these realities to the pursuit of good governance. Similar to the challenge posited by feminists, this Inuit ideal of collectively-grounded gender equality would have taken the concept of "homo politicus" and made it gendered/bi-sexed. Consistent with the Inuit elite's conception of traditional Inuit culture, with modern values of sexual equality, and with the legal theory of equality and spirit of (*Charter*) Section 15 equality guarantees, if adopted, the proposal nonetheless had far-reaching consequences for the practical exercise of political power. It would have instituted a new reality wherein men would not only theoretically, but also practically lose their assured dominance over the exercise of political power in society.

Our second observation relates to the fact that the advent of a new legislative assembly does not necessarily produce a new "political opportunity structure" for women. Rather, it remains crucial that those advancing women's representation retain the support of the political elite with decision-making power. The goal must be a commitment to both consciously eliminating the informal mechanisms that have gate-kept women out of politics, and purposefully advancing the election of women to political office. When examining the creation of new institutional structures within constitutional monarchies with Westminster-style governance, it is imperative that

we look to the source of decision-making power. As David Smith has effectively demonstrated, this means that we look to the actors exercising the executive power of the Crown.⁷ In the Nunavut case, the decision-making power was ultimately exercised by the tripartite group representing Inuit civil society (Nunavut Tunngavik), incumbent MLAs (the Nunavut Caucus of the NWT government), and the interests of the federal Liberal executive (the Minister of Indian and Northern Affairs). This political elite was empowered to decide the rules and principles according to which the new assembly would be constituted, and the presence or absence of gender equality as a foundational pillar of the legislature. The failure to obtain a consensus between the former two groups led to the decision by the latter for a plebiscite.

The third important observation regards the theory and practice of women's representation. A vast amount of literature suggests the existence of a link between descriptive and substantive representation and draws upon the notion of "critical mass"⁸. The assumed relationship is increasingly challenged given the sheer diversity of women and/or of women's views.⁹ In the case of Nunavut, the views of one prominent woman in a relatively small political community was enough to derail the adoption of an electoral system that would have ensured an equal role for men and women in the Territory's decision-making body. Clearly, Minister Thompson had the right to advance the views of the Nunavut Caucus through the political system. From the perspective of the population, however, the fact that she, as a woman, could be so vehemently against the proposal led to confusion as to who constituted the legitimate voice of women's equality concerns. If her views worked against women's equality interests, can she be understood as substantively representing women?

In other words, does feminism have a monopoly over the substantive representation of women, and if so, what are the second-order implications concerning the ability of a society to ensure the expression of both feminine and feminist voice. Clearly, this exposes the theoretical tensions inherent to assumptions about critical mass or the idea that the substantive representation of a group will automatically flow from its descriptive representation. Suzanne Dovi and Charles Taylor frame the issue in terms of questions of authenticity; the former has advanced the idea that only those individuals who have deep and ongoing connections to their communities can claim to represent those interests; in particular, Dovi asserts that not just any black or Latino will do.¹⁰ In the context of the gender parity proposal, not just any Inuit or any woman could claim to be an authentic representative

of Inuit culture or of Inuit women's equality concerns. An anonymous former NWT Status of Women Council official expressed her disappointment and discomfort with the fact that their efforts to lead an educational campaign in favour of gender parity was proactively undermined by their own Minister, creating confusion and making the debate seem divisive and counterproductive. While the Minister was likely seen as a legitimate voice by more conservative portions of the population who either subscribed to the individual merit-based notion of equality and/or who feared changes in gender roles, for the majority of the Inuit elite involved in the creation of the territory, she was seen to be harming the collective interests of women and Inuit society; as such, the arguments she advanced on behalf of the Nunavut Caucus were not recognized as legitimate.

Rather, for proponents of gender parity, Pauktuutit Inuit Women's Association, the NWT Status of Women Council, NIC Commissioners, and the Nunavut Tunngavik Directors were seen as the legitimate voices advancing Inuit women's and Inuit society's collective interests. Criticized for having failed to understand the tenets of the gender parity proposal, Manito Thompson was seen to have reduced the debate to a mechanical view of democracy that relates to the equality of electoral competition, rather an equality of outcome for all citizens. Current Minister of Finance and Government House Leader, Leona Aglukkaq expressed her disappointment that the former Minister did not address the realities affecting women such as high rates of homicide and domestic violence. Generalizing from her own experience and denying the effects of systemic barriers to women's participation, Manito Thompson asserted that if she could get elected, any woman could. Former Nunavut Caucus member and current Minister of Education Ed Picco affirmed his belief that there are no systemic barriers to women; at the same time, he recognized the difficulties relating to strains on the family, frequent travel, and the fact that in a small political community, politicians have virtually no privacy. Member of Parliament Nancy Karatak-Lindell observed the impact of small northern communities; given that women would be in a position of running against a close or distant male relative or other respected men in the community, she felt that the ongoing hierarchies of age and gender in traditional Inuit culture would discourage women from running for office if there were no proactive measures in place to validate their equal ability to govern. Continuing to support the position of the Nunavut Caucus at the time, Minister Picco did however acknowledge the degree of individual power formerly held by Ms. Thompson; he suggested that had she not lead the campaign

against the proposal, the results of the plebiscite might have been very different. Ultimately, without a clear sense as to who had the right to speak on behalf of, or in the interests of women's equality, the fact that there was a prominent woman speaking against the proposal only added to the other ideological positions relating to gender roles, traditional Inuit culture, as well as to the procedural barriers such as a lack of time and resources for popular education.

The fourth lesson that flows from the Nunavut experience serves to remind us of the force of conservatism with respect to any institutional reform pursued in Canada as compared to other Commonwealth countries. The creation of Nunavut resulted from over thirty years of persistent low-profile mobilization by Inuit society.¹¹ The devolution of power to the regional parliaments of Wales and Scotland has been arguably less divisive than the ongoing struggles for political sovereignty between Quebec and the federal government. The rise of a new political and social contract in New Zealand in (1996) and in Scotland (1999) was such that the First-Past-the-Post electoral system was abandoned in favour of a mixed model. In stark contrast, at no point during the elaboration of political structures of the new public government for the Territory of Nunavut was the idea of abandoning the First-Past-the-Post model seriously considered. This resistance to electoral reform was likewise present during the process of municipal amalgamations in Quebec; at no point was the idea of adopting proportional representation seriously addressed for the amalgamated cities of Montreal and Quebec. Although the current electoral reform process underway in Quebec has moved towards a mixed-PR model, it is one which attempts to maintain the same voting patterns of the current system by virtue of allowing the electorate to exercise only one vote. Contrary to the audacity of the gender parity proposal, the suggested mechanisms to feminize the Quebec legislature are both weak and voluntary. Conservatism has likewise expressed itself in the BC electoral reform process. Although the popular Citizen's Assembly was open to innovation for its proposed BC-style STV electoral system, and despite having gender parity in the composition of the Assembly itself, equal representation for women was not selected as one of the values around which to build a new electoral system.

Prospects for Gender Parity

Fully 61% of the Nunavut population abstained from voting in the gender parity plebiscite. Several factors can be seen to have influenced this result. It would seem that many voters were either unsure of what choice to make, were perhaps turned off by the campaign-style fighting

among Inuit elites, and/or were out of the Land during the month when the vote was held. The majority vote against gender parity can hardly be understood as a clear mandate from the people, but rather, should have been taken as an indication that more time and information was necessary. Given that a popular plebiscite with such widespread implications had not been adequately foreseen by the NIC or the decision-making elite, an insufficient amount of time, energy, and resources were allotted to promote a widespread societal discussion that could adequately explore the merits of the proposition.

What is perhaps the most ironic aspect of the Nunavut case is that various elements found in the gender parity proposal have been apart of both Canadian and provincial political culture to differing degrees for quite some time. Not only have the House of Commons and the provincial legislatures previously used a system of two-member ridings as late as the 1980s, moreover, certain provinces (notably New Brunswick and Quebec) have designed their electoral boundaries in order to facilitate the representation of particular social identities such as language and religion.¹² In the past few years propositions have been made for the representation of Aboriginal peoples, be it in the form of designated electoral ridings, Aboriginal reserved seats in the Senate, or the creation of an Aboriginal Parliament. The most striking example of this is, of course, the creation of the new Territory of Nunavut itself. Motivated by the desire of Inuit peoples to express and protect their distinct way of life, the creation of a 'public' government was an acceptable solution given the assured demographic dominance of the Inuit people within the chosen geographic area of the new territory. Contrary to the position advanced by the Nunavut Caucus wherein race, creed, or gender should not matter to political representation in the Assembly, the explicit recognition of Inuit ways of being was the driving force between the founding of Nunavut such that the Inuit would have political control over their future.

In short, while the NIC proposal of a two-member, gender-balanced assembly questioned the general premise of parliamentary representation in Canada, it did so in such a way as to strengthen and ground it in the principles of both traditional (geographic representation) and more modern (social representation) democratic practice. Indeed, all of these developments have aimed at creating a space for a form of political representation that could accommodate territory as well as identities that relate to culture, language, and gender. It is interesting, if disappointing, that while the political culture of elites in so-called 'modern' democracies worldwide have upheld the value of ensuring, to differing degrees, the descrip-

tive representation and recognition of regional differences, religious beliefs, urban versus rural realities, ethno-cultural identities, and linguistic groups, it continues to deny the relevance of the political recognition of gendered identities to the enjoyment of full citizenship by women. Had the Inuit leaders been able to successfully assert the value of traditional Inuit culture, defined by the affirmation of the equal collective contributions of men and women to society, and to secure the support of the Nunavut Caucus, the Nunavut Legislative Assembly would have become the first living example, the world over, of the modern democratic ideal of gender equality.

Although the NIC proposal was unsuccessful, this has not prevented current leaders from using their authority to advance women's political representation since 1999. In a recent interview, Paul Okalik, Premier of Nunavut, was very open about his commitment to seeing women at the highest levels of governance and he affirmed that women were intentionally appointed at the Deputy Minister level in 1999 to provide a balance against the majority of male Ministers. Since his re-election in 2004, he has continued to use his power as Premier to advance the two women MLAs to the most important positions of cabinet, namely that of Deputy Premier and Minister of Finance. He likewise observed that women were doing well in the public service, comprising 69% of employees. Education Minister Picco likewise noted the positive trend that fully 80% of those attending Nunavut Arctic College were women. In the absence of concrete institutionalized mechanisms, clearly, what is most crucial to overturning women's under-representation resides in the genuine commitment of men to share their power with women and to use their privileged access to political power to eliminate the systemic barriers against women. For now, in Nunavut it is the good will of the Prince that is making a difference. To that end, Nunavumiut women can hope that his reign will be long and prosperous so that the cumulative effects of a gender-balanced executive will gradually lead to a change in the makeup of the legislature itself. If traditional Inuit political culture continues to prevail in practice, then perhaps the paradise of gender-balanced governance is not lost, but rather, continues as a collectively shared work-in-progress

Notes

1. Nunavut Implementation Commission (1994), "Two-Member Constituencies and Gender Equality: A 'Made in Nunavut' Solution for an Effective and Representative Legislature", *Discussion Paper*, p. 5.
2. See also Lisa Young (1997), "Gender Equal Legislatures: Evaluating the Proposed Nunavut Electoral System", *Canadian Public Policy*, 32:306-315.
3. See Nicole Gombay (2000), "The politics of culture: Gender parity in the legislative assembly of Nunavut", *Inuit Studies*, 24:1, pp. 125-148.
4. *Ibid* p. 139
5. Jens Dahl (1997), "Gender Parity in Nunavut", *Indigenous Affairs*, 3/4, pp. 46-47.
6. Suzanne Dybbroe, (1996), "Questions of identity and issues of self-determination", *Inuit Studies*, 20:2, pp. 39-53.
7. See David E. Smith (1995), *The Invisible Crown*, Toronto: University of Toronto Press.
8. Sarah Childs, (2004), *New Labour's Women MPs. Women representing women*, London: Routledge, pp. 22-27..
9. See Sandra Burt, Alison Horton et Kathy Martin (2000), "Women in the Ontario New Democratic Government: Revisiting the Concept of Critical Mass", *International Review of Women and Leadership*, 6:1, pp. 1-11; Sandra Grey (2002), "Does Size Matter? Critical Mass and New Zealand's Women MPs", *Parliamentary Affairs*, 55:1, pp. 19-29; Donley Studlar and Ian McAllister (2002), "Does a Critical Mass Exist? A comparative analysis of women's legislative representation since 1950", *European Journal of Political Research*, 41:2, pp. 233-253. Ann Towns (2003), "Understanding the Effects of Larger Ratios of Women in National Legislatures: Proportions and Gender Differentiation in Sweden and Norway", *Women & Politics*, 25:1/2, pp. 1-29; Manon Tremblay, (2003), "Women's Representational Role in Australia and Canada: The Impact of Political Context", *Australian Journal of Political Science*, 38: 2, pp. 215-238; Laurel S Weldon (2002), "Beyond Bodies: Institutional Sources of Representation for Women in Democratic Policymaking", *Journal of Politics*, 64:4, pp. 1153-1174.
10. Suzanne Dovi (2002), "Preferable Descriptive Representatives : Will Just Any Woman, Black, or Latino Do", *American Political Science Review*, 96:4 and Charles Taylor (1992), *Multiculturalism and "The Politics of Recognition"*, Princeton: Princeton University Press.
11. Jack Hicks and Graham White (2000), "Nunavut: Inuit Self-determination Through a Land Claim and Public Government", in *Nunavut: Inuit Regain Control of their Lands and their Lives*, (eds) Jens Dahl, Jack Hicks and Peter Jull, Copenhagen: International Work Group for Indigenous Affairs, p.54.
12. See John C. Courtney (2004), *Elections*, Vancouver: UBC Press; Avigail Eisenberg, (1998), "Domination and Political Representation in Canada", in Veronica Strong-Boag et al, *Painting the Maple: Essays on Race, Gender and the Construction of Canada*, Vancouver: UBC Press; Kent Roach (1991), "One Person, One Vote? Canadian Constitutional Standards for Electoral Distribution and Districting", in (ed) David Small, *Drawing the Map: Equality and Efficacy of the Vote in Canadian Electoral Boundary Reform*, Toronto: Dundam, PP. 200-219; Royal Commission on Electoral Reform and Party Financing, 1991, *Report: Reforming Electoral Democracy 1*. Ottawa: Supply and Services.