Accelerated native land claims settlements and development in the U.S. and Canadian Arctic are changing Inuit life at a pace and to an extent some native leaders brand genocidal. Although recent trends in the north may not satisfy strictly the accepted definition of genocide under international law, they certainly fall within its shadow, because the overall health of Inuit has deteriorated and is likely to grow worse. Whatever their real intent, northern claims settlements and development are leading to increased morbidity and mortality rates.

"Genocide"
The 1948 Convention on the Prevention and Punishment of the Crime of Genocide condemns, inter alia, "deliberately inflicting on [a national, ethnical, racial or religious] group conditions of life calculated to bring about its physical destruction in whole or in part," with "intent to destroy" the group.¹ The key words are "deliberately" and "intent". A program that indisputably has the effect of undermining a particular group's health, may have been designed for another, innocent purpose. But innocent origins do not necessarily constitute a defense.

An analogy may be drawn to the "Nuremberg Principle": acting under superior orders is no defense to crimes against humanity.² While clerks executing a genocidal plan may not originally intend anything except obedience to orders, they must realize, eventually, what are the natural and unavoidable consequences of their actions, and therefore must be considered culpable if they continue. By the same reasoning, a government must be held responsible if it persists in a policy once its unintended consequences have been recognized.

The systematic removal of indigenous peoples from their land, and disruption of their traditional means of subsistence, almost inevitably results in malnutrition, nutrition-related disabilities, and decreased resistance to infectious disease, if not outright starvation as well. Transmigration and resettlement programmes, extractive industries such as mining and logging, and other large-scale development projects such as hydroelectric dams are affecting a growing number of indigenous peoples throughout the Arctic, Amazonia, and monsoon Asia. By reducing landholdings, destroying wildlife and altering ecosystems, these projects force communities to rely increasingly on the cheapest available food substitutes, such as flour, sugar and fats, which lack the variety of essential nutrients found in the meat, fish and fowl of traditional hunting economies, or the diversity of vegetables, fruits and hunted meats typical of "gardening" societies.

Nutrition problems result from both the acts and omissions of governments: the acts of authorizing projects and, very often, physically removing indigenous peoples from their lands, and the omissions of failing to protect indigenous land rights or provide suitable economic alternatives. Are both equally culp-
able? The genocide convention speaks of "inflicting" harm on groups, rather than failing to intervene to protect them. A United Nations special rapporteur, appointed to re-evaluate the convention in 1983, suggested amending it to deal expressly with the case of what he called "calculated neglect," however - for instance, deliberately failing to deliver food aid to a starving region. The line between action and omission is not always clear, moreover. If Brazil fails to prevent prospectors from invading its "Indian parks," for instance, we may reasonably suspect that it condones their activities, and intends them to succeed in displacing the Indians.

A distinction should perhaps be made here between requiring governments to avoid catastrophic development strategies, and requiring them to increase their expenditures on food aid or health care. While Article 11(1) of the International Covenant on Economic, Social and Cultural Rights speaks of the right to "adequate food," this is conditioned explicitly on the availability of national resources. A State's failure to expend non-existent resources to combat malnutrition cannot be considered genocidal. On the other hand, discrimination in the expenditure of national resources, with the result that one part of the population eats while another starves, would seem to violate the Covenant, and to constitute genocide.

Evidence for the negative consequences of northern development on Inuit health has accumulated to the point that failure to change government policy can properly be considered genocide. This is not a matter of "calculated neglect", because the conditions involved - landlessness, centralization, diminished harvesting rights and loss of wildlife habitat due to mining, hydro construction and icebreaking - all result directly from government programs, even if they are often conducted by private enterprise under government licenses.

**Changes in Arctic life**

Since the 1950s, Arctic life has changed in ways that affect Inuit diet and nutrition significantly. Development, demographic changes associated with development, and corresponding changes in conservation regulations have reduced the number, distribution and availability of wildlife, aggravating the geographic restriction of harvesting rights under land claims settlements. The proportion of "country food" in Inuit diets consequently has been declining for at least thirty years. Over the same period there has been a marked decline in Inuit general health and fitness due to more sedentary lifestyles as well as poorer nutrition.

Inuit historically utilized nearly all of the Arctic, and very probably harvested close to the maximum sustainable yield of seals and caribou. Population levels accordingly remained relatively constant. Any reduction in hunting area, wildlife stocks, or access to hunting must be matched by a reduction of population or with compensation food imports. Similarly, any population growth resulting from improved medical care, more consistent or abundant (albeit less nutritious) food supplies, or immigration will strain available resources, leading to poorer overall health and requiring increased government aid for minimal nutritional maintenance.

Although settlements formed around whaling stations, missions, and, in the 1920s and 1930s, Hudson's Bay Co. stores, most Inuit lived in camp until the 1950s when the combination of new schools, clinics, and D.E.W.-Line con-