

The Walter and Duncan Gordon Foundation:

Developing northern leaders

Filling the structural gaps through private philanthropy

Private foundations are acknowledged by public charities for their important help in sustaining and topping up the funding of existing services and facilities. Private philanthropy, however, can also fill critical gaps which neither public charities nor government institutions can meet. Private foundations are unique for their ability to identify unconventional needs and respond innovatively, and quickly if necessary. An example is the Walter and Duncan Gordon Foundation's support of the Akitsiraq Law School, a unique experiment in professional training for the peoples of Canada's Far North.

A philanthropic case study: supporting the integration of Inuit culture and practices in modern legal education

Even before its creation in 1999, the new north-eastern Arctic territory of Nunavut had an enormous need for locally-based legal education. When a group of territorial leaders, southern supporters and government officials began cobbling together a northern law school, only one Inuit resident in the territory had ever been certified (by attending a southern school) to practise law. The nearly 200 other practitioners in the territory were non-Inuit and three-quarters of them were non-resident. The new territory's determination to integrate Inuit peoples in its self-governance structures required a



Cherishing and promoting Canada's Aboriginal cultures.

specifically local law school. The University of Victoria (UVIC) volunteered to bring its law faculty's curriculum to the north, and in 2001 the governments of Nunavut and Canada (largely the Department of Justice), provided funding to launch the experimental Akitsiraq Law School in Iqaluit.

While UVIC successfully established the conventional facilities, curricula and fly-in faculty members in Iqaluit, within months of opening it was evident the school was a transplant and lacked "the cross cultural and linguistic training to really connect the law school to the society," recalls Andrew Petter, dean of law at UVIC. The 14 students, most of them female and already active in their communities, were struggling to integrate their Inuit traditional values and

justice practices with Canadian law, wrestling with linguistic barriers and gaps, and trying to cope with truncated incomes and far-away families. "There was a sense I was to apply this (Canadian) norm of how to maintain social order...and my (Inuit) norms didn't count," says Sandra Inutiq, one of the students. "The colonial definition isn't ours, and it didn't feel right." The echo of an earlier locally-based para-legal training program which suffered a 100 per cent drop-out rate and collapsed in the late 90s, was beginning to sound.

When his appeals for federal funding to build culturally-sensitive components into the curriculum were rejected, Dean Petter turned to the Walter and Duncan Gordon Foundation for help.

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The Toronto-based foundation, already reshaping its long-time northern environmental focus towards northern policy development capacity, quickly decided to make a unique and crucial contribution to Akitsiraq. The Foundation's \$250,000 four-year grant enabled the recruitment of an Inuit elder-in-residence, Inuktitut language skills upgrading for students, additional library services, a new course specifically addressing the Nunavut land claim resolution, and later, additional grants for stipends to students facing financial hardship at the school, and for a semester of southern Canadian classes at the University of Ottawa.

Forging the missing link

The Inuit elder, Lucien Ukaliannuk, lectured on Inuit law and language and provided counseling to the students. He also became a guide for southern-born faculty members into Inuit culture. "The funding allowed us to have ownership in the program. It validated our own systems and beliefs...and I can't explain how important that was, to be able to analyze how the two systems of laws can work together," says Sandra Inutiq. She cites

the Inuit tradition of community justice committees, which requires precise understanding of Inuktitut language and underlying values, but can function effectively as alternative dispute resolution practices in Canadian law, if equally well understood by non-Inuit.

The cultural component "was obviously crucial but the Nunavut law society [and UVIC] had had difficulty selling it to the other funders," says James Stauch, administrator of the Gordon Foundation's northern programmes. "It was a classic demonstration of a foundation doing what a government couldn't do by itself." The Foundation provided funds with no certainty of success but a desire to see an experiment fairly supported and tested, says Stauch. "The benefit to the north was always a question mark: how many graduates would stay in the north?"

"There is no doubt the Gordon money helped in the retention of students, and in our motivation to do better," says Sandra Inutiq. She is among the 11 students, out of an original 14, who graduated in 2005. She now practises law for the Nunavut government in Iqaluit. In 2006, most of her classmates were still practising in the north; one was

clerking at the Supreme Court of Canada, and one was pursuing a PhD at UVIC. Both UVIC and the Gordon Foundation have offered to play their same roles in a reprise of the law school, if the Nunavut and federal government want to do so. Based on the Akitsiraq success, the University of Victoria is also now developing a permanent degree program in aboriginal and common law.

"It took a foundation with an interest in the north, and with insight, to realize that this culture element was not just an add-on," says Petter. "They were prepared to listen. You can talk to them directly, face-to-face. If we'd had to go through government to get that funding, it would have taken two years."

Petter, a former British Columbia cabinet minister, says private foundations are an unappreciated rarity in Canada and deserve any additional encouragement from government. "I find they're entrepreneurial, in a good sense. They're more guarded about spending money, but they're more creative. Gordon realized this wasn't just about turning out lawyers but the next generation of leaders in Nunavut."