
The Election of Nunavut's First Legislative Assembly

by Brian Armstrong

On April 1, 1999, the map of Canada changed for the first time since Newfoundland joined confederation in 1949. The creation of Nunavut is a truly historic event in the evolution of the north. The new territory is made up of 28 communities with a population of approximately 25,000 people. Over 80 percent of the population is made up of Inuit residents, which makes Nunavut the jurisdiction with the largest aboriginal majority in Canada.

The Inuit of the Northwest Territories have long aspired to have greater control over their lives and their land. The very first plebiscite held in the Northwest Territories was on the question of division of the Northwest Territories. It was held in 1982 with 56 percent of residents voting in favour of division. In 1992, a plebiscite was conducted to approve the boundary line for division. The boundary was approved with 54 percent of eligible voters supporting the line. Although support for division and the boundary line was much greater among communities in the eastern Arctic.

In 1993, the federal government concluded a land claims agreement with the Inuit of the eastern Arctic which gave them control over 350,000 square kilometres of land along with \$1.14 billion dollars payable to the Inuit over 14 years. The *Nunavut Act* was passed in Parliament that same year. This piece of federal legislation allowed for the creation of Canada's third territory.

Along the path to creating Nunavut, residents of the eastern Arctic were asked to decide which community should be the capital. The Nunavut Capital Vote was conducted on December 11, 1995 and the town of Iqaluit received 60 percent of votes cast beating out the community of Rankin Inlet which received 40.

Proposals for Electing Members to the Legislature

Leading up to division, a number of unique but controversial options were put forward by the Nunavut Implementation Commission (NIC) for electing members to the first Legislative Assembly. NIC was established under the *Nunavut Act* to make recommendations on the structure of government for the new territory. In March of 1995, NIC issued a report entitled, "Footprints in New Snow", that recommended the consensus form of government used in the Northwest Territories be used in Nunavut. In keeping with the consensus model, NIC recommended that consideration be given to the direct election of the Premier. They also recommended that residents of the eastern Arctic be consulted on the option of having dual-member constituencies where one male and one female from each electoral district would be elected to the first Nunavut Legislative Assembly.

In an effort to obtain the views of residents on this matter, a public vote on guaranteed equal representation in the first Nunavut Legislative Assembly was held on May 26, 1997. The results of the public vote were 57 percent voted against the proposal while 43 percent supported it. It was decided that the direct election of the Premier would not be considered for the first election and that it was an issue that could be considered by the Nunavut Legislative Assembly.

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The First Nunavut Election

The first Nunavut election was originally scheduled to be held after division of the Northwest Territories. However, amendments to the *Nunavut Act* were passed in order to allow for an early election. This way, the Members of the Nunavut Legislative Assembly could be sworn in on April 1, 1999 and begin governing immediately.

Before the election could take place, the electoral boundaries needed to be set. The Nunavut Electoral Boundaries Commission recommended 17 seats for Nunavut. The 13th Legislative Assembly of the Northwest Territories approved the recommendation of the Commission with some minor changes. The matter was then brought forward to a meeting of the Nunavut Leaders where it was decided that the first Nunavut Legislature should have 19 seats. That decision was then approved by the Minister of Indian Affairs and Northern Development, which was a requirement under the *Nunavut Act*.

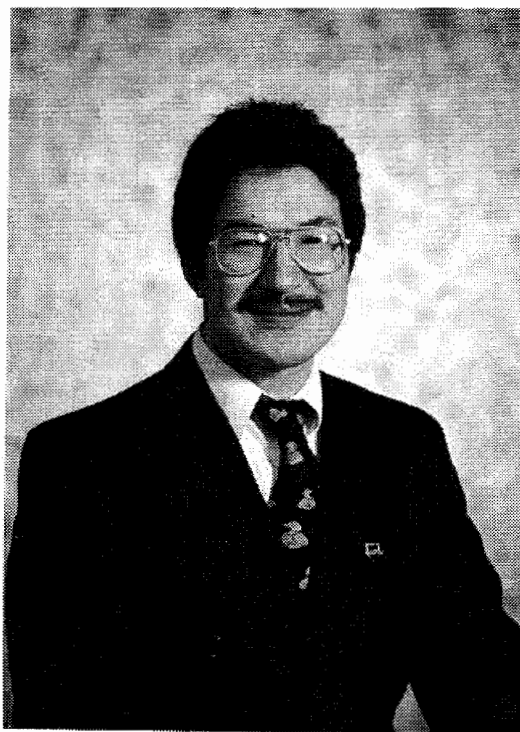
Conducting an election for a new jurisdiction that did not legally come into existence until after the election posed some unique challenges.

Since Nunavut did not exist, there was no legislative base except authority the Government of Canada could prescribe through Parliament. A working group chaired by the Clerk of the Northwest Territories Legislative Assembly was established to develop the procedures that would be adopted for the conduct of the first election. Members of the working group included representatives from: the Government of Canada; the Government of the Northwest Territories; Nunavut Tunngavik Incorporated, the organization representing the Inuit under the land claim agreement; and the Nunavut Implementation Commission.

Residency, along with Canadian citizenship and age, are the fundamental eligibility requirements for any election in Canada. The issue of residency was complicated by the fact that the election was taking place before the creation of Nunavut. This meant that individuals moving between the western Arctic and the eastern Arctic, in the year leading up to the election, may or may not be able to vote in the first Nunavut election.

In order to vote in the first Nunavut election, an eligible elector must have:

- been a Canadian citizen
- attained the age of 18 years



Hon. Levi Barnabas
Speaker of the Nunavut Legislative Assembly

- been a resident of the Northwest Territories or Nunavut for a period of at least 12 months immediately before polling day and have been resident in Nunavut on polling day

After lengthy discussions, a number of amendments were made to the *Nunavut Act*. One of those provided that the Chief Electoral Officer of the Northwest Territories, David Hamilton, would conduct the first Nunavut election. The election was conducted under the *Nunavut First Elections Act*, which, for all intents and purposes, was the Northwest Territories *Elections Act* with some minor modifications, by federal order-in-council. It will be up to the new Nunavut government to bring in new legislation for the next election.

Enumeration took place from October 1st to 9th, 1998 and a total of 11,510 eligible electors were on the preliminary list of electors. Revision of the preliminary list of electors occurred between January 2nd to 18th, 1999. During this period 831 names of electors were added to the list while 132 were removed. The total number of names to appear on the official list of electors was 12,209.

Nomination of candidates for the first Nunavut election closed on January 11, 1999. A total of 71 residents, 60 men and 11 women, filed their nomination papers by the 2 p.m. deadline. None of these individuals withdrew

their nomination and there were no acclamations. The occupations of the candidates varied widely and included careers such as: carvers; hunters; trades people; business people; government workers; and politicians. Eight of the ten members from the eastern Arctic sitting in the Northwest Territories Legislative Assembly ran in the election. Five of those candidates were successful. However, all ten remained Members of the Northwest Territories Legislative Assembly until March 31, 1999.

Two new voting provisions were introduced for this election. Voting by special mail-in ballot and voting in the office of the returning officer enabled those electors who were not able to vote at the advance poll or on polling day to cast their ballot. In addition, proxy voting provisions were tightened up to ensure that this method of voting was not abused. All the public information distributed for the election was provided in Inuktitut, Inuinnaqtun, English and French.

Voter turnout on election day was very high with 88.59 percent of eligible electors on the official list turning out to cast their ballot. Unofficial results were provided to CBC Television, CBC Radio and other media organizations that were located at Election Central '99 at the Inuk-suk High School Gymnasium in Iqaluit. These results were then broadcast live across the north on election night. Eighteen men and one woman were elected to sit in the first Nunavut Legislative Assembly.

The New Nunavut Government

The newly elected members to the Nunavut Legislature met in Iqaluit in early March to select a Speaker, Premier and the seven remaining Cabinet Ministers. The MLA for Quttiktuq, Levi Barnabas, was elected Speaker. Barnabas was a member of the 13th Northwest Territories Legislative Assembly. Paul Okalik, the MLA for Iqaluit West, was elected Premier of Nunavut. He is also the Minister of the Executive and Intergovernmental Affairs. Okalik is 34 years old and was called to the Northwest Territories Bar during the election campaign.

The remaining Cabinet Ministers include: Jack Anawak, Minister of Justice and the Minister of Community Government, Housing and Transportation; James Arvaluk, Minister of Education; Donald Havioyak, Minister of Culture, Language, Elders and Youth and the Minister Responsible for the Status of Women; Peter Kilabuk, Minister of Sustainable Development; Kelvin Ng, Minister of Finance and Administration, Minister of Human Resources and the Minister Responsible for the



Hon. Paul Okalik
First Premier of Nunavut

Workers Compensation Board; Edward Picco, Minister of Health and Social Services and the Minister Responsible for the Northwest Territories Power Corporation; Mrs. Manito Thompson, Minister of Public Works, Telecommunications and Technical Services.

The first sitting of the Nunavut Legislative Assembly took place on April 1, 1999. The 19 newly elected members were sworn in and the new Clerk of the Legislature, John Quirke, was appointed. His Excellency Governor General Romeo LeBlanc, Prime Minister Jean Chretien and the Honourable Jane Stewart, Minister of Indian Affairs and Northern Development, were all in attendance at the swearing in ceremony.

Conclusion

Nunavut now has a duly elected public government that reflects the values, beliefs and traditions of the Inuit. The challenges facing the new Nunavut government are real and the expectations of the people of the territory are high. What the creation of Nunavut has done is given the Inuit a sense of hope and a feeling that their destiny and the future of their children is now in their own hands.