

Yukon First Nations Heritage Values and Resource Management: Perspectives from Four Yukon First Nations

IPINCH Case Study Report

by

Carcross/Tagish First Nation,
Champagne and Aishihik First Nations,
Ta'an Kwach'an Council,
and Tr'ondëk Hwëch'in
in collaboration with

Sheila Greer (Consultant to Champagne and Aishihik First Nations) and
Catherine Bell (University of Alberta, Faculty of Law)



January 2016

Attribution and Copyright Notice

CCM Attribution-NonCommercial-NoDerivs CC-BY -NC-ND



www.sfu.ca/IPinCH

This research was made possible, in part, through the support of the Intellectual Property Issues in Cultural Heritage (IPinCH) project, a Major Collaborative Research Initiative funded by the Social Sciences and Humanities Research Council of Canada. IPinCH explores the rights, values, and responsibilities associated with material culture, cultural knowledge and the practice of heritage research.

Other project funders included: Champagne and Aishihik First Nations, Carcross-Tagish First Nation, Ta'an Kwach'an Council, Tr'ondek Hwëch'in, and Sheila C. Greer Consulting.

Report To Be Cited As: Carcross-Tagish First Nation, Champagne & Aishihik First Nations, Ta'an Kwach'an Council, Tr'ondek Hwëch'in First Nation, Sheila Greer, and Catherine Bell (2015), *Yukon First Nations Heritage Values and Resource Management: Perspectives from Four Yukon First Nations*.

SOME OF OUR WORDS

Anything and everything you do, the way you live is your heritage. I walk it, that's who I am.

Angie Joseph-Rear, TH Session, August 4, 2012.
— a citizen and former chief of the Tr'ondëk Hwëch'in.

Our people want to learn to dance and sing, it sparks the life within them. If we work together it can be achieved, we can keep our language and culture alive. A big part is respect. If we are really going to learn our culture and heritage we have to start with respect; that's a key, fundamental issue.

Andy Carville, March 1, 2005, Tending the Fire Conference (Summary Document, p. 20).
— a Carcross/Tagish First Nation citizen, and former Grand Chief of the Council for Yukon First Nations.

This chapter is one of the most important chapters because it can be the essence and tool, a way to teach our children where they come from and who they are as First Nations people.

Xíxch' Tlà (Diane Strand), March 1, 2005, Tending the Fire Conference (Summary Document, p. 11).
— a citizen and former chief of the Champagne and Aishihik First Nations.

Heritage is our lives, it is what we are. We are First Nations people who have been watered down and watered down until some of us don't look First Nations but we still are.

Frances Woolsey, TKC Session July 31, 2012.
—an Elder of the Taan Kwäch'än Council.

Our Words in Song

*There was always something under the surface – yeah
Trying to reach out, take root and find me
I've got a history and a story that's yet untold
I can hear it now, hear it now the words my old people say.*

— lyrics from “The Breaking Point” (song), from CD *The Breaking Point*.
Singer Songwriter Diyet (a citizen of Kluane First Nation, Burwash Landing, Yukon).

*It's up to me, no it's up to us.
Together it gets better on every letter.
I speak, the drum I trust.*

Lyrics, “86 Heaven.”
Rap Artist Warren Strand (Yäwatà)
(a citizen of Champagne and Aishihik First Nations, Haines Junction, Yukon)

TABLE OF CONTENTS

	Some of Our Words	iii
	Our Words in Song	lii
	Table of Contents	iv
	Acknowledgements	vi
1.	Introduction	1
2.	Background and Context to the Present Study	3
2.1	Who We Are	3
	Figure 1, Map Showing Traditional Territory of the Four Yukon First Nations	4
	Study Participants	
2.2	Chapter 13 Heritage of the Yukon Land Claim Agreements	6
	The Objectives of Chapter 13	7
2.3	Other, Intersecting Legislation Affecting Heritage	9
2.4	Previous Considerations of YFN Heritage and Heritage Values	9
	Select Quotes from the 2005 “Tending the Fire” Conference	11
	CTFN’s Book of Statutes – Traditional Beliefs and Practices	12
2.5	Yukon First Nations Heritage Programs	13
	Carcross/Tagish First Nation	13
	Champagne & Aishihik First Nations	16
	Ta’an Kwach’an Council	16
	Tr’ondëk Hwëch’in	17
2.6	The Multi-Government Heritage Resource Manual Effort	18
2.7	More Recent Yukon First Nations Collective Work on Heritage	18
	Select Quotes from the Yukon First Nations Heritage Caucus Sessions	19
3.	Methodology	20
3.1	Objectives, Design and Implementation	20
3.2	Workshop Sessions, Focus Groups, Interviews and Participants	22
3.3	Report Preparation	27
3.4	Inherent Limits and Challenges to Our Methodology	29
4.	What We Asked and A Sampling of What Was Heard	33
	What Does “Heritage of Yukon First Nations” Mean to You?	33
	On Activities and Heritage Value/Values	35
	On Place & Heritage Value/Values	37
	On Taking Care of Culturally Important Places	39
	On Material Culture and Heritage Value/Values	42
	On Taking Care of Culturally Important Things	43
5.	Further Insights	44
	On Heritage Today, Education	44
	On Role of FN Governments in Heritage Management	46
	More on Culturally Important Places	48
	More on Material Culture	50
6.	Analysis	52
6.1	General Comments & Vocabulary Insights	53
6.2	Stewardship and Responsibility	55

6.3	Heritage as Community	56
6.4	Spirituality in Heritage	57
6.5	Heritage as Holistic and Intimately Connected to the Land	58
6.6	Tangible and Intangible	59
6.7	Heritage Management as Knowledge Sharing	60
6.8	Culturally Significant Places	62
6.9	Relationships and Relatedness	65
6.10	Art, Material Culture & Culturally Important Things	68
6.11	Yukon First Nation Governments Heritage Policy and Practice	70
7.	Conclusions – Collaborative Stewardship	72
8.	References Cited	76
	Appendix A - Chapter 13 of the Umbrella Yukon Final Agreement	80
	Appendix B - Study Participant Consent Form	88
	Appendix C - Program “From Values to Policy and Legislation Breaking Trail in a Heritage Self-Governing Context”, March 22, 2013 Workshop	89
	Appendix D - Original Set of Questions Presented to Participants	90
	Appendix E – TH Collections Policy	93
	Appendix F – TH Heritage Resources Best Practices	110

ACKNOWLEDGEMENTS

The research leading to this report has been a shared experience exploring and learning about, as well as articulating, Yukon First Nations' (YFN) values, laws, and heritage stewardship, their interface with Canadian laws and heritage norms, and their implications for a heritage management framework based on YFN values and culture. Its design and implementation was developed by the Champagne and Aishihik (CAFN), Carcross/Tagish (CTFN), Tr'ondëk Hwëch'in (TH), and the Ta'an Kwach'an Council (TKC), in collaboration with Sheila Greer (Heritage Consultant for CAFN), Catherine Bell (Professor of Law, University of Alberta), and the Intellectual Property in Cultural Heritage (IPinCH) project. Extending over a period of four years, this research would not have been possible without the guidance and knowledge of the YFN Elders acknowledged below; the support and encouragement of Diane Strand (Director, Dept. of Language, Culture & Heritage and former Chief CAFN), Mark Wedge (Elder and former Khà Shâde Hénì [Chief] CTFN), and Jackie Olson (Executive Director and former Director, Department of Heritage, TH); and the vision and dedication of YFN heritage staff Paula Banks (Parks Planning & Heritage Liaison, Lands and Resources Dept. CAFN), Heather Jones (Heritage Manager CAFN), Jody Beaumont (Traditional Knowledge Specialist TH), Betsy Jackson (Elder, former Heritage Manager TKC), Sheila Joe Quock (Heritage Officer CAFN), and Mark Nelson (former Heritage Manager TKC).

Of particular significance are the contributions of the many individuals who shared history, knowledge, and ways with one of us (SG) over the past 35 years, as well as more directly the Elders, youth, and other YFN community members who agreed to speak directly with us specifically for this project. Your knowledge and experience enables us not only to facilitate respect for, and greater understanding of, concerns relating to protection and control of YFN heritage, but also demonstrates the importance of recognizing and respecting unique features of every Yukon First Nation. In particular, we acknowledge the contributions of the following people who participated in interviews and focus group discussions:

Carcross/Tagish First Nation: We respectfully acknowledge the following Elders and community members who shared their time, knowledge and contributions: Elder Annie Austen, Elder Bill Barrett, Elder Patrick James, Beverly Sembsmoen, Ralph Sembsmoen, Keith Wolfe Smarch, Elder Mark Wedge, Elder Ted Hall, and Elder Art Johns.

Champagne and Aishihik First Nations: We respectfully acknowledge the following youth, heritage staff, and citizens who shared their time, knowledge and contributions: Elder Lorraine Allen, Paula Banks, Elder Frances Oles, Candice Boyle, Michelle Dawson-Beattie, Nadia Joe, Sheila Joe Quock, Chase Smith-Tutin, Harry Smith, and Amanda Workman.

Ta'an Kwach'an Council: We respectfully acknowledge the following Elders who shared their time, knowledge, ideas, and concerns: Norman Adamson, Gail Anderson, Sam Broeren, Louise Clethroe, Marion Irvine, Betsy Jackson, James Miller, and Frances Woolsey.

Tr'ondëk Hwëch'in: We respectfully acknowledge the following Elders, heritage staff and citizens who shared their time, knowledge and contributions: Elder Angie Joseph-Rear, Jackie Olson, Georgette McLeod, Jody Beaumont, and Allie Winton.

We also acknowledge Vera Asp, a citizen of the Tahltan Central Council and professional archaeologist, who assisted in clarifying issues raised during the Ta'an Kwach'an Council Elders session.

On March 22, 2013, we hosted in collaboration with CAFN, the Canadian Forum on Civil Justice (CFCJ), the York Centre for Public Policy and Law (YCPL), and IPinCH a one-day symposium, "From Values to Policy and Legislation: Breaking Trail in a Heritage Self-Governing Context." We thank CFCJ for its support in helping us bring together legal, policy, heritage staff, community members, Elders and other experts from partner YFN, together with academics specializing in Indigenous law and policy, to explore issues central to our research. In particular, we wish to acknowledge the efforts of Nicole Aylwin for obtaining funding and coordinating the above-mentioned policy workshop. We thank the following people for participating and sharing their knowledge with us at this event: Paula Banks (CAFN), Jody Beaumont (TH), Trevor Farrow (Director, Canadian Forum on Civil Justice, Osgoode Hall Law School), Betsy Jackson (TKC), Brian McDonald (legal counsel and CAFN citizen), Val Napoleon (Law Foundation Professor of Aboriginal Justice and Governance, University of Victoria), Diane Strand (CAFN), Skeeter Wright (Policy & Implementation, CAFN), Mark Wedge (CTFN), Monina Wittfoth (Heritage Policy & Implementation TH), and TKC Elders: Norman Adamson, Frances Woolsey, Marion Irvine, Gail Anderson, Louise Clethroe, and James Miller.

We would not have been able to complete this research without dedicated volunteers and research assistants from various disciplines and universities, including visiting doctoral and post-doctoral students working with Professor Bell: Nicole Aylwin (Communication and Culture and then Academic Coordinator, York Centre for Public Policy and Law), Jessica Lai (Faculty of Law, University of Lucerne), and Saori Miyazaki (Faculty of Law, University of Osaka). We also thank University of Alberta law students Heidi Besuijen, Amanda Ewasiuk, Andrew Paterson, Susan Rawlins, Caleigh Sheir, Laura Skorodenski, and Heather Thompson for assisting with transcribing, recording, organizing transcript data, reviewing documents, and legal and social scientific research.

Special thanks to volunteer Joanne Lauder for accompanying Professor Bell, recording and organizing interview and focus group data gathered during the summer of 2011; Paula Banks for coordinating numerous events in Whitehorse; and Alexis Bunten (IPinCH ethnographer) for her participation in some of our sessions and her helpful reflections on collaborative research method and reporting. We also acknowledge the significant in-kind and financial contributions from YFN partners and participants and research funds received from, the University of Alberta, CFCJ and IPinCH through the Social Sciences Humanities Research Council.

Finally we wish to acknowledge those who shared their wisdom through various initiatives over the last four decades that have explored YFN heritage laws and values. Efforts of note include the 1991 Kwaday Kwadan Conference hosted by the Yukon Historical and Museums Association; the 1999 Adaka ("bringing forth the light") Conference sponsored by the Yukon Heritage Resources Board¹; and the

¹ Hogan, Barb, "Proceedings of the Adaka Heritage Conference Oct. 27-28" prepared for Yukon Heritage Resources Board (April 2002), online: http://www.yhrb.ca/pdfs/Adaka_proceedings_final.pdf

Tending the Fire Conference hosted by Yukon College in 2005.² The Statutes and Books of CTFN, developed nearly a decade ago, and the Draft Traditional Knowledge Policy Framework finalized by the Yukon First Nations Heritage Group in 2005 must also be mentioned. More recently, the Heritage staff of the collective group of self-governing YFN have been working on a number of initiatives that more directly deal with the subject matter that is of concern to this project, producing a Heritage Management Framework document and a Heritage Stewardship Manual, as well as draft Heritage legislation. None of the foregoing are in finalized form and available for public release at this time. We continue to build on your knowledge and the “together today for our children tomorrow” vision³ articulated more than four decades ago.

Sheila Greer and Catherine Bell, January 2016

² B. Jackson and J. Hawkins, “Tending the Fire. A Forum on Heritage and Culture Summary Document” held at Yukon College Whitehorse, February 28–March 4, 2005” (April 2005) [unpublished]

³ Yukon Indian People, “Together Today for our Children Tomorrow.” Brampton Publishing Company. Ontario,” online: <http://cyfn.ca/agreements/together-today-for-our-children-tomorrow/>

1. INTRODUCTION

As Indigenous peoples living within the modern nation state of Canada and having achieved land claims and self-government agreements, Yukon First Nations (YFN) are in a unique situation. Settlement of land claims has brought new opportunities for YFN citizens and communities, as well as the means to begin to heal after decades of social trauma. Bringing many positive changes, modern treaties such as the Yukon Indian Land Claim Umbrella Final Agreement (UFA) are re-awakening the spirit and strength of the Territory's First Nation communities.

Chapter 13 of the Yukon Agreements, which addresses heritage matters, has had positive results (**Appendix A**). For example, there is greater awareness of the importance of Indigenous language toponyms as a record of YFN history and relationship to the land. Native language place names are now given priority as official names for landscape features in the Yukon Territory. A number of important YFN traditional sites are also now respectfully co-managed with federal and territorial governments, and shared with the wider public as officially recognized heritage sites.

YFN also have responsibility for managing heritage resources located on their Settlement Lands, while Canadian governments (Yukon and Canada) have responsibility for managing heritage resources on other lands in the Yukon. Wherever located, heritage resources related to the *culture and history of Yukon Indian People*⁴ are to be managed *consistent with or with respect for YFN values and culture* as well as the standards of mainstream (Western state-sanctioned) heritage resource management, where appropriate.

Chapter 13 thus sets the stage for a culturally based Yukon First Nations heritage management process, while incorporating modern standards and practice (e.g., Objectives 13.1.1.3-6 are elaborated below).

While it has been two decades since the first YFN agreements were concluded, the goal of a culturally directed approach to heritage management in the Yukon has yet to be fully achieved. Though a multitude of factors may be contributing to this situation, one of the key reasons is that differing understandings of “heritage” prevail. Because the Yukon Government and YFN have different perspectives on heritage, they also have differing approaches to heritage management, also referred to as heritage resource management, or cultural resource management. The contrast in perspectives is most apparent with regard to those aspects of heritage that are land based—i.e., located out-on-the-land (e.g., archaeological sites, trails, sacred lands)—and which therefore involve land management decisions.

YFN recognize a strong and enduring relationship to their homelands, and therefore wise management of such lands is fundamental to YFN concepts of heritage and stewardship responsibilities.

While the different understandings of heritage management were evident to the parties at the time Chapter 13 was being negotiated, a means of accommodating such differences was not achieved at that time. Rather, a process was put in place to have the parties come to some kind of negotiated

⁴ Italicized phrases represent terminology employed in the Yukon Land Claim Agreements.

compromise at a future point. The newly created Yukon Heritage Resources Board (YHRB) was also given a facilitative and dispute resolution role, which was to assist in resolving whatever problems might arise as a result of the different understandings of heritage. Further details on the clauses in the agreement that speak to these matters are presented below.

In the years since these agreements have begun to be implemented, most self-governing YFN have established their own heritage programs. Through the work of these programs, First Nations staff have become familiar with the traditional laws and cultural norms that direct First Nations' approach to heritage. They are aware of the resulting formal and informal heritage policies these indigenous governments follow. Interactions with mainstream heritage management practices have also made First Nations heritage staff aware of how YFN values toward heritage resources differ from those followed by, for example, the governments of Canada and Yukon. A study published by TH heritage staff (Parsons et al. 2008), for example, highlights the way their program handles material culture items, contrasting their approach with mainstream conservation practices.

The inherent challenges of having indigenous values recognized in heritage management practices underscored the need to more clearly articulate YFN heritage values. As a consequence, in 2008–2009, CAFN heritage staff proposed a research project that, with the assistance of Catherine Bell, was developed into a proposal for funding to the Intellectual Property Issues in Cultural Heritage (IPinCH)⁵, which is based at Simon Fraser University. The team proposed a project that would explore the potential implications of founding YFN heritage resource management (HRM) law, policy and practice on YFN values. The study would also consider the interpretation of inter-governmental relationships and responsibilities over heritage under Chapter 13 of the UFA.

As elaborated further below (see Section 3), the project expanded to include three other YFN partners: *Carcross/Tagish First Nation*, *Tr'ondëk Hwëch'in*, and *Ta'an Kwach'an Council*. While not intended as a comprehensive review of YFN relationships and laws concerning heritage or to speak for those who did not participate or partner in this research, the specific objectives of this study were to:

- 1) document how “heritage value” is defined by Yukon First Nations Elders, heritage workers, youth and other members; and to characterize the different aspects or categories recognized by our community as having heritage value (e.g., peoples, places, stories, ways, and things);
- 2) learn about who (individuals, families, clans, governments, organizations) has stewardship responsibility for the different aspects of Yukon First Nations heritage;
- 3) learn what constitutes stewardship of the different aspects of Yukon First Nations heritage;
- 4) learn about other values, norms, laws, or practices that may affect heritage resource; and management practices by self-governing Yukon First Nations.

⁵ Information on the IPinCH Project can be found at www.sfu.ca/ipinch

This report presents insights on Yukon First Nations understanding of heritage, as recorded from citizens and heritage staff of four Yukon First Nations. This information is primarily presented in the form of individual quotes, organized under a series of topical headings in Sections 4 and 5. Section 2 of the report presents background on the four First Nations that participated in the present study, including the heritage programs currently offered by these governments; and a review of Chapter 13 of the Yukon Land Claim Agreement; plus a discussion of previous considerations of Yukon First Nations heritage values. Section 3 presents the methodology used in documenting Yukon First Nations heritage values. The heart of the report is Section 6, which presents a detailed analysis of the meaning and content that underlies the quotes presented in Sections 4 and 5. Further consideration of the complexities of Yukon First Nations understandings of heritage is presented in the Conclusions, Section 7.

2. BACKGROUND AND CONTEXT TO THE PRESENT STUDY

2.1 Who We Are

The four First Nation project partners are all self-governing, independent Indigenous governments based in Yukon, Canada (Figure 1). Two (CTFN and CAFN), also have outstanding aboriginal claims to traditional lands situated within the adjacent province of British Columbia. The following brief profiles provide general information on each of the nations.

Carcross/Tagish First Nation. CTFN's territory is situated in the Yukon's Southern Lakes area, adjacent to the Yukon-British Columbia (BC) boundary, as well as within the adjoining part of the latter province. The First Nations administrative offices are located in Carcross. Chilkoot Trail National Historic Site is located within the BC portion of their traditional territory; Kusawa Park in the Yukon portion. CTFN's cultural background is Tagish and Tlingit, with the latter language being most widely taught within the community today. The traditional clan system is reflected in CTFN's contemporary government structure. CTFN settled its Yukon land claim in 2005, and the First Nation has a current population of about 600. Website: www.ctfn.ca

Champagne and Aishihik First Nations. CAFN's territory is situated in the southwest Yukon adjacent to the Yukon-BC boundary, as well as within the adjoining part of the latter province. CAFN's administrative headquarters are located in Haines Junction, Yukon. CAFN is an amalgamation of two previously separate federally recognized Indian bands: Champagne and Aishihik. Kluane National Park and Reserve, Tatshenshini-Alsek (BC) Park, and Kusawa (Yukon) Parks are situated within CAFN's traditional territory. CAFN's cultural background is Dän k'e (Southern Tutchone) and Tlingit, with the former language being most widely taught within the community today. The First Nation has an elected Chief and Council with designated Elder and Youth Councillor positions, along with an Elder Senate and Youth Council. CAFN settled its Yukon land claim in 1993, and has a current population of about 1,200. Website: www.cafn.ca

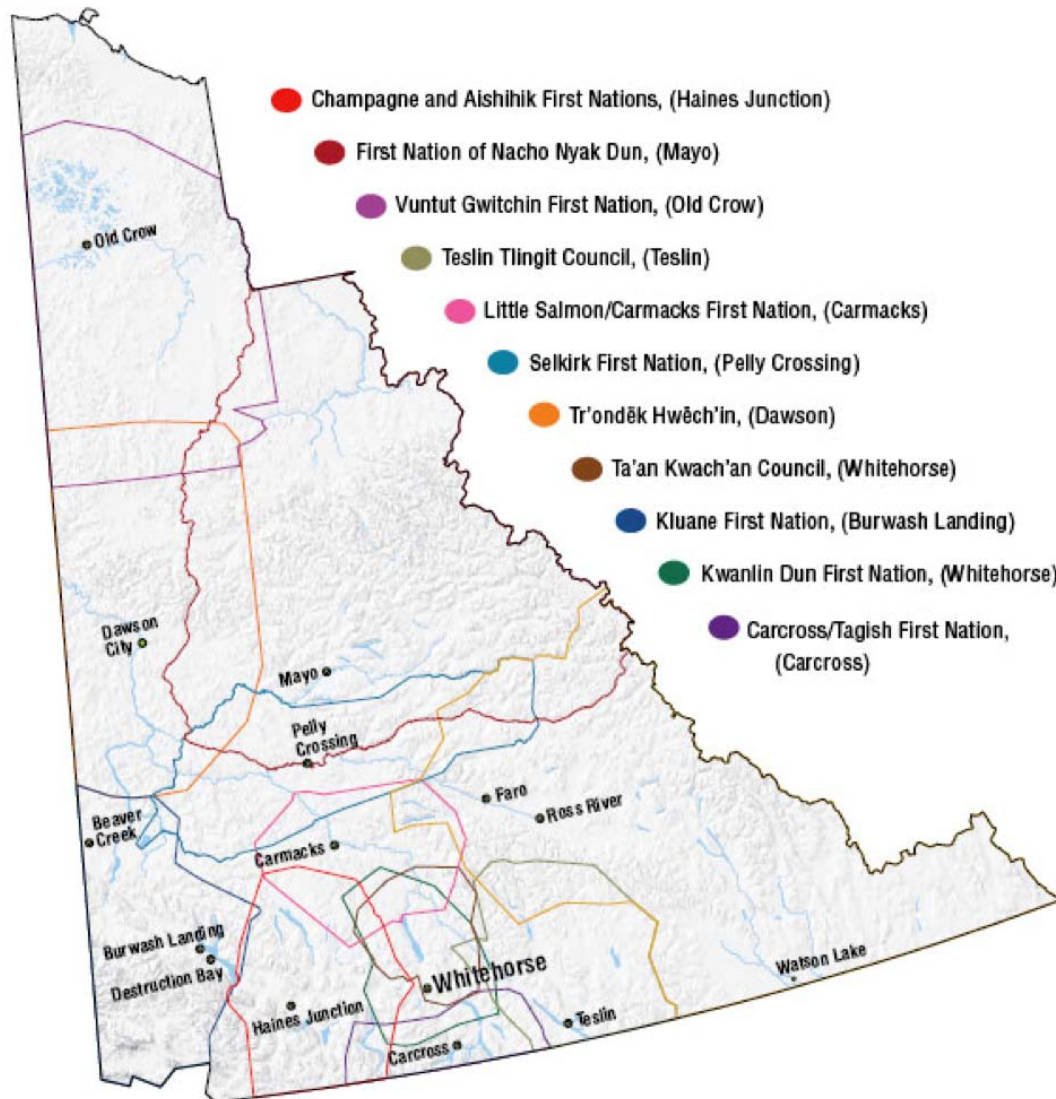


Figure 1. Map Showing traditional territory boundaries of the all Yukon First Nations, including the four project partners: Carcross/Tagish First Nation, Champagne & Aishihik First Nations, Taan Kwäch'än Council, and Tr'ondëk Hwëch'in. Source: Yukon Government.

Taan Kwäch'än Council. TKC's territory situated in the south central part of Yukon, centred around Lake Labarge north of Whitehorse, the territorial capital, where the First Nation's administrative offices are located. TKC's cultural background is Southern Tutchone and Tlingit with the former language being most widely taught today. TKC has an elected Chief and Council, and an Elders Council. The nation settled its land claim in 2002, and has a current population of about 300. Website: www.taan.ca

Tr'ondëk Hwëch'in. TH's territory is situated in the north-central part of Yukon centered around Dawson City; TH administrative offices are located in this community, which is also the former Territorial capital. Klondike National Historic Site and Tombstone (Yukon) Park, and Tro'chek,

Fortymile and Black City Heritage Sites are situated within TH's traditional territory. TH's citizens are of Hän, Gwitchin, and Northern Tutchone cultural backgrounds. The Hän language is most widely taught with the community today. TH has an elected Chief and Council, and Elders and Youth Councils. TH settled its land claim in 1998, and has a current population of about 1,100. Websites: www.trondek.ca; heritage.trondek.ca

Primary anthropological sources for information on the history and culture of the Yukon First Nations participating in this project include McClellan (1975, 1981, 1981a), McClellan et al. (1987), and Cruikshank (1990, 2005) for CAFN, CTFN and TKC; and Crow and Obley (1981), Dobrowolsky (2014) and Osgood (1971) for TH. Further publications reflecting the voices of community members include CAFN, Oles, vanKampen and Greer (2013); Clarke and K'änchá Group (2009); Roburn and Tr'ondëk Hwëch'in Heritage Department (2012). Readers may also find content of interest on the websites of the First Nations listed above.

All four nations participating in this study come from a hunting-and-gathering cultural background. Before contact with non-natives our respective economies were subsistence oriented, focused on hunting and fishing, as well as trading, prospecting (i.e., copper), and gathering of plant materials. For all four nations, the extended family was the principal social unit for much of the year, with larger gatherings occurring periodically. Because resources in our territories vary in distribution both seasonally and spatially, families moved camp multiple times over the course of the year in order to harvest resources when and where they became available. Our population density was extremely low in times past, with few people (numbering in the hundreds, perhaps in the low thousands), spread over large territories, covering thousands of square kilometers.

The traditional culture of our four First Nations has been characterized by anthropologists as flexible and highly adaptive, able to cope with the changes and challenges presented by our homelands and our subsistence lifestyle. Individuals are reported to have been extremely capable and innovative, able to succeed in many tasks. With a multitude of things to be completed through the course of the day, season and year, in order to provide food, clothing, shelter, and social and spiritual nurturing, every member of society contributed in some manner. Individuals were also highly dependent on each other.

In the 19th century, trapping and trading took on greater importance in our respective economies. The trade with our coastal (southeast Alaska) Tlingit neighbours figures prominently in the 19th-century history of the three southern Yukon First Nations (CAFN, TKC, and CTFN). This trade involved the exchange of Yukon furs for European (Euro-American, Euro-Canadian) trade goods arriving in our respective territories via the northwest Pacific coast. In addition to material goods, songs, stories, and more were shared during these exchanges. While Trondëk Hwëch'in ancestors were not trading directly with the coastal Tlingit in the 19th century, they were trapping furs and trading, similarly being drawn into the larger world economy via their participation in the fur trade.

Non-natives entered our territories only in the last quarter of the 19th century. Thus, from a national perspective, the cultural change that came with the arrival of newcomers in our lands came relatively late. But when it did come, major social and cultural change ensued, once Canada exerted sovereignty in

our lands with the Klondike Gold Rush of 1897–1898. The latter event was centered on TH territory, but all Yukon First Nations were impacted by the arrival of the great numbers of newcomers, and the subsequent social, political, and economic changes that followed. All four First Nations were further impacted by the development of the Alaska Highway through the southern Yukon in the early 1940s, which brought even more newcomers to our respective territories, and more government influences in our lives.

Notwithstanding all the changes that have occurred in the past century and a half, our people remain strongly committed to continuing the ways of our ancestors and re-vitalizing our cultures in the decades ahead.

2.2. Chapter 13, Heritage, of the Yukon Land Claim Agreements

The Agreements achieved in 1993 and later include the Umbrella Final Agreement (UFA), which applies a framework to all YFN seeking a modern treaty arrangement with Canada, and individual First Nation Final Agreements, which have more specific terms of implementation. The rights and responsibilities achieved by YFN are similar to those of other Canadian Aboriginal groups through comprehensive land claim agreements, or “modern treaties” as they are now commonly known. Other comprehensive agreements that have been concluded in the northern Territories include the Inuvialuit (1984), Gwich’in (1992), Sahtu Dene and Metis (1993), and Nunavut agreements (1993).⁶

The purpose of these comprehensive agreements is to clarify rights of the Aboriginal groups and their access to and governance over land and resources, including through development, implementation, and institutionalization of true co-management structures (Berkes et al. 1991, as summarized in de Paoli 1999: section 5.2.3.). By way of contrast, although successive court rulings are working towards clarification, the rights of First Nations in the provinces remain ill defined. In the latter jurisdictions, First Nations ownership and involvement in the management of heritage resources is significantly less and has been characterized as at the consultative end of the co-management spectrum (de Paoli 1999: section 5.2.3.)

“Heritage, Chapter 13” is only one of many chapters in the UFA and YFN agreements that speak to the management of a category of heritage resources, specifically heritage sites, moveable heritage resources, and so on. There are other chapters that deal with such matters as Water Management, Fish and Wildlife, Forest Resources, Non-Renewable Resources, etc., which, as this study shows, are of heritage concern for Yukon First Nations.

Compared to other northern agreements, the Yukon agreements are noteworthy for the breadth of the heritage matters considered. Chapter 13 includes content related to heritage sites and trails and moveable heritage resources (e.g., artifacts, archival documents). The Yukon Agreements were also the first to recognize the importance of place names (toponyms) as an important marker of a people’s

⁶ All of these northern comprehensive agreements are available on-line: <http://www.ainc-inac.gc.ca>

history and identity. The Yukon Agreements also broke trail in giving oral history full authority in the interpretations of past events and recognition of heritage significance. This is done through Clause 13.1.1.11, which notes that traditional stories have equal weight to material evidence such as archival documents or material culture in determining the significance of a site or heritage place.

The Heritage Chapter of the Yukon agreements acknowledges an overall commitment to managing the Territory's heritage resources consistent with respect for "Yukon Indian values and culture," as well as generally accepted standards of Heritage Resource Management. Furthermore, the agreements also make it clear that YFN will play a prominent role as stewards of heritage resources, particularly those resources "directly related to the history and culture of Yukon Indian People."

Critical to the management framework established by the Yukon Agreement is the location of the heritage under consideration. Whether moveable heritage resources (artifacts, objects, non-public records) or non-moveable heritage resources (heritage sites and places), if located on First Nations land (referred to as Settlement Land), then management responsibility falls to the First Nation. If located on non-Settlement Lands (also referred to as "Crown" lands), then management responsibility falls to the government (federal or territorial). As we elaborate later in section 6.9 below, also central to this framework is both a concept of "relatedness" and a distinction drawn between ethnographic, archaeological, and paleontological objects or sites on non-settlement land. This is because "an ethnographic object directly related to the culture and history of Yukon Indian People" is "owned and managed by the Yukon First Nation in whose Traditional Territory it was found" (13.3.6.1).

Within the Canadian context, only the Nunavut Agreement is broader in the scope of control assumed by Aboriginal signatories, particularly in relationship to ownership and control over archaeology and archaeological resources.⁷ The Yukon and other northern Agreements also differ significantly from that of the Nisga'a, British Columbia's first comprehensive modern treaty. The primary focus of the heritage section of the Nisga'a Agreement is the identification and repatriation of Nisga'a artifacts and the processes for returning these to the Nisga'a. The management of land-based heritage resources receives lesser consideration in the Nisga'a Agreement.

The Objectives of Chapter 13

The "Objectives" section of Chapter 13 sets the tone and normative and legal context for the interpretation of the parts of the chapter that follow. This section speaks to such things as: promoting

⁷ Article 33.7.1 of the Nunavut Land Claims Agreement provides that the Inuit Heritage Trust (IHT) shares joint ownership of archaeological "specimens" found in the Nunavut Settlement Area with the government of Nunavut. IHT is an Inuit organization responsible for "supporting, encouraging, and facilitating the conservation, maintenance, restoration and display for archaeological sites and specimens in the Nunavut Settlement Area, in addition to any other functions set out in the Agreement" (33.4.3) including reviewing applications for permits for archaeological activity. Government "responsibilities for the management and conservation of archaeological sites and specimens are to be "balanced with Inuit responsibilities for the same" (33.2.3) and IHT is to participate in "developing government policy and legislation" on archaeology, place names and archives in Nunavut (33.3.1).

respect for the culture and heritage of Yukon Indian people; recording and preserving traditional languages, beliefs, oral history and cultural knowledge of “Yukon Indian people;” and, promoting accepted standards of Heritage Resource Management. Other objectives include: mitigation of development impact on heritage resources; facilitation of heritage management research; and, incorporation of YFN traditional knowledge in government heritage research. The importance of Aboriginal place names and oral history research is also addressed. At the heart of the Objectives section of Chapter 13 is the direction that “Yukon Indian values and culture” are to guide the management of the Territory’s heritage resources, particularly those related to the culture and history of Yukon Indian people. Specific directions include:

Clause 13.1.1.3. To involve equitably Yukon First Nations and Government, in the manner set out in this chapter, in the management of the Heritage resources of the Yukon, consistent with respect for Yukon Indian values and culture;

Clause 13.1.1.5. To manage Heritage Resources owned by, or in the custody of, Yukon First Nations and related to the culture and history of Yukon Indian People in a manner consistent with the values of Yukon Indian People, and, where appropriate, to adopt the standards of international, national and territorial Heritage Resources collections and programs; and

Clause 13.1.1.6. To manage Heritage Resources owned by, or in the custody of, Government and related to the culture and history of Yukon Indian People in a manner consistent with the values of Yukon Indian People, and, where appropriate, to adopt the standards of international, national, and territorial Heritage Resources collections and programs.

The objectives reflect the goals and aspirations of the various parties. According Yukon First Nations lawyer and negotiator Dave Joe, who was involved in crafting both the chapter and the agreement as a whole, the motivation for including a heritage chapter was fairly simple and straightforward—*“the intention was to preserve our cultures, languages and heritage”* (Joe 2005; emphasis added).

The chapter’s substantive clauses (i.e., those that trigger programs and actions) focus on tangible heritage—things and places that can be managed and protected. There is a noteworthy absence of clauses that trigger specific programs or policies to assist in the preservation of YFN languages, or to strengthen YFN cultures.

While the chapter includes a definition section, it does not define “heritage,” or the phrase “heritage resource management,” or some of the key terms that appear in the chapter. Rather, clause 13.5.3.6 anticipates development, revision, and updating of a manual by YFN and the Yukon government that would include definitions of such key terms as “ethnographic,” “archaeological,” “paleontological,” and “historic resources.” Ambiguity regarding some of these terms is not unique to the UFA and is viewed by some as ensuring its flexibility. It has been noted that:

The ambiguous language in the UFA is a good thing and will ensure that the document remains relevant in the years to come by meeting each new circumstance as it arises. The

vague phrasing also allows the document to be applicable to all First Nations, as each community has different needs. (Ed Schultz, Little Salmon-Carmacks First Nation, Adaka Conference Proceedings. October 27, 1999. p. 12)

2.3. Other, Including Intersecting, Legislation Affecting Heritage

While our study focuses on the UFA and Heritage, other Yukon legislative instruments deal with heritage matters as well. The first is the *Yukon Historic Resources Act* (HRA), passed in 2002, which is concerned with managing and protecting archaeological sites and collections. This Act was amended in 2009, and again in 2012, with the intention being to bring the legislation into compliance with the UFA. Notwithstanding these amendments, from the First Nations' point of view, inconsistencies remain between the HRA and UFA.

Another piece of legislation that concerns heritage is the *Yukon Environmental Socio-Economic Assessment Act* (YESAA), which came in to effect in 2003. This legislation sets out the general process through which proposed and existing development projects are to be assessed for their potential and possible environmental and socio-economic impacts, including impacts on heritage. YESAA is currently undergoing a multi-party (Canada, Yukon, self-governing First Nations) review process to address problems identified in the implementation of the act, including its consistency with the UFA. According to a staff member of one First Nation, one of the gaps recognized in the 5-year review concerns the manner in which impacts to heritage in the sense of "living culture and traditional lifeways, including connection to the land" are being assessed (Paula Banks, personal communication, January 2014).

The UFA is protected as a modern treaty under s. 35(1) of the *Constitution Act, 1982*. Under this and separate self-government agreements entered by individual Yukon First Nations, federal, provincial, and territorial heritage conservation and environmental laws continue to apply to First Nations heritage resources. However, once enacted, First Nation laws prevail in their areas of jurisdiction in the event of conflict. First Nation, Federal, and the Yukon governments have an obligation to consult with each other if they enact or change laws in a way that impacts each other's jurisdiction. However there is ongoing disagreement at what point this occurs in relation to ethnographic, archaeological and paleontological resources on non-settlement lands and how such terms are to be understood.

2.4. Previous Considerations of YFN Heritage and Heritage Values

Documentation of Yukon First Nations cultural practices has been ongoing for more than a century, with many generations of Yukon First Nations citizens having engaged in recording cultural values and traditions via print, audio, and video mediums.

The language and cultural background of the Yukon First Nations that participated in the present study is Tlingit or one of the Athapaskan languages: Han, Tagish, or Dákwänje (Southern Tutchone). Prior to our

study, there has been little systematic investigation of the Yukon Athapaskan (Gwitchin, Han, Dákwänje, Northern Tutchone, and Tagish) heritage terms and vocabulary – although the term for “ancestors” was known to be something like Kwädäy Dän (or Hudē Hudān) meaning “long-ago person/peoples”.

In contrast, there is considerable documentation on the key Tlingit heritage concepts known as *Haa Shagoon* and *At.oow* (cf., Dauenhauer 2000; Worl 2014). According to Rosita Worl, Director of the Sealaska Heritage Institute based in Juneau, *Haa Shagoon* means “our ancestors” and simultaneously unites ancestors with the present and future generations (Worl 2014). This is distinct from *At.oow*:

At.oow are the most prized possessions of a clan. *At.oow* is literally translated as “an owned or purchased object” and can refer to land or sacred sites, celestial bodies such as the moon and sun, names, stories, songs, spirits and crests. The rights to these objects or a clan's *at.oow* were acquired through an ancestor. On occasion, the payment involved the death of an ancestor. The event in which this occurred may be recorded as a crest or spirit design on a physical object or through names, songs and stories. ...The ownership of a clan's *at.oow* is validated through ceremonies most often referred to as “potlatches” in the general ethnographic literature (Worl 2014).

The traditional Tlingit legal system also includes a well-defined code of property law. “Property” included both tangible and intangible objects, such as land, names, songs, stories, and crests. Children acquire the right of ownership of property through their membership in a clan rather than through the process of inheritance, and the clan rather than the individual holds collective rights to property (Worl 2014).

Notwithstanding the gap in the study of Yukon Athapaskan heritage terms and vocabulary, several past conferences and workshops have focused on the meaning and application of the “heritage” term or concept in the Yukon context. The first was the Kwaday Kwadan Conference in 1991, held in conjunction with a MacBride Museum exhibit of the same name.

The 1993 Adäka Conference hosted by the Yukon Heritage Resources Board also focused on the heritage concept. *Adäka* (Southern Tutchone language, meaning “bringing forth the light”) was the first post-land claims conference devoted to heritage matters. It brought together members of the public, including First Nations citizens and representatives of the non-profit Yukon Historical and Museums Association, along with federal and territorial heritage staff. Comments shared by First Nations participants at the Adaka conference provide clear recognition of the important role heritage plays in constructing personal identity, and in defining personal belonging. It was also noted that First Nations’ perspective of heritage differs from that held by Government.⁸ A point of tension in heritage work was also recognized by the conference participants. In the balancing of so-called “public” versus “First Nations” heritage interests and values, the question was asked, Which of these should predominate, and in what context?

Heritage was the focus of another gathering held in 2005, the “Tending the Fire” Conference, which was hosted by Yukon College with support from Yukon First Nations Heritage Group. By this point in time,

⁸ When capitalized (“Government”) and unqualified, the word refers to Government of Canada or Yukon Government.

some of Yukon First Nation governments had been operating their own heritage programs for a period. The conference thus brought together heritage staff from Federal, Territorial, and First Nations governments, along with members of the public, which included First Nations citizens. In the transcripts from this conference, First Nations priorities and perspectives become more apparent. For example, there are clear statements to the effect that it is time for First Nations to tell their own stories and define who they are, rather than being described by outside researchers. There is also recognition that Traditional Knowledge is not data (e.g., stories, information, ideas, songs) to be recorded or collected, but a way of life or a way of being. Sensitivities around ownership and control of traditional knowledge data were also brought forward. The conference transcripts include strong statements about the important role that old things (objects), old activities (songs, dance), and heritage places play, or can play, in helping First Nations citizens to be happy, healthy, and engaged people. Stewardship, rather than ownership, is emphasized as more appropriately articulating YFN relationships to heritage. Lastly, many conference participants viewed Chapter 13 as a beginning, a means to frame dialogue about heritage in the contemporary context, rather than a final statement on ownership, management, and protection of specific forms of heritage.

Select Quotations from the 2005 “Tending the Fire” Conference

To illustrate the passions expressed about the value of heritage in the contemporary context, as well as the potential seen in Chapter 13, we provide notable quotations from the Tending the Fire Conference Summary Document (2005). Here and elsewhere in this report where quotations are presented, text presented in brackets (“[]”) has been added by the compilers for clarity.

This chapter is one of the most important chapters because it can be the essence and tool, a way to teach our children where they come from and who they are as First Nations people—Xíxch’ Tlà Diane Strand, CAFN (p. 11).

Heritage is at the heart of preservation and culture—Ingrid Johnson, Teslin Tlingit Council (p. 5).

Our art and culture is very healing to us as a people. Our culture, art and songs give us our strength, the right to come back and be healthy again. Art is very individual—Peter Johnston, Teslin Tlingit Council (p. 30).

I live to bring the culture back. I live for teaching. It’s the secret to my success because I learn while I am teaching the students—Keith Wolfe Smarch, CTFN (p. 29).

We need to open our arms to the youth and teach them, so our culture and heritage won’t be lost. We need to listen to them, to give the youth hope for the future. Once the highways were built we lost our kids, we lost their heritage. The youth are the grassroots of our future government. It’s up to us if we want to keep our culture, our heritage, our language going, so we must teach them—Percy Henry, TH (p. 30).

How are we able to allow our children to understand what oral tradition was and is, doesn't fit only within Chapter 13. Heritage and culture permeates through the whole agreement—Diane Strand, CAFN (p. 9).

How do we carry on these things that we start, how do we ensure we protect things for the future? We have to document the history of our languages, what Elders have to say, what people have to say about the present day. What about the stories right now? We have to create the language to make it useful for today—Mary Jane Johnson, Kluane First Nation (p. 6).

As Tlingit person, our art is our culture. We wear our crests. Artists make it real and make it alive. Otherwise it's just an object—Keith Wolfe Smarch, CTFN (p. 29).

Storytelling through songs and dance is a very important element. Our children are thirsty for that knowledge, they are open to it—Mary Jane Johnson, Kluane First Nation (p. 21).

Before the white man came we had traditional law. We managed the land and the culture and everything. It was taken from us when we went to residential school—Lizzie Hall, Selkirk First Nation (p. 7).

CTFN's Book of Statutes – Traditional Beliefs and Practices

One of our partner nations, Carcross/Tagish First Nation, has also put considerable effort into articulating the beliefs and practices that underly its Tlingit-Tagish culture. The “Book of Statutes” document developed by CTFN presents traditional stories, and discusses the beliefs and practices that underlie these stories; the responsibilities that follow from these beliefs and practices are also considered. Presented here are two quotations from the Book of Statutes that speak to heritage matters.

Culture to many people is what we are. It's our language, our way of conducting ourselves, honesty, trustworthiness, knowledge of the ancestors, the dancers. That is our culture—Clara Schinkel (CTFN undated, p. 74).

We don't want to lose our culture but maintaining our culture is not making it static, but making it dynamic. That means that in this contemporary world, we formalize the values and the virtues in these laws that are a reflection of who we are as a people, as a Nation. When we look at codes of conduct, it is about those virtues and values and of how we want to reflect them. They are in our lives. That is another kind of perspective. By doing that, we are carrying on the traditions of our ancestors and I think [it] is about the virtues and the values and being able to express them, to bring them into how we conduct ourselves, and how we conduct our affairs, all those things. This is about a legacy. It is both a legacy that our ancestors taught us this, and it is about a legacy to our future generations as well—Mark Wedge, in conversation with Khà Shāde Héni Mark Wedge, 2005 (p. 84 in CTFN undated).

2.5. Yukon First Nations Heritage Programs

Yukon First Nations have formal, legal rights and responsibilities in the heritage area that are unique in the Canadian context. Chapter 13 of the agreement includes tasks where Yukon First Nation governments are solely responsible, others where they are jointly responsible with Canada and/or Yukon government(s), and finally, situations where they are a party to be formally consulted.

This reality, in tandem with a strong desire to see YFN cultures strengthened and carried forward to future generations, has led most YFN to establish heritage programs with full-time, permanent staff. Champagne and Aishihik First Nations established the first YFN Heritage staff position in 1993, and as of summer 2013, nine of the 11 self-governing YFN had at least one full-time dedicated heritage position. The heritage programs operated by YFN allow Yukon First Nation governments to fulfill the above-mentioned obligations. For example, because heritage resources “related to the history and culture of Yukon Indian people” are to be managed with respect to YFN values and traditions, the YFN heritage programs provide input on the latter. Furthermore, given that knowledge of these traditions is (generally speaking) not written in books, ongoing consultation, including work with Elders and other community members, is required to learn about these values and traditions. Such tasks fall to heritage offices or programs run by the YFN.

Further details on the heritage obligations of the First Nation governments are specified in the Final Agreement Implementation Plan of each First Nation. For example, the Tr’ondëk Hwëch’in plan states that YFN are to develop and establish heritage policies and procedures through mechanisms such as community-based research. The Implementation Plan thus calls for exactly the type of work being done by the present study.

The existence of full-time staff working on heritage matters has resulted in continuity in staffing and heritage program operations. These programs are allowing Yukon First Nation governments to effectively fulfill their role as the official voice on history and heritage matters. Knowledge that is important to the community is being documented. Some additional benefits that have been recognized include opportunities for liaison with the local school(s) and formal education system; consideration of heritage issues in resource management contexts and as part of economic development initiatives; effective liaison with outside researchers; and consideration of heritage issues in other FN government operations.

The staffing and administrative situation differs among YFN and the partners in this study. As of the date of this report, the heritage offices of the YFN partners were staffed as follows:

Carcross/Tagish First Nation – Three full-time Heritage staff, including Cultural Projects and Language Coordinator, Lead Carver and Heritage Manager; this is an increase from one position at the initiation of the IPinCH study. Since 2006, CTFN has had a strong carving program under the leadership of Keith Wolf Smarch (Figures 2-5). The current project, a 30-foot story pole scheduled for completion in 2015, will be the tenth pole finalized since the IPINCH project was initiated. The CTFN Tlingit language program is staffed by three part-time positions (two of which are Elders), as well as occasional contract positions. The primary focus of the language program is the children (0-5 years

of age) in the Yadek du Hidi Day Care. We have also begun offering Adult Language programming focusing initially on First Nation staff. Further expansion of CTFN's Heritage “branch” is anticipated in 2015.



Figure 2. Master Carver Keith Wolfe-Smarsh with Eleanor Hayman and Nicole Aylwin at the Carcross Carving Shed, August 2012. Credit: Catherine Bell.



Figure 3. Heather Jones at the CTFN Carving Shed, August 2012. Credit: Catherine Bell.



Figure 4. Nicole Aylwin, Keith Wolfe-Smarch, and Eleanor Hayman at the Carcross Carving Shed, August 2012. Credit: Catherine Bell.



Figure 5. Master Carver Keith Wolfe-Smarch (centre) explains the carving process and program at the CTFN Carving Shed with (L-R) Cathy Bell, Dwayne Johnson, Eleanor Hayman, Nicole Aylwin, August 2012. Credit: Sheila Greer, CAFN.

Champagne and Aishihik First Nations – 9 full-time staff (Director, Language Manager, Language Support, Programming and Education, Collections, Archives, Facility Manager, Building Technician) with additional seasonal positions and contractors (Figure 6). Administered with the Department of Language, Culture and Heritage since spring 2013; previously administered with Department of Heritage, Lands and Resources. CAFN operates the Da Kų Cultural Centre in Haines Junction.



Figure 6. Champagne and Aishihik First Nations Elder Paddy Jim points out landmarks to staff Paula Banks on the floor map at Da Kų, the CAFN Cultural Centre, June 2013. Credit: Amy MacKinnon, CAFN.

Ta'an Kwach'an Council – Two full-time Heritage staff, with support from part-time staff and contractors, plus language teachers. Administered within Department of Lands, Resources and Heritage, with Language administered under Education Department (Figure 7).



Figure 7. Screen shot from the Ta'an Kwäch'än Council webpage highlighting Southern Tutchone language place names in their traditional territory (www.ta'an.ca). Credit: TKC.

Tr'ondëk Hwëch'in – Approximately 12 full-time staff, as well as part-time and seasonal staff (Director, TK Specialist, Collections, Heritage Officer, Heritage Assistant, Cultural Education Coordinator, Artifact Cataloguers, Cultural Centre Manager and Interpreters) (Figure 8). TH operates the Dänojà Zho Cultural Centre facility in Dawson, and co-manages a number of officially recognized heritage sites. The First Nation is also currently exploring the Tr'ondëk/Klondike World Heritage Site Nomination.



Figure 8. The Tr'ondëk Hwëch'in Heritage Department hosts the bi-annual Moosehide Gathering at Moosehide Village on the Yukon River August 2012. Credit: Sheila Greer, CAFN.

2.6. The Multi-Government Heritage Resource Manual Effort

As noted above, a number of key terms used in Chapter 13 remain to be defined. These are words or phrases that indicate which party (i.e., the First Nation or other level of government) owns and therefore has authority over the heritage resource so defined, thereby establishing jurisdiction over such resources. The UFA specified a process to address this definition gap by calling for “the development, revision and updating of a manual including definitions of ethnographic, archaeological, paleontological, and historic resources, to facilitate the management and interpretation of these resources by Government and Yukon Nations” (UFA 13.5.3.6).

In 2010, after the present study had gotten underway, an effort to develop the Heritage Resource Manual referred in to Clause 13.5.3.6 was initiated by the parties to the UFA. Heritage staff and officials of YFN and the Yukon Government participated in this process, along with a representative of the Yukon Heritage Resources Board, which had observer status. Canada chose not to participate in the meetings, but this does not preclude future involvement. These heritage meeting between representatives of the Yukon Government and the Yukon self-governing First Nations, have been referred to as “The Heritage Manual Table.”

The Heritage Manual Table met seven times over four years: in September 2010; in January, February, April, and October 2011; in January and February 2012; and in February 2013. The group accepted a facilitated process in an attempt to make progress on the issues to be dealt with, and various sub-groups were established. Many important insights regarding YFN perspectives on heritage and heritage resource management were shared at these sessions, which involved broad discussions that were at times personal and emotional.

Work completed in the course of the present study assisted in these negotiations. However, we are unable to give greater detail here as the information shared at the Heritage Manual Table by the various governments was done on a “without prejudice” basis, and not intended for public release.

The Heritage Manual Table was temporarily suspended following the session held on February 19–20th, 2013. A date for resumption of talks has yet to be established.

2.7. More Recent Yukon First Nations Collective Work on Heritage

While the Heritage Manual Table has yet to achieve a successful outcome, YFN found the process to be a productive and valuable exercise. As they expressed their concerns and communicated their priorities, the YFN members who gathered to discuss future heritage management with Yukon Government representatives recognized their common approach and interests.

The Heritage Manual Table process thus led to the self-governing Yukon First Nations meeting on their own without representatives of Yukon Government. The purpose of these YFN Heritage Caucus sessions was to further consider their collective approach to heritage management. The first of these YFN heritage meetings took met in Dawson in May 2012. At this session, the commonalities of YFN Heritage

were discussed, and the benefits of YFN working together agreed upon. Subsequent caucus sessions took place at Brooks Brook (Teslin Tlingit traditional territory) in July 2012, and again in Teslin Tlingit territory during the July 2013 bi-annual Ha Kus Teyea Celebration held in the village of Teslin. The topics discussed at these sessions ranged from the general to the specific, with some sessions focused on process, others presenting questions similar to those considered in the present study (see Methodology section below). The YFN Heritage Caucus became more aware of the culturally loaded nature of some key terms used in contemporary mainstream heritage management, as discussed in Section 7.4.

During the July 2012 session at Brooks Brook, common themes and values identified and discussed, included:

- Activities (doing things) have priority over static objects;
- It is necessary to think of seven generations into the future;
- Everything is connected, we are part of the whole, and not separate, or “above” it;
- Traditional knowledge is a living thing, not static;
- Our culture is flexible, which means it has and will change;
- It is necessary to think long-term, in a sustainable manner;
- Heritage management presents an opportunity to communicate and practice traditions;
- Education is critical;
- It is necessary to be precise with language, since generalizations water down the values;
- Impacts on one aspect can cause effects on other things (ripple effect);
- We have to share the land, the work, and the responsibility;
- We need to be present on the land; and
- It is necessary to take the time to get it right;

The YFN Heritage Caucus sessions led to the collective development of several YFN heritage documents. The first is the *YFN Heritage Management Framework*. Considered a work in progress, with the last draft dated spring 2013, this document outlines the legal and administrative context within which YFN see heritage resource management taking place in the Yukon Territory. The Framework document articulates the values that underlie YFN’s approach to heritage; these are respect, integrity, caring, and sharing (knowledge and resources). Also under development is the *YFN Stewardship Guide*, which is intended as a “how-to” manual for YFN heritage offices. The First Nations have also initiated the process of developing their own *Heritage Legislation*. The latter is being constructed as model legislation that each First Nation will be able to customize into its own.

Select Quotations from the YFN Heritage Caucus Sessions

Information from our study has informed these other YFN Heritage initiatives, and vice versa. A few select quotations from the caucus session held in July 2012 are presented below, including some from individuals who are citizens of Yukon First Nations that were not partners in the present IPinCH project. The sentiments expressed in these sessions, including the statements shared here, are in-line with what was heard at the various IPinCH data-collecting sessions.

Text presented in brackets (“[]”) in the quotations has been added by the compilers for clarity.

So much teaching happens at fish camp, and it's a loss if there are no enough fish, to allow us to go to fish camp. Its not just about getting the fish - making and repairing the net, the weather that tells that the fish are coming, the importance of sharing and passing on that knowledge. Granny said, you tell a story, you tell same way. Berries, don't take them all. Sacred sites, you hear about them when you go by them, [and through this sharing] you learn about your spirituality—Teslin Tlingit Council citizen.

[Referring to need for Yukon First Nations Heritage Legislation] *Heritage is not our word; culture is not our word; we need to look in our languages for words to express what we mean, not define ourselves by one simple word that is not ours—Kluane First Nation Elder.*

The Elders need to be pro-active and interest [to work] with the youth, to show them how we lived long ago... We need to open our arms to the youth and teach them, so our culture and heritage won't be lost. We need to listen to them to give the youth hope for the future. Once the highways was built, we lost our kids, we lost their heritage. The youth are the grassroots of our future government. It's up to us if we want to keep our culture, our heritage, our language going, so we must teach them—TH Elder.

We have a responsibility to educate, to be precise in what we are saying, don't refer to whatever as a “resource” since there is no such word in our language. Don't be general; if berries are valued, then say it—Kluane First Nation Elder.

In our way, we tell stories, to get something out...Heritage is our way of life. When Elders talk, you heard [them]. It comes back to respect. We need to protect our heritage or land, [so] there will be something left for our future. How long we took care of the land—TKC citizen.

3. METHODOLOGY

3.1 Objectives, Design, and Implementation

This report represents a range of participant understandings of, and experiences with, YFN cultural heritage practices, law, and policy. It is organized thematically around information derived primarily from focus groups and interviews with Elders, Youth, and other YFN citizens engaged in heritage work and who are considered by their respective communities to be knowledgeable in cultural matters. It also draws on conference proceedings and other YFN heritage resource initiatives (see “Background to the Present Study” section 2 above). However, it is not intended to be a comprehensive review of YFN relationships and laws concerning heritage. Rather, it forms part of a larger initiative by YFN that explores potential implications of founding YFN heritage resource management (HRM) law, policy, and practice on YFN values, including interpretation of inter-governmental relationships and responsibilities over heritage under Chapter 13 of the UFA.

Initiated by the Champagne and Aishihik First Nations (CAFN), original YFN partners included the Carcross/Tagish First Nation (CTFN) and the Ta'an Kwach'an Council (TKC). The research program was designed, steered and implemented by an Organizing Committee (OC) composed of heritage workers

from these partners: Paula Banks and Sheila Joe Quock (CAFN), Mark Nelson (TKC), and Susan Mooney and Heather Jones (CTFN), in collaboration with Sheila Greer and Catherine Bell. All YFN members were invited to participate. Some changes subsequently took place: in 2011, Susan Mooney and Mark Nelson changed employment; TKC elder and staff member Betsy Jackson joined the OC in 2012; and Tr'ondëk Hwëch'in (TH) became a partner in the spring of 2012 and Jody Beaumont joined the OC. Throughout the project, TKC Elders and Elder Mark Wedge (CTFN) played a vital role in a number of ways, including sharing their teachings, guidance, and encouragement; reviewing transcripts and drafts of this report; participating in workshops; and advising us on content of the report and processes for its verification.

The project methodology was informed in part by research ethics policies of partner universities (University of Alberta and Simon Fraser University) and YFN law and policy. The latter maintain that YFN citizens and governments are responsible for holding, protecting, preserving, and managing traditional knowledge, including information shared through interviews, focus groups or other means about heritage resources. This responsibility includes the role (as determined by each Yukon First Nation government or its designate) of approving the terms of research contracts and reviewing research outcomes to assess sensitivity of information and/or ensure that the integrity of traditional knowledge is retained in the process of gathering and documenting it. Thus, YFN control of, and meaningful participation in at all stages of the research program has been central. Respect for YFN laws regulating ownership and control over written, digital, audio or other records; the right of participants to review how information is quoted, contextualized and interpreted; and the right to approve or withdraw information before publication are all reflected in participant consent forms (see **Appendix B**). However, as elaborated below (3.3 “Challenges and Limitations”), over the five years of the project, the nature of the partnership with some YFN partners changed, and the detailed consent forms required by academic partner institutions was not the preferred means for communicating rights and responsibilities of researchers, academic institutions, governments and participants.

Research progressed in ten stages over five years:

- 1) conceptualization of the research questions and funding;
- 2) development and testing of a preliminary question set;
- 3) data collection through document review, focus groups and interviews;
- 4) identification of themes emerging from transcripts, and preparation of a draft thematic report for review by the Organizing Committee (OC);
- 6) sharing of initial outcomes with partner YFN and Indigenous law and cultural policy experts from non-Yukon institutions (see **Appendix C**);
- 7) creation of an elaborated version of the thematic report (referred to as Draft Final Report) which expanded analysis and incorporated quotes from study participants;
- 8) review and comment on the Draft Final Report by the OC and TKC Elders, with instruction to incorporate relevant content from other sources;
- 9) revisions to Draft Final Report and review by the OC; and

- 10) IPinCH internal review of Draft Final Report; revisions with subsequent version revised by OC, before its public distribution.

3.2 Workshop Sessions, Focus Groups, Interviews and Participants

Interviews and focus groups were conducted during the summer of 2012 based on a standard question set developed by Sheila Greer (see **Appendix D**). The questions created were intended to serve as a general guide to structure dialogue, allowing for more narrative responses and elaboration of topics that participants thought most relevant to the broad subject areas. The questions were tested and modified at an initial workshop and data collecting session with the OC held in Whitehorse on July 18–19th, 2011. Subject areas for the questions were also discussed with the understanding that questions could and would change to reflect local heritage protection priorities, practical community information needs, and differing cultural understandings. Other topics discussed at the July workshop included research goals (both broad and community specific) and outcomes; phases and time lines; short-term community benefits and long-term benefits of research and publication; YFN laws and research protocols around traditional knowledge and other forms of heritage and authorization processes; IPinCH and university ethical regimes applicable to the research; IPinCH, University of Alberta, and YFN resources to support the research; budgets (for travel, equipment and interviewers, translators, interpreters, other participants); research experience and training materials; culturally appropriate methods to gather and record information and consents; selection of participants; disposition of data on completion of research; copyright, data ownership and published outcomes; and potential risks of participation.

Questions continued to be modified and evolved as the project's ability to articulate the differences between mainstream understandings of heritage and those of YFN citizens and governments improved. In particular, we moved away from seeking information on specific details about how a value held by YFN might affect management of a particular type of resource (e.g., a beaded bag; Uncle Bob's cabin) and towards higher level generalized discussions about the meaning of heritage, responsibilities toward it, and the role it plays in one's life as a YFN citizen. Interviews and focus groups took place as detailed below.

Session 1 (July 18-19, 2011)—This workshop developed the research program and testing the question set with staff/representatives of then partner YFN, including Heather Jones, (CTFN), Paula Banks, Sheila Joe-Quock and Sheila Greer (CAFN); absent Mark Nelson (TKC), with Cathy Bell as facilitator and Andy Patterson as recorder. The session was held over two days at the CAFN offices in Whitehorse.



Figure 9. Recorder Andy Patterson, Heather Bell (CTFN), Sheila Joe (CAFN), and Paula Banks (CAFN) during Session 1, 2011. Photo credit: Catherine Bell.

Session 2 (July 26, 2012)—This focus group was held with CAFN Youth, including Candice Boyle, Michelle Dawson-Beattie and Chase Smith-Tutin. CAFN Heritage representatives Paula Banks and Sheila Greer present, with Cathy Bell as facilitator and Joanne Lauder and Jessica Lai (visiting post-doctoral students) as recorders. This half-day session was held at the Da Ku Cultural Centre in Haines Junction. Team members also attended the CAFN Annual General Assembly and opening ceremonies for the Da Ku Cultural Centre.



Figure 10. Recorders Jessica Lai and Joanne Lauder, Paula Banks with youth Michelle Dawson-Beattie, Candice Boyle and Chase Smith-Tutin and Sheila Greer during Session 2, 2012. Photo credit: Catherine Bell.

Session 3 (July 31, 2012)—This focus group was held with TKC Elders, including Frances Woolsey, James Miller, Norman Adamson, Sam Breoren, and Louise Clethroe, staff member Betsy Jackson, and TKC guest Vera Asp, with Cathy Bell and Sheila Greer as facilitators and Joanne Lauder as recorder. This day-long session was held at Helen’s Fish Camp, Lake Labarge, in TKC traditional territory.



Figure 11. TKC Elder Gail Anderson and Sheila Greer at Session 3, at Helen’s Fish Camp, 2012. Photo credit: Catherine Bell.

Session 4 (August 1, 2012)—This focus group was held with CAFN citizens Lorraine Allen, Amanda Workman, Harry Smith, Frances Oles, and Nadia Joe, and researcher Sheila Greer, with Cathy Bell as facilitator and Joanne Lauder as recorder. This half-day session was held at the CAFN office in Whitehorse.



Figure 12. Amanda Workman, Lorraine Allen, recorder Joanne Lauder, Harry Smith, Frances Oles, and Sheila Greer at the CAFN Adult Session, 2012. Photo credit: Catherine Bell.

Session 5 (August 3–4, 2012)—This meeting included TH heritage staff and citizens Allie Winton, Jody Beaumont, Georgette McLeod, Jackie Olson, and Elder Angie Joseph-Rear, with Sheila Greer and Cathy Bell as facilitators and Joanne Lauder as recorder. It was divided in two, 2-hour sessions, over two days at the bi-annual Moosehide Gathering, Moosehide Village, TH traditional territory.



Figure 13. Recorder Joanne Lauder and Sheila Greer with Angie Joseph-Rear and Jackie Olson at the TH session at the Moosehide Gathering, 2012. Photo credit: Catherine Bell.



Figure 14. The reading of the UN Declaration of the Rights of Indigenous Peoples at the 2012 Moosehide Gathering. TH Heritage Staff Georgett McLeod stands in centre foreground of this image, with her back to the camera, 2012. Photo credit: Catherine Bell.

Session 6 (August 5-6th, 2012)—This gathering included Elders Annie Auston and Mark Wedge, CTFN heritage staff Heather Jones and other CTFN citizens, Bev Sembsmoen, Ralph Sembsmoen, Keith Wolfe-Smarch, CTFN visiting researcher Eleanor Hayman, and IPinCH fellow and doctoral student Nicole Aylwin. The session was facilitated by Cathy Bell and Sheila Greer with Joanne Lauder as recorder. This was a multi-session, two-day retreat at the Dora Wedge family camp, Millhaven Bay, Bennett Lake, CTFN traditional territory.



Figure 15. Group around the cabin table; recorder Joanne Lauder (back to camera), Heather Jones (standing), Eleanor Hayman, Elder Annie Austin, Nicole Aylwin, Sheila Greer and Mark Wedge at Session 6, Millhaven Bay, August 6, 2012. Photo credit: Catherine Bell.

Session 7 (August 7, 2012)—A half-day session took place at Skookie’s Camp, outside Carcross, with CTFN staff Heather Jones and Elders and researchers Cathy Bell, Nicole Aylwin and Sheila Greer with Joanne Lauder as recorder. This session began as a discussion of the purpose of the research project and broadly about cultural heritage. The Elders decided not to have the session recorded but gave the research team helpful information and guidance. A further session was anticipated but did not occur given time, capacity, and monetary constraints and changing priorities of CTFN.

Session 8 (January 24, 2014)—At this meeting, the representatives of the participating First Nations, along with many of the TKC Elders who had participated in Session 3, met in Whitehorse to review the second report. While this was not one of the project’s formal data collecting sessions, suggestions for improving the document were provided at this session. We also discussed how the information was going to be used; the overall evolving legal context within which the study is situated; whether the report should be released to non-YFN audiences; the appropriate processes for authorizing release of the report; and the time line for dissemination for the necessary approvals. The session was facilitated by Sheila Greer and Catherine Bell, with Heather Thompson recording. In attendance were Paula Banks (CAFN), Jody Beaumont (TH) by phone, Jackie Olson (TH), Betsy Jackson (TKC), and TKC Elders Louise Clenthroe, Norman Adamson, Gail Anderson, Betsy Jackson, James Miller, Frances Woolsey. IPinCH Ethnographer Alexis Bunten joined part of this session by phone.



Figure 16. The January 2014 meeting in Whitehorse. From left: recorder Heather Thompson (back to camera), Betsy Jackson (TKC), Jackie Olson (TH), Norman Anderson (TKC Elder); right side: Gail Anderson (TKC Elder), Louise Clethroe (TKC Elder), Frances Woosley (TKC Elder), Sheila Greer, Paula Banks (CAFN), and James Miller (TKC Elder). Photo credit: Catherine Bell.

3.3 Report Preparation

Initially, community members and then university-based research assistants were hired to transcribe and thematically organize interview, workshop and focus group data.

Transcripts were then provided to the Organizing Committee (OC) to review. This allowed for mis-labelled speakers to be properly identified, as well as mis-understood words and concepts to be corrected by those knowledgeable of the context being discussed. There was minimal need to remove sensitive information from the transcripts, however, as such matters had been dealt with during the data collecting sessions by suspension of the recording process.

Analysis of the transcripts began with Nicole Aylwin and Catherine Bell identifying key words, phrases, and themes contained within them. University student research assistants reviewed transcript data and produced a draft thematic report that organized information under the following broad themes: 1) understandings of cultural heritage; 2) teaching and learning (learning and respect); 3) significant things and objects; 4) old and significant places; 5) Yukon First Nation government policy and practice; 6) tensions between heritage law and YFN experiences; and 7) significant activities and places. Within these, more specific themes were also identified (e.g., heritage as process and knowledge sharing, respect for things and places, spirituality and sacredness, concepts of ownership and responsibility). The first report containing a sampling of quotes was then circulated to the OC for review.

The first report formed the basis of a presentation by the OC at a one-day symposium, “From Values to Policy and Legislation: Breaking Trail in a Heritage Self-Governing Context,” held in Whitehorse in March 2013 (see **Appendix C**). Developed in collaboration with the Canadian Forum on Civil Justice and the York Centre for Public Policy and Law, this event brought partner YFN legal, policy, and heritage staff and Elders together with academics specializing in Indigenous law and policy to explore two key questions: 1)

How can/do YFN values, relationships and legal principles inform Yukon First Nation government policy, practice, and legislation?; and 2) What are the dangers and risks of formalizing these values in a way familiar to Canadian legal and policy frameworks? Notes taken at the session were shared with YFN partners and broader observations were incorporated into the Analysis section of this report (see Section 6). The session was audio and video recorded by Heidi Beisjen and Saori Miyazaki and excerpts were edited for the IPinCH Knowledge Base and dissemination on the IPinCH website.⁹

Following the Policy session, Sheila Greer prepared a second expanded report that adopted a manner more consistent with YFN norms for reporting traditional knowledge research. This report version included the same content as the initial thematic draft, with errors of interpretation corrected; these errors largely arose from a lack of familiarity with the context being discussed. Content added to this report version included: 1) front cover material highlighting some YFN statements on what their YFN heritage means to them (“Some of Our Words”) (“Our Words in Song”); 2) background sections on the participating First Nations and the current heritage negotiations with other governments; 3) extensive sampling of YFN citizen responses to the questions organized according to the topics of the interview questions; and 4) an expanded analysis section. The latter explored topics and themes that came forward during the data collecting sessions under headings other than those employed in the initial question set.

During 2013, negotiations at the Heritage Management Table with the Yukon government on interpretation issues relating to jurisdiction and implementation of the Heritage Chapter 13 were suspended. As a result, YFN shifted their focus to developing a common Heritage Management Framework, as well as exploring what First Nation legislation might look like. This resulted in a delay in drafting the elaborated version of the project report, in order to allow for a careful review of its content to ensure it did not contain any confidential information. Information was also provided to YFN partners on how the principles informing the Heritage Framework intersected with the insights on YFN heritage values, laws, and practice emerging from this project. These and other developments stretched the capacity of heritage workers working on the project.

The elaborated report was reviewed by the OC and TKC Elders at a meeting held in Whitehorse on January 24th, 2014. CTFN was unable to attend but was provided with a copy for comment. At this meeting representatives of the participating First Nations were clear in their statements regarding the value of sharing this report with YFN and non-YFN audiences. The TKC Elders attending the session expressed sentiments to the effect that it was important to record and share this information for YFN children but also to help non-YFN citizens understand the centrality of heritage to YFN identity and survival. Approval processes were also discussed, including wider circulation of the report to the Elders Councils for TH and TKC. Both edits and additions were suggested to the report. Catherine Bell, Heather Thompson, and Sheila Greer completed further revisions, including acknowledgements, expanding the discussion of methodology, and incorporating changes suggested. The latter included a directive to maintain a positive tone and at the same time communicate some of the challenges faced by YFN, such as the impact of residential schools on sustaining language, transmitting heritage, and heritage research.

⁹ Unfortunately the quality of the recordings was too poor or inconsistent to be made available on the website.

Another objective was to include enough information to ensure that the report's historical context, evolution, purpose, and methodology were properly understood.

Further versions of the elaborated report, by now referred to as the "Draft Project Report," were circulated for review to the OC and appropriate authorities of the YFN partner governments for review in September 2014, January 2015, and November 2015. From this point on, document revisions were largely limited to incorporating all the analysis content discussions together in one Section, #6, and within that section, re-ordering the topics considered to reflect YFN priorities and values; and text smoothing.

3.4 Inherent Limits and Challenges to Our Methodology

There were several challenges in meeting our objectives inherent in the cultural (including academic culture), geographical, legal and financial contexts of our research. A fundamental one was finding words to communicate YFN concepts, laws and values in a way that can be understood and implemented in Western policy and legal context, such as UFA Chapter 13. This challenge is most apparent when there is no equivalent word or concept in English categories of property or cultural heritage for YFN understandings or such categories are inappropriate, inaccurate, or insufficient in some other way. However, it also arises because legal agreements, such as land claim agreements, seek certainty in defining property rights and governmental responsibilities. YFN concepts of heritage are dynamic, diverse, relational, integrated, and lived in a way that is difficult to articulate in fixed categories and with the nature of certainty anticipated by Canadian property law, mainstream heritage practice and Chapter 13. For example, understandings of what constitutes a "direct relationship" between YFN and an item for the purpose of establishing YFN ownership and management may vary with the nature of an item, spiritual powers or practice, or stewardship responsibilities derived from YFN laws; the latter may or may not place emphasis on the age of an item, geographical location, or ancestral connection through acts of creation or prior physical possession. These are all factors determinative in Canadian heritage law and practice norms for allocating government ownership and control. The term "ownership" itself is a Western legal and economic concept imposed on YFN because of the necessity of protecting their rights through land claims, but one which does not accurately or satisfactorily convey all aspects of YFN relationships to all forms of property, including those that emphasize stewardship and responsibility.

For these reasons, although an objective of this report is to articulate values, norms, laws or practices that may affect interpretation of rights and obligations under Chapter 13, we do not confine or organize YFN understandings of heritage or relationships to heritage according to categories articulated therein. Instead, our focus is on YFN concepts of heritage and themes that emerge from YFN experiences of heritage to give more content to the phrase YFN "values and culture" for interpreting provisions of Chapter 13. We also identify areas of tension with mainstream heritage definitions, concepts, and practice as understood by participants. Extensive quotations are also included before our summary and analysis of YFN heritage values so that the integrated, dynamic and lived experience of heritage informing our analysis is respected and reflected.

Two key principles informing our methodology were (1) production of practical benefits for YFN partners (including through education of non-YFN citizens), and (2) compliance with YFN laws and protocols. Research protocols, laws concerning gathering and use of information, and the role or authority of individuals or groups within the community to oversee conduct of research, or concerning control over products of research, vary among YFN, and in some instances are in the process of development. As a result, the expertise of team members in these areas was central to effective and ethical implementation of our research in accordance with YFN law, policy and practice. Only CTFN had formalized and codified traditional knowledge laws and policy. However, all YFN partners were implementing in practice aspects of a draft Traditional Knowledge policy; the latter specifies, for example, YFN ownership and control over traditional knowledge in the form of ethnographic data gathered from YFN citizens on YFN territory and products of research using such knowledge.

The roles and responsibilities of researchers and YFN partners were included in a research workbook prepared for discussion at the July 2011 planning workshop. However, they were not formalized through memoranda of understanding or other contractual research agreements. It was understood that roles might change as the project evolved and as agreed by the Organizing Committee. For example, ultimately it was decided the Coordinators would lead the interviews and focus groups and that these would be held largely over a two-week period. Our roles were set out as follows:

1. Coordinators Catherine Bell and Sheila Greer (in consultation with YFN partners) would: a) coordinate workshops with heritage staff and representatives of the community; b) assist Heritage staff with focus group and interviews; c) conduct initial interviews with Heritage staff; d) liaise with members of the wider Yukon Heritage community; e) develop question sets; f) direct legal and social scientific research; g) prepare progress reports to funders; h) lead the processing and compilation of data; i) lead the review and analysis of compiled data; prepare draft reports; j) coordinate and lead team meetings; and k) oversee the project research budget.
2. YFN Partners would: a) recruit participants from respective communities; b) conduct small focus group sessions and interviews; c) conduct follow-up interviews if necessary; d) assist in the review and analysis of compiled data; e) provide input for draft final report; f) vet, in conjunction with representatives of the community, the final report; g) participate in OC team meetings when required/available; h) develop appropriate outcomes stemming from the compiled data and final report; i) ensure the necessary permissions are gained; j) share responsibility for maintaining security of the information shared by study participants with CAFN; and k) offer participation of heritage workers in workshops and focus groups.

Control over data and products of research was addressed in four ways:

- 1) every partner government heritage office acted as a repository, maintaining security of transcripts and recordings originating from their communities following the completion of the research;

- 2) participants retained control over use of their information in document and digital products coming from the research;
- 3) the appropriate YFN processes for approval for release of information were adopted; and
- 4) Yukon First Nation government partners or their designates were named as co-authors of the final publication, thereby holding rights of authors under Canadian law. Co-authorship is also a way to acknowledge authorship in a manner that respects oral and written traditions given the extensive oral contributions by YFN citizens.

Our project raises the broader issue of the challenges of time, momentum, and expense raised by collaborations between academic institutions and First Nation governments. More time is often required than available through standard two- or three-year research grants to move research outcomes through various stages of review and approval to publication in a way that ensures equal respect for First Nation laws and processes. At the same time, too much time passing can also result in shifting priorities, reduction in capacity, inability to comply with First Nation laws in a timely way with sufficient financial resources to support necessary processes, and other changes that impact the ongoing relevance and benefit of research to the community or prevent completion of outcomes in the original way anticipated. Despite familiarity with and use of technology, the building of relationships and clear communication through in-person meetings is the preference for information exchange between parties collaborating on a project such as this. The need for multiple community representatives to be involved in a project also must be acknowledged. These challenges were exacerbated by geographical distances, the number of partners involved, and limited staff and financial resources.

Good research relationships are dependent on trust and respect for different forms of knowledge. A challenge we faced was the inability in some instances to demonstrate respect for Elders' and other YFN members' cultural expertise through appropriate financial compensation. Furthermore, the project was stressed to align YFN concepts of consent with that demanded by the university. The former arise out of trust-based relationships; these develop over time and demands a scope of involvement beyond that of the initial study design. Regardless, academic rules regulating expenditure of research funds demand elaborate mechanisms for obtaining and extensive information for demonstrating, informed voluntary consent. The processes required by SFU generated significant discussion in our initial planning meetings about YFN consenting practices, the rationales of academic institutions, and the challenges of the latter in YFN contexts. YFN heritage workers reviewed the proposed written consent form required by SFU (Appendix B) and felt it would not be appropriate for most Elders for linguistic and cultural reasons. Cultural practices dictate that one is to be respectful of time, and that good working relationships are based on mutual trust and familiarity, including family connections. It is also important not to embarrass the Elders. Members of the OC felt the length and complexity of the form would be intimidating and would not be understood by many of them. Also, it was felt by those who work with the Elders that going over it and reading it in detail to obtain verbal consent would be disrespectful. What was important from the YFN perspective was communication of the information by someone the participants had a relationship with in the simplest and most respectful way that would be understandable by the study participants, whether Elders, youth, or others. Ultimately, lack of institutional flexibility in this area

resulted in the necessity of preliminary discussions with some Elders by those with close relationships with them and inability to obtain consents necessary to use information from some sessions where Elders wished to explore issues and share information with us, but did not wish to record or to sign consent forms.

From the Yukon First Nations' perspective, consent is also context dependent. That is, an individual may consent to participate in a study, and to have the information they have provided be used to help articulate the nature of Yukon First Nations approach to heritage. This is not, however, a blanket consent for their insights to be used for unknown purposes in the future. To address this concern, the names of the individuals quoted have been removed from the report.

The social history of Indigenous peoples in Canada presents further complicating factors in undertaking heritage research such as the present effort. The residential school system and other racist social policies implemented by Canadian government severely impacted the transmission, retention, and protection of Indigenous cultural heritage in Canada. Children were removed from their families and communities and sent to schools run by churches and supported by Canadian governments that oppressed Indigenous languages and traditions through shame and corporal punishment. Many other abuses occurred and children died from various diseases. The residential school experience led to a disruption in the transference of language, heritage practices, Indigenous laws, and parenting skills from one generation to the next, and contributed to alcoholism, family breakdown, illness, economic and other forms of social hardship. Survivors of these schools were taught to hate or feel ashamed of themselves, their people, and their culture. Despite the significant impact this has had on YFN citizens and their cultural heritage, such as language retention, the message conveyed by representatives of the participating First Nation Governments, as well as the TKC Elders at the January 2014 session was that Canada did not win and that YFN cultural traditions and values remain strong.

Even when potlatches and stories were forbidden, one TKC Elder remembered travelling as a girl with her family to a potlatch at Carcross. She recalled the cultural protocol required when arriving at such gatherings: "We had to announce who we were, where we come from, who are relatives were—before we could sit down." This Elder also recalled that "we knew it was forbidden to potlach and could not be talked about" (January 27, 2014, Whitehorse). Reflecting on what "heritage of Yukon First Nations" means to her, another TKC Elder says YFN heritage is a way of life and despite the efforts of Canada to suppress it, adding that:

But to me it is my way of life the way I was raised and how I want my grandchildren and great grandchildren to be able to know who they are. I don't think that we fit into the archaeology definition and stuff like that and we're still here. The one thing I thought too through my life and I look at all the people that worked on Land Claims and how the residential schools wanted to make us white people. I really feel that they didn't succeed; we're still here and moving on and carry on in the context of a world that is really at some point strange. So I don't know if they will get their definition the way that they want it. This is the same thing that I heard in Teslin, everybody talking and saying, "It's our way of life" and the people sitting there asking, "How are you going to define

it?” And to me I just said it—“Heritage is our way of life.” You can’t put it into how it is in the dictionary (TKC Session 3, July 31, 2012).

4. WHAT WE ASKED AND A SAMPLING OF WHAT WAS HEARD

A sampling of the responses provided to the study questions (see Appendix D for a listing of the original question set) is presented in this report section. Note that all of the responses featured here in this section are from individuals who are citizens of the four YFN project partners. All quotations can be attributed to adults, excepting those noted as being recorded during the CAFN Youth session.

Most of the quotations presented in this and the next section are excerpts from longer dialogues by the participating individuals. This “sound bite” approach was intentionally chosen in order to let the reader “hear” the voices of those who participated in the study.

Text in brackets (“[]”) has been added by the report compilers for clarity. The discussion in section 6, Analysis, below will help readers better understand the broader meaning of information highlighted in the quotes presented here, and get the full meaning of what is being conveyed.

Readers may note that when analyzed or considered in detail, many of the quotes might be eligible to appear under more than one of the headings following below. This reflects, in part, the nature of Yukon First Nations approach to heritage, which cannot be put in tidy/distinct “boxes.”

What Does “Heritage of Yukon First Nations” Mean to You?

[Yukon First Nations Heritage] is who we are and our identification...First Nations Heritage Resources] I define it as story telling, First Nations teaching, a way you live. You can go hunting or you can go fishing or berry picking. Anything and everything you do, the way you live is your heritage. I walk it, that’s who I am! (TH Session 5, August 4, 2012).

[Heritage is] It’s kind of bringing the past forward, but also moving forward with it, in to the future. (TH Session 5, August 3, 2012).

It’s everything around us you know. We’re connected to the land, so even the grass we are sitting on has heritage value to us. We’re taught to respect and take care of...and value our Grandparents and our Aunties and Uncles and you know, extended family... Being taught the respect and the values of how we work together. (TH Session 5, August 4, 2012).

Heritage defines who we are as people, and [it’s] the essence of who we are. Yukon First Nations Heritage Resources, well, that’s everything we do, everything that we make and all our activities, our traditional ways of hunting, our child-rearing, how we treat each other as a community. (TH Session 5, August 4, 2012).

And I think our biggest material resource is ourselves, you know, is our memory, um, and how do we take this and pass it on to the future generations. (TH Session 5, August 4, 2012).

I think it’s about...holding up the integrity...of the arts and of the culture. How we do that? It’s a broad responsibility because...it’s about learning. We have a responsibility to learn about this, do

the work. (CTFN Millhaven Bay Session 6, August 6, 2012).

It's spiritual work, what I call spiritual, when I go to potlatches, when I am invited. (CTFN Millhaven Bay Session 6, August 6, 2012).

[I] live with the culture, breathe the culture, know the land, know the animals, spirits and plants. (CTFN Session 6, August 6, 2012).

[Heritage is] Who we are, and how we see ourselves, and how we perceive ourselves. (CAFN Adult Session 4, August 1, 2012).

Culture is traditional law and knowledge, and especially our language. (CAFN Adult Session 4, August 1, 2012).

Also the intangible way of expressing, of expressing or showing things, and whether it's an artwork, or stories...[and] I think the land is critical, the way of interpreting land and place is part of that. (CAFN Adult Session 4, August 1, 2012).

They usually say "Hude dän kwanje geh"; it means the way the people live long ago, or that knowledge that the people had long ago. "Kwanje" it means your well-being, your knowledge, your skills, your language and all that. (CAFN Adult Session 4, August 1, 2012).

Basically our past and everything. All our past, what our ancestors have been through and everything that has been left behind...It is part of you in a way, if you're growing up with all these traditions and everything. Teachings of your grandmas, knowing where you come from... (CAFN Youth Session 2, July 26, 2012).

Values and traditions, carrying it on. Say if you were to go hunting or whatever, it just feels good to know that you are keeping it strong and carrying it on. Even beadings, or traditional hunting or fishing or traditional medicines, potlatches, everything about our traditions. Certain ceremonies or whatever, just carrying it on. Basically just keeping it strong so that your future children will know the value of everything and how important it is to you. My Grandmother did it, my Mother did it, and my Grandchildren are going to do it. (CAFN Youth Session 2, July 26, 2012).

Heritage [is] traditional knowledge and skills, language and relationships within this group and universe. These...were given to us by our families, and other members of community, on how we should behave, acting, what you say to other people and other animals, kids and the universe. (CAFN Adult Session 4, August 1, 2012).

I just think of heritage of Yukon First Nations, I just think of my grandparents or ancestors and the way that they lived on the land, that they survived for thousands of years, and how we are still continuing to practise that. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

It's everything that makes us who are...I think about the land, I think about the language. I think our culture centres around those two things. (CAFN Adult Session 4, August 1, 2012).

When you think about heritage value, all these things are kind of integral to heritage, and I think specifically about our wildlife. I don't want to think about it as a "thing" but I think our wildlife populations have critical heritage value. (CAFN Adult Session 4, August 1, 2012).

It's cool when you're walking on a trail and you just think to yourself, I wonder my own grandma probably walked these same footsteps. It blows you away; it blows you away sometimes. (CAFN Youth Session 2, July 26, 2012).

It seems like we need to integrate knowing about something and then having the values associated with as well, so that when you teach your children where something is, that they understand the values around how to respect it. (CAFN Adult Session, August 1, 2012).

Heritage to me is kind of a home. When I go to the Gathering in Moosehide, go to Teslin to the Brooks Brook camp there, somehow I feel more comfortable there than I do if I go up to Mt. Mac's Recreation Centre or down to YTG to listen to the government. It is just a feeling of belonging. I feel like I kind of belong. (TKC Session 3, July 31, 2012).

To me it means our way of life, our way of being. (TKC Session 3, July 31, 2012).

Heritage is our lives, it is what we are. We are First Nations people who have been watered down and watered down until some of us don't look First Nations but we still are. (TKC Session 3, July 31, 2012).

It is the principles of being together and sharing with the family, these are the principles that we are honouring from the past. (TKC Session 3, July 31, 2012).

I feel very proud when I am sitting amongst our people, especially at our Elder's Council because we are like brothers and sisters. We respect everybody that sits at the table for whatever they contribute be it large, be it small. (TKC Session 3, July 31, 2012).

My son went to school in Ottawa and he came home and said Mom, "where is the moose meat? I need moose meat, I am hungry for moose meat." I asked him, if he ate down there? Yes, he said, but it is not the same. And that to me is what we are all about. Talking about the salmon and not being able to fish. The salmon is like our back bone. Our traditional foods are our back bone, and without it, what is going to happen? (TKC Session 3, July 31, 2012).

On Activities and Heritage Value/Values

[Referring to the bi-annual Moosehide Gathering], Coming together like, like these gatherings, that's a real heritage values there. They're very important to who we are as people...We learn orally and this is an opportunity to meet all your family, meet your friends, you know. It's an opportunity to catch up and see where people are at, you know. Who is born? Who's new in the family, you know? Maybe we didn't find out who is passed away. And you need to have that time to share and connect and heal, together as a group. (TH session 5, August 2, 2012).

I was raised going back to hunting camp. I have the most strong memories with grandparents; they raised me since I was a baby...that's kind of incumbent upon me as a citizen to get back out there and do those things again, because I think that's where we end up also keeping our culture alive, spending time out there. (TH Session 5, August 2, 2012).

As far as activities go, I am just so glad to see all the dance groups that have come out and started up again. When you hear the drum start your heart just feels good and I don't know why. I am so

pleased that there are lots of groups that have started. I have already mentioned places. Things that is like our gravesites, the old villages. (TKC Session 3, July 31, 2012)

My aunt came up when my dad passed away; he's not First Nations, but the people told us that we had to have a potlatch for him, we had to. My Mom said "No, because he's not First Nations" and they said "No, you have to because he belongs to us. He was here this many years, he belongs to us. He was part of our community and he did lots of things for a lot of Elders." So we had a potlatch, and my dad's sister, we brought her from Ontario, because they said someone has to witness from his family that we looked after him. So we brought her up for his funeral, and we had the potlatch after. And then that night she said to me, "I like the way you guys do it." I said, "what?" "I like the way you guys do it; everybody is welcome, everybody eats, and everybody helps to contribute to the costs." (TKC Session 3, July 31, 2012).

I know that around the potlatch, in case of funerals and headstone and that, if the person is Crow, then you have to use the people that are Wolf, to do the work for you. They have been going back to now, where in some cases they ask Wolf people to dress the body, the person. Then they get Wolf people to be the pall bearers and be the workers and they do all the preparation and stuff like that. It is kind of, in particular for my family, we usually go and set up the hall and that for the funeral, and then they get people will volunteer to set up the hall for eating. The Crow people too, when they do the collection and this too, is kind of evolving. It wasn't like this for a little while. If it is a Crow person that dies, then they will encourage the Crow people to contribute financially to the potlatch or to the collection bowl. If it's a Wolf, then the Wolf people contribute to the collection bowl. For awhile, just anybody who wanted to contribute could contribute. (TKC Session 3, July 31, 2012).

One Elder whose comments were not digitally recorded, as requested, reminded us that there are things, places, and topics of heritage value that just cannot and should not be publicly spoken about. He said some things must be treated with the highest respect, implying that not talking publicly about them is how one shows respect. (TKC Session 3, July 31, 2012).

That's why we show our [regalia]...it's not about how wealthy or rich or hard we work or what not. It's really about honouring and loving this person. That's why we do it. (CTFN Session 6, August 6, 2012).

[This individual] has got a prayer where he calls on the ancestors...by saying their names, you know, those who have gone on; [you] call them up to bring them...that would go into the orating part of the potlatches. (CTFN Session 6, August 6, 2012).

Your introduction, your traditional introduction is - I am, my parent's are, my grandparents are, I belong here, grandson of there. You make those verbal connections, bring them all into the present. (CTFN Session 6, August 6, 2012).

Every time you always say a prayer of thanks to the creator. Like if you have someone who is not doing good in the hospital, everybody like you takes 10-15 minutes of your time in the work day, and you get everybody to come to a place and you hold hands and pray. You always say thanks to the creator no matter what, and that is what keeps you really connected to your aboriginal identity. (CAFN Youth Session 2, July 26, 2012).

I think there's a lot of heritage value in passing down [traditional Indian] names...Everyone has English names, but I think it's important to pass down Native names. (CAFN Adult Session 4, August 1, 2012).

It is just like putting values and traditions and carrying it on. Say if you were to go hunting or whatever, it just feels good to know that you are keeping it strong and carrying it on. Even beading, or traditional hunting or fishing or traditional medicines, potlatches everything about our traditions. Certain ceremonies or whatever, just carrying it on and basically just keeping it strong so that your future children will know the value of everything and how actually important it is to you. My grandmother did it, my mother did it and my grandchildren are going to do it. You just want to pass it on so they will have that respect and everything and they will know how important it is. Because at one point in time we almost lost all of our culture, lost all of our language, lost everything and now we are working real hard to keep it and bring it back. (CAFN Youth Session 2, July 26, 2012).

When I think about activities, we often say, you know, story telling is, or, um, singing or dancing are important heritage value activities. But I think the things that we get is spending time with knowledge keepers, um, as an important activity in order to learn from. And what I hear from [another workshop participant], there also seems to be this interaction between the Elders and our children, like, watching so that they can get given the appropriate name and, and we seem to be missing that. Like, who's watching my child and saying, "oh you know that's just like so and so." Nobody. Um, and other activities, is sort of, spending time with Elders on the land specifically. (CAFN Adult Session 4, August 1, 2012).

On Place & Heritage Value/Values

It's that real sense of spiritual connection. I don't know where it comes from, but it's part of who we are. Our ancestors are here, you know. You look up the hill there at the gravesite, those are all our ancestors up there. They are here with us today, and they are holding up this whole thing [Moosehide Gathering] and this is how this become so powerful. (TH Session 5, August 4, 2012).

Well, a place for feeling...feeling grounded. It doesn't necessarily have to be a place like Moosehide. Having an opportunity to be there, in the presence of people who have the stories to share, and for people to be able to build relationships. (TH Session 5, August 3, 2012).

I don't know if sacred's the right word, but there are special places, and we know some of those places. I'm sure there's many more that I don't know about because it hasn't been shared with me because of the level of trust that people have with you, you know, what are you going to do with it, where's its going to appear, what kind of publication is it going to be used in. Are you going to use it in your art or your storytelling for your own gain. (CAFN Adult Session 4, August 1, 2012).

Culturally significant places, a lot of them are really significant because my Grandmas told me stories about it. People have done things there, this is where people met, or where these kinds of activities [happened]. (CAFN Adult Session 4, August 1, 2012).

Highways have changed people's travel pattern. It's bisected, like a whole section so it's divided the land up. It's created access. It's created new communities being put in like at Mendenhall. And land users. So it's just changed the whole pattern of land use...I think it gets more difficult in sort of

identifying with place like this as opposed to, you know, where the cabin is, or where the family goes to hunt in the summer, and those kinds of things.... So, for the younger generation I think it gets more difficult in identifying with place. (CAFN Adult Session 4, August 1, 2012).

Heritage value, the places people live long, long ago, our ancestors, are places of good fishing. Where they leave their fish traps...A good eye will find the artifacts left there, but if you don't know what you're looking at, you're not going to know what it is. (CAFN Adult Session 4, August 1, 2012).

Another place, where the Tlingit cut bird [i.e., did ceremony] that makes it more powerful that. So you don't go there...They made big medicine there and taboo that place. (CAFN Adult Session #4, August 1, 2012).

I would consider Champagne and Aishihik territory as having heritage value, just because. There's a reason it's our territory... We continue to use the land, so in terms of place, our territory is really a heritage value. (CAFN Adult Session 4, August 1, 2012).

Potlatches, funerals or grave sites because with our beliefs and stuff, it's like, if a lady is pregnant with a child and she went to the grave and that child did not have enough protection for itself, then bad spirits can get into it. When you're walking away from the grave, then you are never supposed to look back. I really don't know why. Ever since I was a kid I was always told, "Do not look back, don't look back." Its like growing up, and basically [something] you've always known. (CAFN Youth Session 2, July 26, 2012).

It's important because it's on our traditional territory. So that's a direct link to our ancestors and who we are. And we've been here a lot longer than Yukon Government. So...I don't understand why it wouldn't be important to us. (CAFN Adult Session 4, August 1, 2012).

Aishihik Lake is a regulated lake, a dam put in years and years ago, and it's included as encumbering right on our land claim. So our ability to influence what happened there was a little bit limited, but they were up for a water license renewal in 1999. By trying to communicate what losses were felt by the people there, in terms of heritage, was extremely difficult to get [at] those larger cultural types of things. One example is when the water level is drawn down the bay, at the north end of the lake, is drawn out completely flat. That used to be a training area for the old ladies to take out the little kids to show them how to set fish nets. It was an area that they could use that was protected from the south facing winds. And I guess an activity that had traditionally been used, traditionally been done between the old ladies of the village and the youngest members as an education, way of teaching them these skills, but when the lake is down then that area is unavailable, then the old ladies can't take the youth out because the rest of the lake is too rough. So that was an impact. It was very difficult to communicate those types of [impacts]. (CAFN, YFN Heritage Workers Session 1, July 18, 2011).

Cultural significant places was where our people used to gather for different things, like for picking berries, for hunting moose or for going after sheep. (TKC Session 3, July 31, 2012).

The first time I went out over to the old village and walking down the trail, it just seemed like I was there before. I was never there, but I just felt like I had been there before. There was something about that place that in my mind, I was there before. So we don't know what connections our kids will have to the place. (TKC Session 3, July 31, 2012).

By Fox Lake, I remember going there year after year after year, and then when I was 18/19 we went to go down there and someone has got a block across that road and it says private property. So we couldn't go there anymore. That is one comment my grandmother and grandfather use to say, "White people are taking over everything." (TKC Session 3, July 31, 2012)

On Taking Care of Culturally Important Places

We were always taught when we were little that whatever you take into the bush, you take out. You don't leave anything regardless of where you go. Take care of the land and the land will take care of you. (TKC Session 3, July 31, 2012).

In the old days, the way our people protected was by not over staying, over hunting, over fishing. That protected their food source. You know they never cut down a tree unless they absolutely needed it. They didn't break brush off of a tree unless they are using it for camping. (TKC Session 3, July 31, 2012).

Well, first of all we were taught to respect. If we went through a camping spot where other people had camped, we walked through it and we didn't touch anything and we didn't change anything. We had respect for those people who lived there. When we went down in the summer time to go visit across the river, we were guests and we sat there and visited them. We didn't go out hunting, we didn't do anything we just stayed there and visited with them and then they would take us back across the river. After we were there we could go out hunting or whatever, but we always respected other people. (TKC Session 3, August 1, 2012).

If we wanted to go fishing, or to get trout or lake trout or something we would go over to Lake Lebarge. When we wanted to get salmon we would go down to Little Salmon River and we would get salmon. We didn't have to call it by names, I can't remember the name that we call it. Winter crossing is the place to get salmon there. Mason Landing also and then they go up the river, back in the bush and get moose. They had their own words for it, they all had names. They knew what the names were and what they meant. In the summer they would pack up everybody, kids and everybody and go across from up the lake and they would go to Black Lake and then they would go over to McClintock and go down the McClintock River, they walked and they would camp there. Then people from Marsh Lake would come up and came there. The people from Whitehorse would also come up and they would all come there. They would hunt and then in the fall they would make a big raft. The men would take the raft down with all the meat and everything they had. All the women, kids and dogs would walk back down to McClintock, then got another raft and came back down to Whitehorse. But mostly the women and kids walked. (TKC Session 3, July 31, 2012).

We didn't cut any trees down or branches or anything like that. We might break a willow or something to find our way back. We were not to touch any old sites, any graveyards, anybody's homes. We were supposed to walk by it, being very careful that you didn't damage anything. We were taught to respect others. (TKC Session 3, July 31, 2012).

First Nations took care of the land for thousands of years and in 100 years, newcomers came and polluted the entire territory. (TKC, March 22, 2013 Workshop transcript).

I know for me when we used to see things, my Grandma and Grandpa told us that we weren't supposed to bother stuff, just leave it alone. If it didn't belong to us, then we're not supposed to bother. [Refers to travelling, visiting other people's camps] (TKC Session 3, July 31, 2012).

There should be signs up there for everywhere we think should be protected, it'll help inform these people. Like over at Lebarge there where they took that wood from the cabins and burnt it. There is nothing there to indicate what it was, just a bunch of old cabins is what they thought. So we got to get a sign up there explaining what was there and what is there. Finally we got a sign there. It's signage. (TKC Session 3, July 31, 2012).

We are a small First Nation; we don't have a lot of resources available. I know that we are doing restoration of the old village of just one cabin and we want to do more. What we had talked about is getting it designated as a heritage site because that opens up more finances for us to be able to do the restoration. Similar to Fort Selkirk. I know that the 30 Mile River patrol a lot of the funds does come from Yukon Government. It helps us to have a presence on the land. I think that we need to be able to have more presence on the land, but we just don't have the finances to be able to do it. We need to look and think differently in order to get other people to contribute money so that we can do the work that we need to do and so people will see that we are interested in our land and we are just not there because we don't care. It is easy around Whitehorse for it to be accessible but as you go out further it is harder and we are finding people in places where we didn't think people would go. Wherever there is an empty cabin, people just move in. (TKC Session 3, July 31, 2012).

Heritage homes and places like "Winter Crossing" where my mom was born there. We're trying to make it a heritage site now. And I think about Whitehorse, if you asked somebody in the city of Whitehorse, "what do you consider valuable in this town?" Everything that was ever valuable is all wrecked. All the old beautiful buildings they could have saved or preserved, they tore them down. For what? For more concrete, it's crazy. I think that our way of life and the way people are keeping up their traditions and culture it's good. It sort of got forgotten along the way or tried to get taken away from them but they brought it back, and its coming forward full steam. (TKC Session 3, July 31, 2012).

I think we just need to put signs around to inform people that this does belong to somebody. It's very important, you know, fishing creeks and places like that. There is no reason why there couldn't be a sign there saying "This is an ancient fishing hole. Please leave as you find."... We all know; it is kind of common sense, but some people need to be reminded. Just respect the land. (TKC Session 3, July 31, 2012)

My grandpa did the grave sites. We'd help him a little bit, try to clean it up. He'd watch what we were doing trying to fix it up a bit. Some of the graves weren't marked so he made crosses to mark them. Some of the headstone got destroyed so he would try to fix them as best he could. He did it with a group of Elders, like he didn't do it on his own. They all worked together. (TKC Session 3, July 31, 2012)

I think to protect a site means to conserve so it can be used in the future; it's available for the future. Around Whitehorse there used to be really good berry patches that we used to go to as kids with Grandma and Grandpa. Now there are no berries there because there are houses on them. (TKC Session 3, July 31, 2012)

Even the trees and stuff are important to everyone. I know that there are different uses for that and you need them. Usually when they develop an area they just go in and clear all the land, that's the end of everything. Then they plant grass and I've been thinking more and more lately what good does grass have? You can't eat it, you can't pick it. It smells nice after the rain but that is about it. It might have been nicer to have all the natural vegetation instead. Then you bring in all these flowers and stuff like that, and really what does it do to the natural vegetation because lots of it is kind of side by side. I observed that in Burwash when they had their fire. The next year when I went up to visit my sister they had put in grass seed because it was always windy. They hired a company and they brought in all these grass seeds and my sister said, "look all those flowers – those great big huge poppies all over everywhere and she wondered what that would do to the natural habitat. What kind of seeds did they use? Then after they started seeing all those flowers they were asking what did they use? Even though the flowers didn't come back this year, but even so what do we know about the grass seed that they put there and what it's going to do to the vegetation that was there. (TKC Session 3, July 31, 2012).

Taking care of the place is actually utilizing that place as well as going back and recognizing and acknowledging the things that have happened there in the past, but also utilizing it into the future. (TH Session 5, August 3, 2012).

We never dig up our own people [i.e., graves], because we believe they cherish their stuff too, and they might come back to collect [their things]. (CAFN Adult Session 4, August 1, 2012).

We had a dilemma a few years ago about opening up the [blank] Trail because it's a traditional trail that people used to travel. There are things you see along the trail as you're going, but if you open up the trail then it becomes a lot of curiosity [about these places you see along the trail] (CAFN Adult Session 4, August 1, 2012).

The graveyard at Hutchi, it's old. So the families didn't want us interfering with the graves themselves, because it was a family responsibility. It's growing in and the bison were damaging the graves really badly. So there was a fence put around there to protect it from the bison, but let time do it's own thing to the graves. (CAFN Adult Session 4, August 1, 2012).

When we go hunting we use our horses; we don't do much damage to the land. We get there by a truck or by our skidoo, and then we walk. But we don't take our skidoos down our trap line; we walk down our trap line. We don't want to make a big disturbance and get the smell everywhere and the animals won't come. My dad is pretty upset about it, people go there on their snow machines and they are all over in the bush, like everywhere. And we have signs up saying this is an active trap line but... [responding to question regarding Yukon government land grants affecting traditional practices, etc.] (CAFN Youth Session 2, July 2012).

When I think about teachings about taking care of culture and important places, I think of fish spawning habitat of course. I am thinking about Klukshu. So teachings around, I mean it's all based around respect. Respect for the fish populations, respect for habitat. We weren't allowed to walk in the creek, we weren't allowed to throw things in the creek. Just anything that might disturb the habitat. (CAFN Adult Session, August 1, 2012).

There's places in Southern Tutchone area like moose fence and where you collect flint rock, and sheep trail...they should put a sign there or something so people don't wreck it and tear it down...People could hike there and look at it, and take pictures or something. (CAFN Adult Session 4, August 1, 2013).

On Material Culture and Heritage Value/Values

[The importance in a heritage object is] to learn what it was, how it was used, how it was made. (CAFN Adult Session 4, August 2, 2012).

My Grandpa gave my brother his jacket and he wears it dancing and he's very respectful in it. The whole object is very powerful too, like you can feel the energy, like it's a necklace, or a vest they made, or a pair of mukluks, or even like a hunting bag. (CAFN Youth Session 2, July 26, 2012).

The medicine bag. You supposed to use the medicine bag to bless the room. It's very powerful; it's a protection. You put ashes in there. Say if you are at a potlatch or something, you're supposed to feed the fire. So we send food to the afterlife so that they have food or when you bury someone you're supposed to send a plate and a cup for them in the afterlife. It's just basically traditions and stuff. (CAFN Youth Session 2, July 26, 2012).

Like if you can't use it, what my Dad does is keep the things on display. This is my grandma's and it's not in very good condition from old use so I'm going to hang it on my wall and I'll still be proud of it. (CAFN Youth session 2, July 26, 2012).

I have my Grandmother's skinbag that she used to keep her dry meat in. So, let's bring this out, and talk about it with youth at moose camp, first hunt or whatever. And try to recreate it, so that they understand it. (TH Session #5, August 4, 2012).

You bring artifacts back from the museums and what do we do? We're looking at it to see how it was made, what materials it was made from, so we can recreate it. That's the importance of things to us today. But that wasn't the case back in the old days. (TH Session 5, August 4, 2012).

Back in the old days, materials things weren't that important. Everything that we had was made from the land, and we[could] always make it again...There wasn't that sense of keepsakes. Today...you have to keep it because nobody makes it any more. There's that real sense of loss in our culture right now. (TH Session 5, August 4, 2012).

The objects that sometimes are identified as heritage resources, the objects themselves are interesting, but I think the stories that start to come out when people see this, the excitement that people get from actually seeing those objects and seeing those resources and the stories associated with them, the intangible [is what is important]...It's the stories that come out of it that tend to really bridge that connection to that object. (TH Session 5, August 3, 2012).

It's our own traditional thing. Or like we would go to old villages and sites, they'll find something and they just take it, you know. Personally, I would never do that because you don't know the story behind that object. The object or whatever you don't know what it was used for and what value it has. (CAFN Youth Session 2, July 26, 2012).

[Referring to a noted B.C. carver] He taught me. He wouldn't really go off and tell me the story. He just show me. He didn't want to put in my mind, what's in his mind. He wanted to give me the tools. "This is your basic set, you take that, you apply it to your culture." (CTFN Millhaven Bay Session 6, August 6, 2012).

[Referring to his carving work] I am pretty spiritual about my stuff, but I don't talk about it, my spiritual side...I believe all my stuff's got a life, and I give it life; I believe its got a spirit or

something (CTFN Session 6, August 6, 2012).

[Referring to the process of? carving] *Its really a spiritual story, you need to be a sacred story...Its beyond art...doing a rattle or something like that...when you are working on sacred stuff...the artist has to be in the right place* (CTFN Session 6, August 6, 2012).

On Taking Care of Culturally Important Things

If I found something I would want to look at it, and make sure I know where I found it; and take a picture of it. I'd probably go tell collections in Heritage and say, Hey, I found this and it looks pretty old, so if you guys want to come get it or do testing on it to see how old it actually really is. (CAFN Youth Session 2, July 26, 2012).

When you take things from heritage sites you should...get authorization from the families for the artifact, and give them on the writing at the bottom, saying their authorization was given to take this. (CAFN Adult Session 4, August 1, 2012).

For me it doesn't matter who made it or whose it was. It's just to show that whoever it was, was in our traditional territory at that time...They were probably Champagne and Aishihik, but I mean it just shows the history of where they walked and what they did. And because it was found on CAFN traditional territory it should be back here. [Referring to ancient footwear found in CAFN traditional territory] (CAFN Youth Session 2, July 26, 2012).

Just having it and seeing it and knowing that it was used at one point in time is very interesting too and important. Especially if it was found on our land. (CAFN Youth Session 2, July 26, 2012).

In dealing with heritage and artifacts, things like that, you...[need to] find out from someone before you bring the stuff into the community, because there [may be] some taboos around those things and...then...you bring the curse or whatever. (CAFN Adult Session 4, August 1, 2012).

There are things on the land that our Elders have told people, leave it alone. So I think that has to be asked, or known before those things are brought in and either shown to general public or other citizens. (CAFN Adult Session 4, August 1, 2012).

I have artifacts [made] from sheep horn spoon, goat horn spoon, and my father's relatives' fish darts. All kinds of tools that my family had. They were given to me to take care of... Those things are usually passed down from one person to another to be the caretaker... I haven't [got it] quite clear in my head yet what I want to do with it. Probably my family has a say into what they want me to do with it too. (CAFN Adult Session 4, August 1, 2012).

Stuff like drums, if it's a Crow drum, a Wolf shouldn't be playing it. And if it's a Wolf drum, a Crow shouldn't be playing the Wolf drum. Something like that. And dance sticks too, they have. Dance sticks belong to clans. So other clans shouldn't be handling it. (CAFN Adult Session 4, August 1, 2012).

There's lots of stuff buried around Aishihik, you don't even think of digging up or going near. But they tell you where it is. Probably the last generation to know about that. So we just leave it as it is. (CAFN Adult Session 4, August 1, 2012).

Many years ago my Dad and my Grandma, with a lot of hardship hauled a boat and motor into [such and such lake], and it took them two winters to do it. And they kept it at the lake and used it when they were at the lake. Somebody flew in there and said they found a motor – an abandoned motor – so they took the motor and they left the boat. Well the boat, was it a big boat. It was kind of useless without the motor. (CAFN Adult Session 4, August 1, 2012).

I have an example even in my own family. There was an old saddle that was in really sad shape, but at Champagne, we had another individual come along, took it, got it all repaired. And then my Grandma said – that's my saddle. And he said - no, I put all this money into it and fixed it. And she said – well, too bad for you. Thanks but it's still my saddle. (CAFN Adult Session 4, August 1, 2012).

5. FURTHER INSIGHTS

In addition to comments from citizens of the partner First Nations, our study gathered insights from staff members who work for the heritage programs of YFN partners. We felt it important to separate out the quotations from staff for two reasons. First, some of the individuals quoted are non-citizens; they are employees, but not enrolled members (citizens) of the First Nation they work for. Second, because those that work in heritage have been trying for more than a decade to merge First Nations heritage values with mainstream (Western) ones, they are aware of the difference in approaches. Among those quoted in this section are also some who have acted in a leadership capacity; these individuals have experienced the challenges faced by First Nations governments acting on behalf of their citizens. The quotations presented in this section therefore come from individuals who have been trying for a decade or more, to have First Nations heritage managed with respect to First Nations values and traditions. Consequently, some of the content presented here is more reflective in nature than the quotations presented in the previous section.

Again, some statements shared here could fall under a number of different headings. Further interpretation of the information presented in these quotations, and of the topic headings, is presented in the Analysis section (p.). Text in the quotations that is within brackets (“[]”) has been added by the compilers for clarity.

On Heritage Today, Education

Our interpretation is to live with the culture, breathe the culture, know the land, know the animals, spirits and plants. There is so much more than putting a roof over their head and food in their belly. (CTFN Millhaven Bay Session 6, August 6, 2012).

[Referring to former Kha Da Sha Heeni or Chief] I am reminded that anytime our Chief...comes in to the office he reminds us...that we are the holders of all the spiritual elements of the nation as well,

and the heritage. (CTFN representative, YFN Heritage Workers Session 1, July 18, 2011).

[Heritage is] *preserving, thinking of the future.* (CTFN representative, YFN Heritage Workers Session 1, July 18, 2011).

[For CTFN, there is] *agreement within the First Nation that the Elders knowledge needs to be captured and recorded and preserved. [Still] the First Nation's priority has been on the children.* (CTFN representative, YFN Heritage Workers Session 1, July 18, 2011).

I think that we should teach the youth and anyone else that doesn't know about our history and about the way we lived. To respect it. They never ever have to live that way, but to at least know about it and respect the way their Grandparents lived. (TKC Session #3, July 31, 2012).

I think that Ta'an history and story should be told by the Ta'an people themselves. If the territorial government wants or Canada or whoever wants to use it in the schools, they know that it has to come right there from the FN's people themselves. (TKC Session #3, July 31, 2012).

It is our history for our children and grandchildren to know that this was done. (TKC Session 3, July 31, 2012).

The most basic answer that pops into my mind first when I think of heritage of Yukon First Nations, it's how people are living today, which comes out of how people grew and evolved and changed over the generations. And heritage resources to me are all of those things, everything out there that makes that possible. So the stuff and things, but more importantly I think the knowledge. I think we're seeing today...the relationships and how people are connecting to each other is a real big thing. (TH Session 5, August 3, 2012).

The first few years of working here in Dawson it was about that more obvious heritage, the hunting, the fishing, that kind of stuff...What I am seeing now...is people are really getting into not those obvious in your face activities but more there seems to be an emphasis on how the families work together, and the responsibilities of men and the women, and how that works with the kids. That sort of thing. (TH Session 5, August 3, 2012).

We've seen a lot of movement very recently, with things happening at the school. The school has a lot of really great teachers, and...we can do a lot of things together, we're in there all the time...We have two Tr'ondëk employees who work in the school as liaison...[they] have been really good, so there are a lot of activities and you just kind of see the school blooming in that way. (TH Session 5, August 3, 2012).

Whether it happens at a gathering, like the Moosehide Gathering or whether it happens just Grandma and Granddaughter sitting down...those are the same...regardless where they happen, that information is always transmitted. That's what I hold as a value in heritage, making sure that we are building in those opportunities to be able to share that knowledge. (TH Session 5, August 3, 2012).

The passing of traditions from one generation to another is viewed as a value. The relationship itself that allows that transfer to happen is important, but viewed as more of necessary condition to allow cultural ties to be maintained over time. The context of this process is not as significant as its occurrence. Whether it be in a community gathering or between two individuals in a more

private setting, that information is always transmitted is a value in heritage. (TH Session 5, August 3, 2012).

In Dawson a lot of the heritage interpretation...efforts are directed at the gold rush [historic period¹⁰]...I think the [Dänojà Zho] Cultural Centre has...advanced the idea...that Tr'ondëk Hwëch'in has stories to tell. And I think the Cultural Centre has also been really good for recruiting young citizens into the department and into this kind of work...Then people kind of become interested in heritage and see it as a career. (TH Session 5, August 3, 2012).

An element of heritage is that, it's less about the what, more about the how. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

There's so many understandings of the phrase "heritage of Yukon First Nations," it's this large conceptual idea. You can have a really long list and then you hear something else...there is always something else that could be added. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

We also have a younger generation who, for self-identifying with the culture or whatever, have a need to know some of these things too because it is part of their heritage as well. If it's stories or places that you don't go, and reasons why you don't go there...I think the younger generation need to know those things but also need to understand that it's not freely shared with the general public. (CAFN Adult Session 4, August 1, 2012).

There's more value in people feeling and touching and smelling what a skin is like than to put it behind glass and don't touch. (CAFN Adult Session 4, August 1, 2012).

There's the spiritual game of Stick Gambling. It's a very big thing and everybody joins and people come from far far away just to go to Stick Gambling. Everybody will have their own teams and it is very unique. You can hear all the drummers, they all come together, they're all steamed. Once you walk in you can just feel the energy, it's that powerful. Every time it's the same, it's like you're insides are just vibrating, it is just so loud and so powerful. (CAFN Youth Session 2, July 26, 2012).

[Referring to Sheila Joe talking about what Heritage is], When Sheila [Joe] spoke I really saw the personal stake...between her and her ancestors. It's in the emotion in her voice, [that] relationship with her ancestors. (CAFN representative, YFN Heritage Workers Session 1), July 18, 2011.

We had asked the speakers [of the language]...[for] a word to say Heritage department...No one had just a word for it. (TH Session #5, August 3, 2012).

On Role of First Nations Governments in Heritage Management

Tr'ondëk Hwëch'in as a government is our shield to the rest of the world... It's the government responsibility to stand up there, and tell the world what we want, how we want [things] to be, how

¹⁰ The speaker is referring to the Klondike Gold Rush of 1898, which was centered on the homelands of, and had a profound impact on, the Tr'ondëk Hwëch'in. For many decades, the story of the gold rush has been the primary focus of historic preservation and interpretive programs offered in the Dawson area by both Federal and Territorial governments. The stories being shared and celebrated under the gold rush "theme" have not reflected the experiences of the local First Nation community. More recently (2014/2015), however, the TH is actively taking leadership to see this situation changed.

we want to be treated, and what we expect. (TH Session 5 August 4, 2012).

The Heritage Department is one department within the government. We take on the responsibility of protecting the heritage, and to collect the information, and work with our citizens and our Elders, to retain any memories and skills, in order to be able to pass it on to future generations. (TH Session 5 August 4, 2012).

It's our responsibility, we feel, to take care of this land. This land should be here for hundreds of generations after we are long gone; it should be the same way as we have it today. That's how we are wanting to, that's our role as caretaker. (TH Session 5 August 4, 2012).

You know, back in the day, it would've been, "Oh, OK, somebody didn't need that anymore, no problem." But now it's "so now they've become valuable to us." Don't think anybody really takes it as ownership to themselves. They take ownership to the First Nations as a whole. So they bring it in to [our] government. (TH Session 4 August 4, 2012).

Today there's a lot more emphasis on collecting an item if it is found. Even if it's a strange looking rock we get people picking it up and bringing it to the Heritage Department because there's a real sense of wanting to preserve our culture today. (TH Session 5, August 4, 2012).

[Referring to carving] For our First Nation, our government, I want to know that those seven generations [from] now in the future, they know what [carver] Keith is talking about. So that seven generations from now we don't have carvers that are creating dead art. (CTFN Session 6, August 6, 2012).

[Regarding Culture Camps] Other departments are carrying on heritage duties as well... The culture camp most recently was a language immersion camp. Language has a priority, focus with young people. (CTFN representative, YFN Heritage Workers Session 1, July 18, 2011).

I think it's important to educate, with, at some point there has to be a sort of monitoring... But you need some sort of, I want to use the word quality control. You want to make sure it's true, or that it's in the spirit. [Referring to role of Yukon First Nation government as educator] (CTFN Session 6, August 6, 2012).

Sometimes rules, when you look at rules and precedents, precedence law and whatnot. I don't think that's how it was intended. You need to lock it [in]? You know, I think it somehow was intended to release it, like you said. How do you release knowledge as opposed to locking it? ...You're always worried about it because you're always worried you could do something wrong. (CTFN Millhaven Bay Session 6, August 6, 2012).

It's holding up the integrity, of the arts and of the culture. How we do that. It's a broad responsibility because... its about learning. (CTFN Session 6, August 6, 2012).

[There is a] sense of responsibility of making good decisions in whatever it is you are doing, because the implications of a bad decision are permanent and long lasting. People who are affected by that decision are connected to you and see the work you do. That relates to all decisions you make about heritage resources. You can't do a perfect job, but you do the best job you can. (CAFN representative, YFN Heritage Workers Session 1, July 1, 2011).

[From the Champagne and Aishihik First Nations perspective, have found that] once you engage with mainstream or western definitions of heritage and heritage priorities, you are involved in this treadmill. Keeping up with it has taken a lot of energy. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

With Yukon First Nations, there is both a Heritage Department, but also in some sense, heritage is an overlay of all government departments...Justice is going to be doing things that are heritage because it is how we govern ourselves, and deal with and socially organize ourselves. Social Programs, because it's how we take care of each other... We do all these things with our traditional values and traditional ways of doing things. So these other parts of the government are doing heritage too, but at the end of the day, there's also this other thing that is heritage. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

They should take note and be proud that they are members of Ta'an Kwach'an and to take care of our history, our culture and of our people, citizens. That is what the Ta'an Council and Chief should be doing is looking after the citizens. (TKC Session 3, July 31, 2012).

I agree with what X [name removed] says, you know, that TKC government should head it up and be assisted by other governments or people that are involved. In the end who's going to take care of it, who's going to look after it? You can be sure that Canada is not going to send anybody to stand guard at any one post out in the wilderness some place. They'll say, we'll give it to the FN's, not realizing that they have taken all of the FN's right out of the country anyways and moved them into the cities. I think that cooperation between all governments should take place and dialogue is the best way of doing it. We can't force anything on them and we certainly don't want them to force anything on us. Through the years I have discovered that the more you talk on something the discussions you take, you give, you take and some place along the line there is compromise. I think that is the best way to govern. (TKC Session 3, July 31, 2012).

More On Culturally Important Places

I've picked up from people I've worked with at Tr'ondëk Hwëch'in...a sense of places take care of you...You are a steward for a place, so that the place can take care of you in the future. (TH Session 5, August 3, 2012).

[It's] kind of incumbent upon me as a citizen to get back out there and do those things again, because I think that's where we end up also keeping our culture alive, spending time out there. [Referring to family hunting camp] (TH Session 5, August 3, 2012).

We're having to participate in land use planning and that sort of thing. They're always asking us to pinpoint the places, the special places, and it just doesn't work that way, you know. It's like, well, this place is important and so is that one, but everything in between them is too, because of all the things that happened over there. And this is in recent years; like it's not...something that happened 500 years ago. This is recent history. (TH Session 5, August 3, 2012).

[I recognize] how challenging it has become for people to remain connected to places, when the way that they travel is different; the road systems really changed that. (TH Session 5, August 3,

2012).

One of the most important things is we can't look at these places [as static]. We have heritage sites like Tr'ochëk and Moosehide or places like that and they're very important. They are very special because they have a special history and story. But it doesn't make them any more important than everywhere else out there... We have to really look at that personal, family, community [connection]. All these different levels all go together to make a big picture. [TH Session, August 3, 2012].

It goes back to that whole relationship idea, where it's how the different communities connect... Where we run in to trouble... is that we're trying to define something based on someone else's ideas of category. (TH Session, August 3, 2012).

I [am thinking of a] much broader perspective than...protecting sites. I keep thinking about proactive intervention, where we're actually pointing out what are our most sacred sites. Things like gravesites or things like wildlife habitat, and that begs the question of an entire land use plan. (CAFN Adult Session 4, August 1, 2012).

[Talking] about land use activities that have changed the character. Parks is a huge land use activity that has prevented community members from using a site. Either through law or through some sort of, um, I guess feeling of being unwelcome... (CAFN Adult Session 4, August 1, 2012).

All the stuff that Yukon Government has as Heritage Sites, we would say yes, for sure, those are heritage sites. And we have all this other stuff that they don't, but what our Elders' stories, et cetera and people coming in off the streets tell us is important, those things too. (CAFN representative, YFN Heritage Workers Session 1, July 18, 2011).

I was thinking of, um, such as buildings or caches or something that needs to be removed out of the way of the pipeline or erosions. Maybe if you speak to the people or the family, they'd probably agree to relocate the thing to a similar location if it's, if it's in the bush area—put it back in the bush area to a hill or something like that...So that the site will remain original. And, for the pipeline—I'm gonna give an example. My father has a bunch of deadfall traps, right on the pipeline right away. If they talked to our family, they probably wouldn't disagree—maybe one will, she lives there—but probably it'd be OK to take it to a cultural centre, because there are deadfall traps around that one camp area where the pipeline goes through. Right where the campsite is – the travelling campsite. All those pots and stoves too hanging there in the tree. So, just talk to the family I guess and get permission to put, to remove it. (CAFN Adult Session 4, August 1, 2012).

The discussion is triggering all kinds of things. What Lorraine was speaking to about when a person dies, how all of their belongings and things were, were burned or, or left with them. And I think that's been—it hasn't helped us, because it's been a culture that we all grew up in. Now, people are challenged to prove their belonging, or, or, being from a certain place or ownership over place or, or stewardship over place by the things that they have left behind. Whereas, people in the past, that was never a value. That was never a value to keep things or save things or, or build things to prove, to prove anything. So, a lot of that ends up being intellectual heritage, I guess. (CAFN Adult Session #, August 1, 2012).

I think with the older generation not wanting people to go there and share it, I think they've lost so much in time where I think they've been told their practices were not good, or whatever. So they've kept that, they've protected it, and I think we're not sharing something with a younger generation.

I think the younger generation need to know those things but also need to understand that it's not freely shared, with the general public. It shouldn't be in the tourism brochure or, or something along – and I think that's why people have been told to leave those things alone. They're, they're sacred in that they belong to the culture and they're not for, for other uses I guess. (CAFN Adult Session 4, August 1, 2012).

Well she's talking about the our heritage, and where we have to prove that we used this area and from the beginning of time for hunting, fishing, or that's what our life was about. That's why we were all, chunk here, chunk there, that's how we could claim, and we have to, they have to be some kind of concrete evidence that that's where the Aishihik people hunted and that's where the Aishihik people travelled or something. But they used all of, most all of our territory for this and that, but we weren't allowed to claim all of the territory, so we boiled right down to the traditional hunting and fishing and that's how the land claims were structured. (CAFN Adult Session 4, August 1, 2012).

More On Material Culture

I noticed when we did the beadwork exhibit it's really important who's jacket, who made it, who wore it and who's wearing it now. That's really important to our people. (CAFN Adult Session #4, August 1, 2012).

There's a lot of value in taking a gopher stick to a grade [school] class and letting them handle it and look at it and try it, and knowing who made the gopher stick. We can make a replica. And then some things are just too fragile, like taking an old gopher stick to the farm field because we're harvesting gophers maybe—it's too fragile. But we could take gopher pelts out there and talk, show pictures, or bring them into the cultural centre and show them. So I think there's a lot of things we categorize because there's a lot of value in having scrapers and things around. We've made replicas of things, and then people can pass it around the classroom. What I notice with the beadwork exhibit, everybody came in and went for the jacket and wanted to touch it. So we're gonna put some moose skin in there so people can touch it. (CAFN Adult Session 4, August 1, 2012).

There's more value I think in people feeling and touching and smelling what a skin is like than putting it behind glass and don't touch. So, we have to categorize it. We have things like, like that gaff. Which is good to have here because people can touch it and look at it...I purposely didn't put a cover on it because people can touch it. (CAFN Adult Session 4, August 1, 2012).

I don't see why the burden of proof is on Champagne and Aishihik people to prove that their Grandpa used those kinds of artifacts. It's not relevant. (CAFN Adult Session 4, August 1, 2012).

I am not sure how important it is to go there and gather beads again, to make something. But when you are in a place and it feels like home and you can see the tangible evidence of people who were there before you, that adds value. I don't know how strongly our people identify with lithic tools, if it's so long ago. But it gives you a real strong sense of thousands of years that your ancestors have been [around] because of this burden of proof that modern society demands, for you to show something that proves you were, you come from there. You don't have to tell any of our Elders where they come from; they know they're from this place. (CAFN Adult Session 4, August 1, 2012).

I think it's hard to get consensus from families about certain things...So we talk to somebody from Kloo Lake, we find out whose dog sleigh is it. We may get permission to use it or not. But if it shows up in an exhibit and it says, "Dog Sled from Kloo Lake" and when the people from Kloo Lake see it there for the first time, then the trust starts to fall away [if we hadn't consulted]. (CAFN Adult Session 4, August 1, 2012).

When you take things from heritage sites you should, like X [name removed] says, get authorization from the families for the artifact, and give them credit on the, on the little writing at the bottom. ...Saying their authorization was given to take this. (CAFN Adult Session 4, August 01 2012).

Things that our First Nations people find should be reported to the First Nations office first. They tend to know what to do with, with it, because it's in our territory. We're not speaking of the land claims territory, but the whole, the whole area. It's in our area, so they should be taking, in that instance to the Champagne-Aishihik heritage department first. See if they could use it. Because once it gets into the territorial government hand, they got the ownership and we can't get it back. They say it's on their land because every, every land is federal owned land, eh. Federal lands. So, it, they'll say this was found on our federal owned land, this is, this is even in our traditional territory there's federal lands, and they'll say we're the owner or steward of that item, so anything found. Especially if [its a] Native artefact. If it's an old copper kettle, give it to them [Laughs] (CAFN Adult Session 4, August 1, 2012).

Or like there is a puberty hood that is on display too. It's like girls when they start their period they're suppose to put that hood on and sit there like for 12 days and sew or something. [Giggles]. Seriously, that's like a tradition when a girl got old enough...you would have to sit there and be away from the camp and just sit there and the ladies would come and they'd bring you food or like make you sew. Teach you how to sew for how long. Men are not allowed to touch it or not allowed to look at the women. It's just different, it's crazy traditions, things that they had to do back then in the day. (CAFN Youth Session 2, July 26, 2012).

Objects...identified as heritage resources...it's the stories that come out of it that tend to really bridge that connection to that object...brings the life to that object. (TH Session 5, August 3, 2012).

The archaeological objects, they're really interesting and it's really cool to pick one up and think - Wow, 5,000 years ago someone made this or held it and dropped it here...But there's not the same connection to them, so it's more of a curiosity in a sense, as opposed to Grandpa's snow shoes. (TH Session 5, August 3, 2012).

It's all about the stories, which comes back to that whole [holistic] perspective. Heritage is all about the people right? So that being able to connect to the objects and things are what matter. At the end of the day, we could end up with a room full of stuff but it's not going to matter if we don't know its story, or if people can't pick it up and hold it and figure out how to make it again, or any of those things. So again, it's the connections or knowledge that are really important. (TH Session 5, August 3, 2012).

Even in town, with buildings...it's a historical building but it's a run-down ramshackle shed and there's one on every second lot. You know, it has no value or unique history to it and yet people aren't allowed to really dismantle what is really a very dangerous building...Like X [name removed] said, it's all about the, the stories, which comes back to that whole - heritage is all about the people right? Being able to connect to the objects and things are what matter and, uh, you know

at the end of the day we could end up with a room full of stuff but it's not gonna matter if we don't know its story or if people can't pick it up and hold it and figure out how to make it again or any of those things. So, it's again, the connections or knowledge that are really important. [Referring to Dawson] (TH Session 5, August 3, 2012).

[Referring to Chief Jim Boss' regalia] *It used to be on display at McBride Museum but now it is down in the basement. They don't even put it on display. We used to be able to at least go and look at it. To me that would be valuable to us as Ta'an to be able to look at it and see how they made clothing and that at the turn of the century. We can't do that because it is stored in the basement I guess.* (TKC Session 3, July 31, 2012).

6. ANALYSIS

This section provides a qualitative analysis of the responses provided by study participants, presented as extracts in Sections 4 and 5. The analysis is designed to provide a more distant (or outsider) perspective on the matters being considered, in contrast to the direct quotations or voices of the community members and staff, shared above. Commonalities observed in the question responses are summarized, and patterns noted. The analysis gives us insights into the elements or structure of heritage as understood by the study participants. It also provides a lens through which to see the meaning and significance of heritage to Yukon First Nations. The analysis provides insight into the challenges and opportunities in incorporating YFN heritage values in heritage management.

Our analysis draws upon the project transcripts, as well as other resources, such the minutes and transcripts from the various YFN Heritage caucus sessions described in Section 2.7. Inclusion of the latter illustrates the reflexive nature of the present study, which allowed for relevant topics and resources to be considered as they came to light. As previously noted, the initial thematic analysis was prepared by researchers who had the benefit of attending one of more of the project data-collecting sessions, or had reviewed the session transcripts. This initial document was then expanded to include quotations from study participants, and further analysis. When the elaborated version of the final report was discussed at the January 2014 document review session, direction was received to incorporate relevant content from the various First Nation Heritage caucus sessions (referenced to in Section 2.7), along with feedback from OC members.

The present analysis is very much a beginning effort, an initial look at the values and traditions underlying YFN approaches to heritage, and the consequence of same for contemporary heritage management in Yukon Territory. Some readers may note topics that appear in the quotations (i.e., mentioned by the study participants) that are minimally considered (if at all) in the Analysis; this includes issues that may be important from either (or both) an Intellectual Property or a Heritage Management perspective. This reflects the scope and scale of the project; with the limited resources available, we were able to only point out the most obvious content in this report. Similarly, while our report includes some cross references to heritage management in other Canadian First Nations context, we were not

able to undertake an in-depth consideration of this important topic area, to see how and where the Yukon situation differs from that of other Canadian jurisdictions.

The analysis, presented under different headings, begins by sharing general comments on YFN understandings of heritage, including insights gained from linguistic data. The foundational concepts of YFN heritage (e.g., responsibility, community, spirituality, sharing, and its holistic nature) are then presented. Attention is then directed to topics familiar to mainstream (Western) heritage discussions, such as the Tangible and Intangible dimensions of heritage, and heritage management practices and priorities. The analysis then turns to issues related to heritage sites and places, which YFN refer to as Culturally Significant Places; the subtopics of “relatedness” and “relationships” follow the discussion related to Culturally Significant Places. Heritage objects are discussed under the heading “Art, Material Culture and Culturally Important Things”.

Owing to the nature of the content, there is some degree of overlap in the material presented under the different headings.

6.1 General Comments and Vocabulary Insights

From the comments received from study participants it is clear that there is no single definition of “heritage.” Heritage can include stories, places, objects, land, and “old things.” Although participants identified various forms of art and cultural expression as holding significant cultural importance, these “things” alone do not constitute the value. Rather, it is the relationships—the experiences and the stories attached to them—that establish their significance. While a physical item itself can have some inherent value, the process of sharing traditional knowledge derived from it, and the aggregate of experience shared between people, is often attributed higher significance.

Heritage workers are aware of the complexities of heritage, recognizing that “heritage” means different things to different people. They recognize that it is an emotionally loaded subject because it gives meaning to lives and speaks to the matter of identity. For YFN, heritage is not just about preserving the past, but also caring for the present and what is brought to the future.

Some participants commented on the way in which Westernized heritage logic and practice negates this process by separating the object from the experiences, stories, and ways of being that make the object a significant heritage resource. The sentiment was expressed that westernized heritage practices are often based on logic that emphasizes the “what” rather than “how.” This distinction has resulted in conflicted co-management situations where “protection” means restricting access to a site. However, from the YFN perspective, the idea of protection aligns more with a duty of care and the responsibility to pass along knowledge. “Protection” means ensuring that knowledge about the resource is alive within the community. Teaching youth is seen as a heritage activity. Heritage is protected through use.

Heritage workers noted that “heritage” was a “moving word,” a “verb” emphasizing that it referenced the process of maintaining intergenerational continuity—that is, bringing the past into the present, and

carrying it forward to the future. As a process, heritage involves respecting the old by such means as cultivating a connection to ancestors (i.e., those who have come before) and receiving their direction. It also involves the opportunity and responsibility of passing on traditions to the next generation. Thus, the transfer and sharing of knowledge are a key part of YFN understandings of heritage. Furthermore, it is not only formal heritage programs or heritage departments that have (along with individuals, families and the community) educational responsibilities,. Every aspect of Yukon First Nation government has a role to play in helping to transfer knowledge between generations.

Our study did not encounter any simple straightforward translations of the “heritage” term in the indigenous languages, although we did learn terminology used to refer to how people lived and behaved in the past.

They usually say “Hude dän kwanje geh”; it means the way the people live long ago, or that knowledge that the people had long ago. (CAFN Adult Session 4, August 1, 2012).

Staff of the TH Heritage program reported that they had been unsuccessful in obtaining a concise Han translation of heritage or concepts such as “artifacts” or “cultural inheritance.” Prior to the initiation of this study, we were aware of the Tlingit language heritage term *At.oow*, which refers to the sacred property owned by a clan. The present consultation effort did not learn of any Athapaskan-language terms equivalent.

The lack of distinct terms for things that might well seem obvious or at least self-evident provides insight into underlying values of the cultures that bear these languages. Based on the information assembled via the present study, we suggest this likely is because the past is not separate from the present, but is part of ongoing, present-day lived experiences. The past, the present, and indeed the future are integrated into daily living, now. They are not separate entities.

The nature of Yukon First Nation languages, including their lack of specific topical vocabulary, highlights the complexity of conveying YFN heritage values to parties less familiar with YFN culture. For YFN, what is known in English as “heritage” is in fact a deeply embedded concept, not something that can be easily extracted or dealt with separately from the cultural whole. Similarly, because of their holistic perspective, it can be challenging for YFN to identify something as a “resource” worthy of protection and management, since doing so might imply that things not so-identified are less worthy.

Some of the English-language vocabulary employed within contemporary heritage management practices were also found to be misleading, if not offensive to YFN. For example, reference to a site being “abandoned” concerned YFN heritage representatives because it is common YFN practice to stop using a campsite location for a period of time; but that does not mean that the site’s users never plan to return to the camp again, or have given up their interest in the place. Implying that a site was “abandoned” implies an intent to abandon—when in fact the motive remains unknown. The YFN caucus similarly preferred the term “belonging” to refer to someone’s property or possession, or even ancient objects found, noting the commonly employed term “artifact,” in effect distanced a piece from the people who made it, or their cultural inheritors who might have an interest in the piece today. The term “prehistory” commonly used to characterize the indigenous past was also noted as separating people

from their history. These comments were shared during the YFN Heritage caucus sessions referred to in Section 2.7 (p. 18) and the January 2014 session at which a draft of this report was reviewed. Other researchers (e.g., Klassen 2013:83; Wilson 2016; Zimmerman undated) have offered similar comments on words commonly employed by archaeologists, such as “abandoned,” “artifact,” and “prehistory.” Its been noted that these terms not only distance Indigenous peoples from their past, but also result in minimizing the authority of such peoples over their history.

Any discussion related to vocabulary and terminology would be amiss if it didn’t mention the importance of “naming” as a YFN cultural and therefore heritage practice. Today, indigenous language names are commonly used in two specific spheres—in the naming of places and other landscape features, and in the personal names “carried” by individuals.

YFN have a strong and enduring practice of naming places within their respective territories, with such toponyms being not only an important record of history, but also a record of resources and their availability. The cultural importance of indigenous language place names is widely recognized (cf., Cruikshank 1981, 1990a) and not surprisingly, when negotiating their land claim agreement, YFN worked to ensure that these important heritage resources received the management attention they warranted. Section 11 of Chapter 13 of the Land Claim Agreement specifically speaks to the management of indigenous language toponyms.

Just as place names are an important heritage resource, so too are the indigenous language personal names that all YFN people once had, and which many YFN citizens continue to carry even today. These traditional names, often referred to as one’s “Indian” name, are in addition to the legal or “whiteman” name, by which YFN citizens are registered as Canadians. In the southern part of the Territory at least, these aboriginal names are specific to families or clans.

6.2 Stewardship and Responsibility

Responsibility is a major theme in Yukon First Nations heritage resource management discussions. Rather than using a proprietary framework emphasizing ownership and possessiveness, for YFN it is more appropriate to speak of heritage in terms of stewardship and integrity, a duty of care.

Heritage objects and heritage places/sites are valued as collective resources, of interest to both individuals and families that comprise their communities, as well as potentially, to their communities as a collective whole. The roots of such understanding run deep in Yukon First Nations culture, being reflected in values conveyed through traditional stories that have been passed on through countless generations. In the same way that Crow released the sun, the light, the moon, the fire, the fish and the animals, the rivers, the earth itself for common use, so it is with heritage. Yukon First Nations view their heritage as a *common legacy* that “belongs” to all, or more aptly—as something they belong to.

For Yukon First Nations, heritage is about belonging and identity—knowing who they are, and where they have come from. Heritage is not something that can be “owned,” as property can be bought, sold, or controlled.

While individual citizens may express the relationship between themselves and heritage objects (or places) in ownership terms (e.g., “such and such ancient artifact belong to this First Nation”), Yukon First Nation governments employ the “ownership” term with some reluctance. This is because the word does not accurately reflect the YFN’s culturally based understanding of the relationship between their people and the objects or places that they recognize as having heritage value.

Still, as the Land Claim Agreement uses the term “ownership,” it is worthwhile to consider YFN understandings of it. From the YFN perspective, ownership of heritage is most broadly understood in terms of stewardship and responsibility. This means that management, or taking care of heritage sites and objects, is doing right by both the resource and those who have a valid interest stake in it. That is, even as the Land Claim agreement specifies that FN governments own heritage objects/sites situated on Settlement Lands, ownership does not mean the FN government has the authority to do whatever they wish with the heritage object/site. Following a YFN approach to heritage management, the “owner” of a heritage site or object is the one vested with having the responsibility to engage with the other parties about a resource under consideration, and to “to promote accommodation” using the terminology of lawyer Rupert Ross (cf. Ross 2014:11).

Viewed from the YFN stewardship lens, ownership means having the responsibility for consulting with others, and where conflicts in the proposed management alternatives are presented, to arrive at a recommended management alternative or management plan that accommodates the concerns of all parties. It would also involve advising third parties of the recommended management alternative that the parties jointly arrived at. Under this kind of understanding of ownership, signing off on the management plan for a resource would mean certifying that a joint decision accommodating the concerns of the parties has been successfully achieved.

6.3 Heritage as Community

For Yukon First Nations, Heritage value is centered in oral traditions of sharing knowledge, stories, teachings, community news, and communal spiritual practices. This conception of heritage as finding its meaning in individual, communal, and geographical identity, sourced in stories and relationships, is reflected in the comments of all study participants of various ages and backgrounds. Heritage is a way of life that embraces objects, places, images, language, ideas, relationships, and cultural expressions between people, ancestors, spirits, and nature.

Activities and places are significant to conceptions of heritage because of their centrality in linking individuals to their ancestors and past. The place where a heritage object was found can bring deeper meaning. The relationships between people and other (non-human) beings—living and non-living—are part of heritage. Consequently, heritage is also defined by the interactions between those people and the things that shape them, such as their environment.

Community is both the basis of heritage and the means by which it is perpetuated; it is found in the life shared by a group of people. The vitality of culture is viewed as reliant upon continuing traditional practices and involving ancestors. The role of Elders in this process is recognized and respected, and the

threat to heritage is noted where Elders may not be available to participate in the appropriate manner. Achievements are shared with the community, with respect for Elders always at the forefront.

There is recognition that it takes a whole community to survive. Culture does not exist in just one person, and so bringing traditional teachings and practices from the past preserves and strengthens the community spirit that is the basis of culture. What is important is togetherness and sharing with the family. Time and the reality that traditional cultural practices have been disrupted as a result of all the social upheaval that has occurred, have taken away clarity on how certain traditions should be done. Nonetheless, the principle of shared practices is honoured.

It is beyond the scope of this document to report on the various shared traditional practices that YFN continue to be involved in, some of which are referenced in the study participant quotations presented earlier. These include events such as the Funeral Feast (or Potlatch), the Memorial or Headstone Potlatch (most common in the south of the Territory), the First Hunt celebration (most common in the north central of the Territory), and for some families, the young women's puberty seclusion.

Equally important from the point of view of identity and belonging, are shared activities that have a more recent history, such as the annual territory-wide Native Grad ceremonies to mark completion of High/Secondary School; and the Native Hockey Tournament that takes each winter in Whitehorse. Engagement wise, we note that numerous aboriginal dance groups operate in the Territory, all of which involve youth and adults, plus there are aboriginal drum groups. The latter provide key support for the popular indigenous social/sports events known as "Stick Gambling" (also referred to as "Hand Games") that takes place at tournaments held throughout the year.

Several large multi-day summer indigenous cultural gatherings are also now being held in the Territory on a bi-annual basis; these include the Moosehide Gathering (hosted by Tr'ondëk Hwëch'in), the Hà Kus Teyea celebration (hosted by Teslin Tlingit Council), and the Da Kų Năn Ts'éthhèt dance festival (hosted by Champagne and Aishihik First Nations).

Participation in any or all of the foregoing cultural events is seen as an expression of identity and belonging. In addition to these more specifically cultural gatherings, most Yukon First Nations also hold yearly meetings; these are typically referred to as the annual "General Assembly" or GA. While largely political and administrative in nature, cultural activities and events are typically integrated into these assemblies as well.

6.4 Spirituality in Heritage

One of the most striking ways in which YFN understandings of heritage differ from mainstream approaches is in the attention paid to spiritual concerns. While it is beyond the scope of the present report to provide a detailed consideration of this topic area, a few points can be made. We note too that most First Nation heritage workers tend to be cautious in how they publicly discuss this topic. Nonetheless, these staff acknowledge that spiritual issues are brought to bear in most all heritage

programs and activities hosted by their governments. The spiritual dimension is reflected in many aspects of contemporary YFN heritage practice—in how heritage objects are handled, in the manner in which heritage places are taken care of, and in the protocols followed at celebrations. The expression of spirituality is much more than opening and closing prayers at meetings and gatherings.

The foundation of such spiritual practices lies in part in the cultural belief that all entities are endowed with spirits and with spiritually based power. The ancestors can be understood to be present at gatherings. They may be walking beside you at any particular moment, helping you repair a structure at an old family campsite, or otherwise actively involved in one's life and actions. Objects (animate and inanimate) and places, the land, are imbued with power, resulting in a constant spiritual interchange between humans and other entities; these interactions profoundly affect the behaviour of individuals.

YFN explanations for the origin, design, and functioning of nature (i.e., the natural world), and for proper human relationships to it, are found in the traditional stories from the past, or from "Distant Time" as it is sometimes referred to. These ancient stories continued to be shared with the Yukon First Nation communities. YFN understandings of heritage grow out of and are framed by such understandings, which see the natural and supernatural worlds as inseparable, each intrinsically part of the other.

Incorporating YFN spiritual practices into heritage management activities is somewhat complicated by the nature of traditional YFN spiritual ways; the latter can be characterized as potentially having more of a private and personal nature, more so than being a public or commonly shared experience. Citizens holding such values may be hesitant to share them or to reveal their concerns about how such values need to be considered in the management of a heritage site or object, with those outside of the group. YFN Heritage programs understand their offices and positions as playing a role in both communicating and evaluating how spiritual information can be incorporated in heritage management.

6.5 Heritage as Holistic and Intimately Connected to the Land

YFN approaches to heritage management can be characterized as holistic in nature, with conceptions of heritage inextricably connected to place and the natural environment. The land is central to YFN identity. YFN see themselves as intimately connected to the land, the source of life, just as they are related to the everything in the natural environment.

YFN understand that they have a responsibility to the Earth, not just to act as stewards, but also to revive First Nation beliefs about the land and to share those beliefs with the world. Where process is important to heritage so too is the opportunity to engage in that process. Thus many study participants spoke about the importance of conveying their values towards the land, in order to guide how it is to be taken care of and used. This would also mean conveying behaviour expectations to others who live in the Territory.

This holistic, land-focused understanding of their place in the world has consequences for the management of land-based heritage resources—heritage sites, places, and landscapes. It is in the management of this aspect of heritage that YFN have experienced their greatest frustrations with the

approaches of other governments. Participants expressed concern that loss of place and loss of wildlife and habitat affect heritage. Minimally such losses might mean an inability to perform activities and transfer knowledge and wellbeing associated with specific activities.

These values towards the land represent an important if not critical dimension to YFN history and culture. Similarly strong values towards the land have been documented in other First Nations context in Canada (e.g., Fafard 2006; Klassen 2013). Researcher Melanie Fafard, who worked with the Gwich'in of Fort McPherson, Northwest Territories, wrote about the importance of the land in Gwich'in conceptions of heritage (Fafard 2006). While Fafard noted that there has been progress in recognizing indigenous values in the management of land-based heritage, she believes the existing tools to manage heritage places in Canada still largely fail to address indigenous values and concerns. Fafard suggests that the problem lies with the site-specific management approach that drives the current management regime. This approach results in sites being “managed” in isolation, separated from the larger landscape, without reference to the cultural and physical setting that they are part of (Fafard 2006). Researcher Michael Klassen, who documented the heritage management practices of the St'át'imc and Nlaka'pamux Nations in British Columbia came to a similar conclusion (Klassen 2013: 218).

For YFN at least, the lack of appreciation of their values towards the land manifests itself in two ways. The first is trying to manage sites in isolation, as mentioned above. The second problem is the lack of consideration of the impacts to the land in the broader sense. Study participants noted that changing the land may diminish its value and meaning to YFN, and that such impacts are not being adequately considered. Working in a southern British Columbia context, Klassen noted that altering landscapes through industrial development can result in places losing their deep meaning for First Nations, and as a result of such changes, the collective memories of communities can be truncated (Klassen 2013: 295).

The YFN holistic approach requires decision-makers to consider a broader range of values and concerns when considering impacts to land-based heritage. From her work in a Northwest Territories land claims context, Fafard (2006) was optimistic that the contemporary Comprehensive Land Claims process provided the best opportunity for meaningful consideration of First Nations values towards the land in heritage management. Thus we see again that the YFN are well positioned to have their values reflected in contemporary heritage management practices, especially since the Yukon Environmental Socio-Economic Assessment Act (YESAA) recognizes a broad definition of heritage resources. Still, as noted in Section 2.3, YESAA realizes that it is not yet fulfilling all of its goals, with a gap recognized in assessing impacts to “living culture and traditional lifeways, including connection to the land.” Addressing this gap in the development assessment process remains a priority for YFN.

6.6 Tangible and Intangible Heritage

For YFN, great value is placed in things that have no tangible form. In other words, heritage resources need not have a palpable embodiment. Memories and community teachings, including songs and stories, are recognized as heirlooms and important heritage resources. Although various forms of art and cultural expression are often mentioned as having cultural importance, these “things,” in and of

themselves, do not amount to the value. Rather, it is the relationships, the experiences, and the stories attached to these things that are recognized as having the most significance. While the physical item does have value, the process of sharing traditional knowledge derived from it and the aggregate of experiences shared between people, are generally attributed greater significance.

Stories related to the land are of particular importance, including the many accounts of how ancestors lived on the land in times past. These provide guidance about how the land was, and continues to be used for survival. Current practices spring from these stories and give those living in the present a responsibility to preserve the land. These old stories can be viewed as guidelines for the future. The spiritual aspect to these stories is also very important.

The stories associated with objects are often what make the object significant. It is the associated story that may be more important than the piece itself. In such cases, the objects may act as a vehicle for the sharing of knowledge. This echoes the idea of heritage as something that is about connections within the community and relationships within community, as opposed to the thing itself. The stories must be known within the community for heritage to have meaning, or for the object to have meaning. In that sense, heritage is best understood as the dynamic connections between the community members—past and present—as often exhibited through the objects that tell the stories. The preservation of heritage and YFN culture cannot be effected independently of that web of connections.

Attitudes towards material things have changed over time. In ancient times, because people were highly mobile and moving camp a lot, everyday objects may not have been kept just because they were old. People knew that if something was made from the locally available resources, it could always be produced again. Today it is recognized that there is value in keeping such items because fewer people make such things, or have the degree of skill in a particular task that earlier generations did. There is also a real sense of loss in culture. Older items trigger an interest in recreating these things, and understanding how they were made and used.

There is caution today, about conveying cultural values through tangible mediums such as the printed word. When something is in print, the nuances of the situation may not be conveyed.

6.7 Heritage Management as Knowledge Sharing

When asked to define “heritage,” one participant answered, “teaching.” The importance of teaching and learning YFN values, knowledge and beliefs (i.e., our heritage) is a strong theme in the present study, as participants emphasized the importance of passing on traditional teachings to young people. Learning is seen as integral to instilling respect in younger generations, which in turn is regarded as an important aspect of maintaining culture, heritage, and the environment where Yukon First Nations practices take place.

Education and respect are considered inseparable. Stewardship of culturally important places means teaching respect for those places, so that their integrity is maintained. Involving youth in discussions

regarding heritage and heritage policy is recognized as a critical part of the policy process. Elders are seen to play a special role in heritage practice; there is a risk that their information will be lost when they pass. This impacts the youth in the communities because the elder knowledge adds richness to their education. This education comes from many different sources, including language programs, daycare, and cultural programs.

Traditional education of YFN children and youth has been guided by three inter-related components: family, community, and natural environment. Participants often spoke about their responsibility to land (i.e., to respect it and help it flourish), to knowledge and tradition (i.e., to uncover, cultivate and pass it on), to the past (i.e., to respect the Ancestors and invite them into the present), and to future generations. For YFN heritage workers, this sense of responsibility was expressed as a duty to “make good decisions” since the implications of a bad decision are permanent and long lasting. Heritage is a series of relationships that must be respected and cultivated. It is not owned, but rather it is held in trust for those that will come after. These relationships must be understood in order to fulfill one’s responsibilities; thus the emphasis on education in heritage resource management.

The development of education and apprenticeship programs that provide opportunities to teach traditional knowledge and skills to the community’s youth can be integral in the maintenance of heritage. Many YFN offer some type of culture camp experience for youth, where Elders are involved as resource people. Elders and mentors inspire young people and strengthen their bond to the community while also providing them with valuable skills. The CTFN Carcross Carving Apprentice Program provides an example of a heritage-related educational experience. In this community development program, young people have an opportunity to work with and to learn from a master carver. In addition to learning the technical skills of carving, the youth are taught the traditional rules of carving, such as which colors were to be used and where, and what parts of the wood can or cannot be touched.

Heritage workers noted difficulties in having YFN cultural education programs acknowledged as legitimate educational experiences by the Territorial Department of Education. Previously, kids attending culture camp were marked absent and disciplined for missing school. However, the situation is improving, and children are no longer penalized for being absent when attending such programs.

A theme that crosscut many discussions of teaching and learning is the importance of “learning correctly.” It was routinely acknowledged by participants that learning traditional skills meant nothing if people were not also taught the requisite traditional knowledge. This view reflects a strong sense that both the teacher and student have a responsibility to respect the process through which knowledge is gained and shared. One carver noted that as a student, he waited five to ten years before beginning to carve his first mask, since this was how long it took him to become “ready.” Although he has spent thirty years learning his trade, he continues to gather and collect stories, techniques, and teachings from the community. Art is a responsibility that you earn. You do not own it; you respect it and pass it on.

Words such as “integrity” and “responsibility” were often attached to the process of teaching. It was routinely indicated that knowing why things are done in particular ways is as important as knowing how to do them. It was suggested that the goal of heritage policy should not be the creation of barriers that

stop people from using or learning traditional skills, but rather to ensure that people do things correctly. It was mentioned that there are layers on accountability, both personal and at the community level, to ensure such integrity.

Responsibility in the learning process belongs to both the teacher and the student. One Elder expressed her sense of responsibility to maintain heritage by taking her children and grandchildren to gatherings. Another talked about her good fortune for growing up with traditional ways, recognizing that this obligated her to pass on her knowledge to younger generations.

The importance of learning is not restricted to young people. A great deal of cultural knowledge, including language, was lost during the period of colonization. Many participants emphasized the importance of uncovering, rediscovering, and relearning the traditional knowledge, rituals, skills, and stories that were lost. Relearning such knowledge is viewed as a catalyst for regaining the control and independence lost by YFN when their culture was taken from them. It is central to restoring the health and pride of the community.

6.8 Culturally Significant Places

When considering significant heritage places, participants identified a number of factors that make places valuable: familial connections, intergenerational use, and significant events (historical and/or contemporary), along with the stories attached to such places. While many participants identified specific locations that were significant to them personally or to their communities, some expressed that, like objects, what makes places valuable are the relationships they embody and their ability to connect the past to the present.

For many, having a strong connection to the land is a means of maintaining relationships with the ancestors. Those with such feelings report that intergenerational relationships are similarly cultivated and maintained through such land-based connections; this is particularly the case when one is using the same land area that supported one's direct ancestors.

Where the Yukon Government and legislation are more concerned with preserving heritage and the environment in its physical form, YFN attribute significance to place based on teachings associated with the land and the land itself. Sense of place is described as heavily connected to ancestral relationships to the land. An individual may feel deep connections to a place they have never personally visited because of ancestral relationships to that place. Elders help identify significant places, and provide information about their history and why they are important. In some cases, it may not be culturally appropriate to publicly release information on the location or why a place is valued. Some places have rules or restriction about who can visit them, or enjoy the objects associated with that location. There are locales that are taken care of by visiting, and others cared for by not doing so.

Places also act as vehicles that facilitate the transmission of traditional knowledge, such as traditional hunting practices. If a traditional trail is being used, then stories in relation to that place are more likely to be passed on. This makes cultural places valuable for teaching. It was noted that as communities

(re)acquire significant sites, educational programs that encourage youth to nurture a relationship to the land and learn traditional teachings are being implemented.

The relationship between places and people is a reciprocal one. This relationship must be honoured by taking care of significant places, which is done by knowing and using the places. Maintaining connections keep the place and the culture alive. Use of a place also involves recognition and acknowledgement of the events that have happened there.

Traditionally, caring for significant places has been a familial responsibility. When a specific place is part of a particular family history and land use area, the responsibility for taking care of that place lies with that family. For all four First Nations that participated in our study, it seems that this familial or clan connection to a heritage site/place has priority over any broader community connection.

A key concept that was consistently brought up is the importance of respect. When moving through a place that had been used by other people, it is important to show respect for those people, and not touch or change anything about the place. It is also important to show respect for natural places. There is the sense that you should always leave things as they were, and alter a place only as much as you may need to. Part of this is not leaving anything behind. Recently, the YFN have seen the value of special places diminished by neglect and/or lack of respect by other people.

Changes to the character of a place can result in its heritage value being diminished. If non-citizens are accessing the trails and not following traditional practices, then the character of the place is altered; this in turn affects its value. The character and value of a place also shifts when the wildlife change. The land may still be there, but where its character has changed, its value changed.

While gravesites are sometimes identified as the most sensitive cultural sites, YFN typically prefer to avoid having to rank sites as more or less sensitive. Most First Nation governments leave the responsibility of taking care of gravesites with families. Where a family affiliation with a gravesite is known, the First Nation Government will not intervene in its preservation. However, if a gravesite needs attention and there is no family associated with it, the Yukon First Nation government may become involved, initially trying to identify the family represented. There may be cultural rules about acceptable land use practices around burial site locations. It is recognized that gravesites demand a large protective buffer. A distance of up to 2 km was suggested by one source; this is significantly larger than the buffers recommended by the Yukon Government.

If a family is clearly affiliated with a site, area or trail, then the First Nation government will seek their direction in developing management practices for such places. For some YFN, clans might also be involved in management decisions. There is general awareness that the role of YFN heritage departments is to assist families (or clans) in assuming their traditional responsibilities. First Nation heritage staff share new information that comes to light, but families are considered to know their own history the best.

Yukon First Nations governments take a broad range of concerns into account when making decisions about the management of land-based heritage. Individuals, families, clans, and the broader YFN

citizenship, are consulted, depending on the nature of the heritage resource affected. At the present time, the process within Yukon First Nation governments is more reactive than proactive. Still, all YFN indicated that they are working on formalizing the process for consultation with citizens.

When deliberating about protection of old places, it is not only the specific land that must be focused on; the area surrounding a site must also be considered. This is to ensure that the character of the site or place is not altered by the proposed land-use practices. First Nation governments may intervene to avoid commoditization of sacred land through economic development, or to avoid a culturally important site being turned in to a tourist attraction.

Management of culturally important places can be complicated in situations where stewardship responsibilities are shared among individuals, families, clans, and perhaps even the community at large. In some situations, the knowledge of how to properly take care of a place has been lost, along with the confidence to take on the appropriate caretaking responsibilities. Elders who remember how to appropriately care for significant places are identified as vitally important to help families and community members regain knowledge and confidence in how to take care of culturally important places.

Learning about a place, including rules related to that place, is important. Some rules are specific to a certain place; others may vary depending upon the type of place. For example, there are places that should be left alone entirely and not visited. Elders play an important role in conveying the necessary information, but there is still a concern about a loss of key knowledge,

The importance of respect is a cornerstone of dealing with land-based heritage resources. A concern, however, is that people are not aware of how to deal with these resources.. There are conflicting views over whether heritage resources on the land will be respected if there are signs posted, identifying the site and talking about its significance. An active presence is seen as more likely to be effective in these situations than signage.

YFN face great challenges in protecting culturally important sites located on Non-Settlement Lands. This is because the land claim agreement specifies that sites located in such settings are “owned” by Yukon. Management responsibility for sites located on Non-Settlement Lands therefore rests with the Yukon Government, even if they are sites related to the history and culture of Yukon Indian People.

Notwithstanding which government has management responsibility for sites on Non-Settlement Lands, Yukon First Nations are still able to provide input on the management of such sites. This is done through the YESAA (Yukon Environmental Social-Economic Assessment Act) process. It requires the formal submission of evidence to the Assessment Board, in a process that citizens and YFN Heritage workers have found to be somewhat adversarial in nature. The YESAA process is grounded in Western-style definitions of heritage and heritage management, and tending to be more quantitative in nature. Heritage workers have noted difficulty in translating qualitative information into the YESAA framework; they have also expressed frustration in having to defend their community’s values of importance, instead of having them simply accepted as significant.

The current YESAA assessment process has acknowledged that the assessment process presently fails to take account of YFN understandings of, and significance attributed to, cultural sites and the land as a whole. In order for YFN heritage resources to be properly managed, the relationships between people and places must be taken into account.

Stewardship of sites on non-Settlement Lands is further complicated by the existence of titled lands. Private property has infringed on many places that the YFN consider to be essential to their heritage, places that are recognized as having great cultural importance. Accessibility to significant places is essential in many cases to practice certain activities. Where access to those places is impaired, the activities so connected, can lose their meanings even if carried on in other settings. Or, as has sometimes been the case, the activities cease to be practiced. While there are many examples of situations where YFNs have been negatively affected by the encroachment of non-YFN users on culturally important places in the Territory, it is beyond the scope of this report to consider the specifics of each encroachment situation.

Commemoration of heritage sites situated on Non-Settlement Lands is likewise a complex issue. There is a hesitancy to give places national, or even territorial recognition and attention if local community members are unaware of the history and significance of the site. While the economic benefits of cultural tourism are recognized, caution is needed with respect to public recognition of significant heritage sites. Formal heritage designation is recognized as potentially contributing to the preservation of heritage resources, helping to make them available for future generations to learn from. However, some people question whether designating sites and making them public is an effective way of protecting them, as these actions draw further attention to areas which are of vital importance to First Nations heritage. The result can be further “encroachment” by non-YFN users of culturally important places. Extensive consultation with FN community members is needed if such a step is considered in order to ensure that what is preserved is valued by the community as a heritage resource.

Issues around communication of heritage values were mentioned as presenting challenges in all contexts, whether development and the YESAA process; land alienation (i.e., granting of new titles or leases) or commemoration. While it is recognized that communication with those vested with land management responsibilities is necessary, there is a sense that certain practices related to place are sacred and belong to the culture, and not to be publicly shared. Certain practices and traditional land uses are known orally in the community, so that when even simple consultation is neglected, they are not considered in future development. The need for education and internal communication, within the First Nation and including youth, is also acknowledged.

6.9 Relationships and Relatedness

As noted near the beginning of the Analysis section, relationships between people, as well as between people and places, and between people and things, play a big role in YFN understandings of heritage. This is not unexpected given that life in traditional times was dependent on having and maintaining strong and healthy relationships. Even today, the importance of honoring and respecting the

relationships in one's life cannot and should not be understated. We are referring to relationships between people, but also between people and other life forms such as animals, plants, the weather, the celestial and spirit worlds, and the land—river, lakes, mountains, wetlands, and so on.

If the heritage of YFN is to be managed with respect to YFN values and traditions, the value of employing a “relationship lens,” as suggested by Ross (2014: 3ff), becomes evident. Using such a lens results in not only seeing the connections between a people and their heritage, but also leads us to honor the high value that YFN place on the connections they recognize.

At the present time, the management of Yukon First Nations heritage is focused not on relationships, but rather on the concept of “relatedness.” This focus is attributed to a particular phrase in Chapter 13 of the Land Claim Agreement that refers to heritage sites and places as being “related to the history and culture of Yukon Indian people.” The phrase essentially defines which government has the responsibility for leading the heritage management process on Non-Settlement Lands (i.e., non-First Nations lands, also referred to as “Crown Lands”). If an heritage object is defined as “an ethnographic object directly related to the history and culture of Yukon Indian people,” or a site where such heritage objects are found, then YFNs take the lead on management of these places; if not, then Yukon Government is the lead.

There have been challenges in implementing these guidelines for management, however, because of different understandings of what is related to history and culture of Yukon Indian People. The Yukon Land Claim agreement did not define the term “ethnographic,” nor for that matter “archaeological” and “paleontological,” the key terms that determine whether a heritage object or site on Non-Settlement Lands is related to YFN history and culture. Instead, when the agreement was being negotiated, the parties put in place a process for these terms to be jointly defined at a future point in time; the process is specified in Clause 13.5.3.6 of the agreements. As noted in Section 2.6 above (p. 18), a multi-party effort to define these key terms took place during the period 2010–2013, but was not successful in achieving consensus on their meaning.

The YFN holistic approach to heritage understands that these terms need not be mutually exclusive. That is, something that is ethnographic may also be archaeological, if it was recovered from an archaeological context. Further, YFN understandings of their linkages to the land and nature, the understanding that they are “part of the land, part of the water” (cf. McClellan et al. 1987) leads them to understand the paleontological record as part of their history. From a YFN perspective, paleontological specimens such as a fossilized mammal tooth, an ancient ground squirrel nest, could be considered “ethnographic resources related to YFN history and culture.”

Although the Land Claim Agreement obligates us to use the “relatedness” concept, it presents challenges to those required to use it in decision-making. This is because it is difficult to determine if contemporary peoples are “related to” past cultures that are known only by the material culture they left behind. The method for establishing whether there are connections focuses on tangible heritage. Similarity in material culture is taken as evidence of continuity in people and culture. The logic thread runs something like this: these artifacts are similar to those artifacts, therefore the people who

produced these artifacts are related to the people who produced those artifacts; for a critique of this approach, see Rosenmeier (2010).

YFN have an entirely different understanding of the meaning of relatedness, one that is not based on tangible heritage, or genetic connections, but rather on social interactions and relationships. This understanding of “relatedness” derives from the lived experiences of community members, as well as the stories that have been passed down from the ancestors. It places less emphasis on the flow of genes and whether similar types of technology are made or used, or similar lifeways experienced. Rather, it is based on and derives from the “shared experiences” between generations. From the YFN perspective, relatedness may be based on biological connections, but this is not a necessary requirement; the practice of adoption traditionally has been, and continues to be widespread within YFN communities. For YFN, relatedness may also cross-cut ethnic groupings. A father may self-identify as Gwitchin, and his son following the line of his mother, as Tlingit, but this does not deny the father and son’s “relatedness.”

The shared experiences that underlie YFN understanding of “relatedness” therefore mean that those who together constitute our “kin” are those who honor the same relationships that we do. These may be relationships to the land, such as the return of the salmon to a territory each year, or the responsibilities one has as a Crow clan member to the Wolf people. To further illustrate this, as youth, Mary and Jane spent time together each summer at the fish camp of the female Elder they referred to as “Grandma.” Mary and Jane may have no actual recognized biological connection to each other, or to the lady they call Grandma. They may be citizens of different Yukon First Nations. One may have arrived at fish camp by boat, the other by float plane (i.e., using different technologies). Still, the two women clearly know and recognize that they are “related” because they honor and fulfill obligations to many of the same places, actions, activities, things and people – including the Grandma they visit at fishcamp.

We can delve into the YFN understanding of “relatedness” further, but considering the actual lived experiences of the YFN ancestors. The YFN homeland is a demanding environment, one that required the ancestors to change in order to thrive. In YFN context and history, change is a given. Hunting technology may shift (as it has from throwing dart, to bow and arrow, to muzzleloader, to shotgun, to high-powered rifle). The mode of transportation may change, from dog team to snow machine. A shift in technology, or the change in cultural practise (e.g., the shortening of a young woman’s puberty seclusion period) does not mean a disconnection; neither signals “unrelatedness.” Thus, Yukon First Nations history would not suggest that relatedness has to be marked by similarity within the material culture record, by continuity in any specific cultural practice, or in gene flow.

YFN’s understanding of relatedness has much in common with what has been demonstrated for the Nova Scotia Mi’kmaq. Researcher Leah Rosenmeier, who investigated the Mi’kmaq archaeological record in that province, noted that descent and therefore relatedness within Mi’kmaq history was characterized not necessarily on the continuity of any particular practise from one generation to the next, but by the shared group experience through time (Rosenmeier 2011).

The cultural body, or unit of measure, against which “relatedness” is measured is another issue to be considered in determining relatedness. The Land Claim Agreement takes a broad rather than narrow

approach on this. A heritage site or object has only to be related to “Yukon Indian People,” rather than to a specific Yukon ethno-linguistic group, such as Northern Tutchone or Tlingit. This broader definition means that a heritage site located in one First Nations traditional territory doesn’t have to be specifically related to the history of those people, but only to the history and culture of *some* Yukon Indian people.

6.10 Art, Material Culture, and Culturally Important Things

YFN recognize a range of material culture pieces as being culturally important heritage objects. This includes things that others might label as artifacts, art, family heirlooms, and archaeological specimens; natural history specimens may also be culturally important. Important heritage objects may be found at traditional settlements or elsewhere out-on-the-land in the traditional territory, in the homes of community members, in museums and related government curation facilities, and in both public and private art galleries.

For YFN, heritage objects have inherent value as collective resources, important because they assist citizens in understanding their identity. They help FN citizens know who they are, where they come from and where they belong; heritage objects can also help citizens understand the land that they are part of. In discussing how heritage objects should be dealt with, it was expressed that there is value in displaying items that can no longer be used. Taking care of such things, and in some cases displaying them, shows pride in culture. There is a desire to not only educate young people about old things, but also to show youth how to show respect to culturally important items.

Yukon First Nation governments are viewed as having an inherent interest in the management of heritage objects that are found in (or originate from) their respective traditional territories, especially where these objects were made by indigenous ancestors. There is a desire to create respectful working partnerships between all agencies and governments involved in managing heritage objects related to the culture and history of Yukon Indian people.

The “power” of culturally important things was mentioned by some study participants. While this character of heritage objects was not investigated in detail, it is thought that such power may be derive from the past lives such objects have been part of, or the stories such pieces have witnessed or will witness.

For YFN, the heritage value of an object is not necessarily related to its age, rarity, or uniqueness, but rather it is determined largely on the basis of connection to community. Research with community members is used to establish whether such connections exist and therefore if an item is to be considered culturally significant. In this way, First Nations’ concepts or definitions of what constitutes a heritage object differ somewhat from that of Yukon Government heritage law and policy.

Contemporary items, which some may refer to as art pieces or specialized craft, may be considered significant and retained in YFN heritage collections. While YFN eschew the concept of something being valued just because it is “old”, objects believed to have an ancestral connection, which demonstrate the

connection between the past and the present, are especially valued. The value of an object becomes stronger when it is known that a particular family is associated with the object. Items that have a story connected to them, or which are directly associated with community members and their families, or associated clans, are similarly have a high value placed on them. Notwithstanding the heritage value attached to items, in some cases it is clear that the story associated with an object can be more important than the object itself.

Even where a clear link is not established through a story, items may have significance because of their educational value. There is interest therefore, in retaining such pieces within the community in order to facilitate learning opportunities. The First Nation Heritage Department is seen as the appropriate home for objects without known familial connections. It is common for items found in the traditional territory that lack familial connections to be turned in to the FN Heritage Department (or Program/Office); this relatively recent trend is based upon the desire to preserve culture through education.

Individuals, families and clans are all recognized as having a stewardship role, in taking care of heritage objects. The Yukon First Nation government may be asked to help these social unit fulfill their stewardship responsibilities, or the government may also be asked to care of a heritage object on their behalf.

Whether the First Nation government has temporary or permanent curatorial responsibility for a heritage object, it is seen as necessary to consult with the family identified with the object. In the cases of objects with no known familial connection, it is appropriate to consult with the families that are connected to the geographic area the piece originated from. Where an item is potentially related to several families, the situation can become complicated. Social convention and clan laws may provide direction on how such situations should be handled, and establish if the First Nation government should assume curatorial responsibility of behalf of those families.

Consultation with families is necessary because it recognizes the community's connection to and interest in, heritage objects. This consultation is an important step in addressing the care of heritage objects. It is needed to establish not only who should have curatorial responsibility for the object, but also such things as whether the object should be put on display, whether any kind of conservation or repair work is appropriate, who can access or borrow the object, etc. Until such consultation takes place, all items are treated with the utmost care.

Two of the four YFN project partners have at least some capability of taking physical care of portable, smaller material culture items. Citizens of those First Nations that do not have such facilities have expressed an interest in obtaining premises where their heirlooms and special objects, as well as relevant photographs and audio and video recordings, could be kept safe, yet accessible.

Those First Nations that have such facilities are also developing, or have developed, policies for the heritage objects under their care. Decisions need to be made as to whether an item is being stored or curated for educational or protection reasons, with more access allowed in the former situation. Collections policies must address who can access an object under care, and under what circumstances; situations may exist where it is appropriate to restrict access to an original. Replicas were recognized as

valuable for educational purposes, since people can hold or touch such pieces. For items donated to a First Nation government or Cultural Centre facility, there may be a need to honor both the donor's and the larger community's relationship to the piece.

Elder knowledge is important in providing guidance on how objects should be stored and handled. For example, traditionally women were not allowed to touch a man's hunting tools, but it was learned that such a restriction may not hold if the tool is not longer employed in the manner for which it was originally intended. Elder knowledge is also important for identifying items to which access should be restricted, or powerful items that require special handling. In the CAFN case, measures have been taken to mitigate (recognize and provide protection from) the "power" inherent in culturally important objects housed at their facility; this was done on the basis of recommendations from their Elders, and is being renewed on a 'as needed' basis.

Elders may also give advice on when and where intervention on a piece is appropriate. Intervention where there is deterioration (i.e., conservation and/or stabilization) must navigate the understanding that objects and places are closely tied to people. Thus, if Grandpa would have repaired a given piece in times past, repair quite likely would be seen as appropriate in the contemporary context.

It also seems to be appropriate to use new kinds of materials, to improve old pieces and designs – that is, to find contemporary solutions, to historic design and function problems – all the while being true to the spirit of the piece.

Repatriation did not appear as a strong theme in our art and material culture discussions with project participants. A couple decades ago, repatriation was a major concern for YFN. However, research by YFN and Yukon Government has established that collections in outside institutions that originate in the Territory, and which might be eligible for repatriation, are somewhat limited. Consequently, the focus has shifted from reclaiming examples of material culture heritage, to working with living knowledge holders (i.e., Elders) who know how culturally important objects were made and used. The goal of such work is to both highlight the knowledge that exists within the community, as well as to pass on such skills and traditions to younger generations. A revival in the arts and traditional crafts clearly appears to be happening in the Territory.

6.11 Yukon First Nation Governments Heritage Policy and Practice

Whether traditional or modern law and policy, the key role of the practices and policies developed or followed by Yukon First Nation governments has been described as "maintaining integrity." This provides a starting point for moving forward, for deciding what action to take, or not take.

Comments shared by study participants make it clear that YFN traditional laws concerning matters of a heritage nature continue to be practiced. For example, clan relationships and responsibilities are honoured. We also learned that appropriate families are consulted when old sites or heritage objects are discovered, or being used in heritage interpretation.

In addition to these traditional laws and practices, formal policies have also been developed by the modern YFN governments. The TH, for example, have formally adopted a “Collections Policy” (Appendix E); this document provides guidance on the management of material culture items under its care. This same First Nation has also developed a “Best Practices for Heritage Resources,” referring to land-based heritage resources such as sites, trails and landscapes (Appendix F).

A traditional knowledge policy is also being considered (or has been approved by) all self-governing YFN. This document provides guidance on managing information, and considers such things as how traditional knowledge data is accessed, as well as how such information can be used.

The heritage programs of the YFN governments also adhere to numerous informal policies. An example of one such policy would be the practice of not providing financial compensation for turning a heritage item in for care or storage; this practice is followed in order to discourage trafficking in artifacts as well as the potential plunder of heritage sites for financial gain.

Because they are self-governing, YFN also have the potential to develop laws. To date, legislation related to a wide range subject/topics areas have been passed by YFN; for example in 2007, TH passed its Lands and Resources Act. In 2014, CAFN passed its Language Act. As we learned in Section 3, YFN are also developing Heritage legislation. Once approved, such legislation could potentially displace equivalent Yukon Territorial Government law.

A government also manifests its priorities through the programs it operates. One of the roles commonly assigned to YFN heritage departments is that of caretaker, whether of stories and traditional knowledge, or of things, art and material culture pieces. One participant referred to the department as being a “keeper” and sharer of knowledge. The responsibilities of the department listed by the participants included: preserving the integrity of knowledge, facilitating knowledge access and transfer, and ensuring that the spirit and intent of the knowledge remained present within policy frameworks. For example, art and artistic expression was widely acknowledged as a fundamental heritage practice. Participants noted that culture did not die with the arrival of the newcomers to our lands, but is carried on by Elders, artists and performers from each community.

There has been a recent revival in First Nation cultural heritage, and the past 30 years have seen rejuvenation in the importance of song, dance, storytelling and visual arts. The latter is seen an expression of spirit. It is not enough for the Yukon First Nation government (and its policy) to encourage art; it must ensure the integrity of the practice, to ensure, the spiritual side of the practice is maintained. There may also be a need to maintain knowledge integrity, which could mean restricting access to knowledge. Notwithstanding the latter concern, it was also widely expressed that YFN heritage departments need to build opportunities that allow tradition to be passed from one generation to the next.

Establishing heritage policy and legislation is recognized as a challenging endeavor since YFN heritage is ultimately a dynamic and living concept, making it difficult to define in concrete terms. Some YFN heritage management rules are context specific, and may not lend themselves to broad application. It can also be difficult to articulate how and when certain rules apply. It is recognized that policy process is

often affected by the language we work in. There are challenges to conveying YFN values in westernized vocabulary. Nonetheless, YFN heritage workers acknowledged that legislation and policy frameworks were important parts of moving forward with the process of implementing the land claim agreement. Though YFN desire to maintain an integral role in heritage management, certain policies and practices have not been implemented because of the financial implications of doing so.

A consistent theme in each focus group was conflicts between Western heritage law, policy and practice, and YFN approach to heritage management. The former relies upon the need for physical evidence to indicate YFN presence in an area. Absence of such evidence negates YFN interests in regard to the place or object. This conflicts with traditional practices that may result in little if any tangible evidence of use of, or connection to a place. For example, a place used as the setting for a young woman's coming of age ceremony, may result in no physical sign that such an event has taken place. Reliance on physical evidence also ignores the importance of oral histories and stories in YFN culture. Such accounts provide a connection to ancestral places and actions that are much more real than physical objects.

YFN heritage workers noted tensions between their own and other governments because of differences in how land use is assessed, and also because of different concepts of ownership and approaches to managing collections. The importance placed by YFN on oral histories and ancestral connections conflicts with the more rigid and structured Western heritage practice. YFN believe were frustrated by the lack of opportunity for input from those with greatest interest in a particular resource, to those who have management responsibility for this same resource.

7. Conclusions: Collaborative Stewardship

Through the Yukon Land Claim Agreement, Yukon First Nations are legally entitled to play a role in the management of heritage resources that are related to the history and culture of Yukon Indian People. The agreements specify that these resources are to be managed with regard to YFN values and beliefs, and in accordance with contemporary heritage management practices. The agreements thus comply with the *UNESCO Declaration of the Rights of Indigenous Peoples* (Article 11.1):

Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature (UNESCO 2008).

The goal of the present study, as stated in Section 3.1.1. above, was ambitious—to explore the potential implications of founding YFN heritage resource management (HRM) law, policy, and practice on YFN values. Independent of the present study, the self-governing YFN defined the values that underlie their approach to heritage management as respect, integrity, as well as caring and sharing of knowledge and resources.

With the important values so defined, this study therefore sought to explore and understand how YFN saw these values being expressed in heritage management. In this way, the present study documented the basics of YFN understandings of heritage. We've learned that for YFN citizens and governments, stewardship of heritage is seen as a **responsibility, with perpetuation of the culture being the primary goal of all heritage management activities.**

We've learned that for YFN heritage:

- Is about identity and belonging;
 - Links past, present and future generations;
 - Is an expression of community;
- Involves both tangible aspects;
 - Strongly focused on oral traditions and sharing of stories, teachings;
 - Recognizes people, places and things as having heritage value;
- Is holistic in nature, and intimately connected to the land;
 - Focuses on relationships, between people, places and things;
 - May involve the spiritual;
- Is a living thing, a way of life;
 - Is dynamic and evolving, as it responds to the needs of those whose history it bears;
 - Emphasizes knowledge sharing, education;

The implications of such understandings, and the consequences for management of YFN heritage are profound but also complex. Analysis of the data gathered by this study has only started to unravel this complexity, and understand what it means for contemporary heritage management practices.

Minimally, among other things, the YFN approach to heritage management means that:

- Active use is a form of management;
- An object, structure or a place doesn't have to be old, rare or unique to have heritage value;
- The tangible does not take priority, or precedence, over the intangible;
- Education and knowledge sharing are key management themes;
- Spiritual concerns may be considered in management.

For YFN, heritage is about identity; it provides a strong sense of self and one's place in the world. Heritage is also a way of life, where knowledge and understanding of history, culture and survival are passed on from generation to generation by parents, Elders and the wider community. Yukon First Nation governments play an active role in assisting and facilitating transmission of such cultural knowledge and values between generations.

For YFN, heritage isn't just objects and sites, it is about responsibilities and connections, relationships to the ancestors and to each other, as well as to non-human persons. Heritage is dynamic and living, by nature constantly changing and evolving. Heritage is also something that one should have responsibility for, rather than ownership of. Thus for Yukon First Nation governments, heritage management is active

stewardship of an inheritance; it is something that is done; it is a verb, rather than a noun.

Managing YFN heritage with respect to YFN values also means thinking in relationship terms and honoring the high value placed on the relationships recognized by YFN. Different understandings of relatedness have led to disagreement over key areas of responsibility and consultation obligations relating to heritage resources located off settlement land and underscore the challenge of codifying First Nation laws and relationships to heritage in English in a way that ensures Indigenous meanings are conveyed.

The findings of the present study are not out of line from what has been established for First Nations in other Canadian jurisdictions. For example, a study on heritage training needs in the Northwest Territories (Mattson 1997) surveyed community representatives, asking them to identify what aspects of heritage were important. Options presented included historic buildings, oral history, festivals and events, historic sites, museums, objects and artifacts, language, traditional skills, landscape, stories, and photographs (Mattson 1997: 178). The respondents to that survey placed highest value on language, traditional skills, and oral history. These same results and priorities were confirmed in a follow-up study (p. 178). Klassen (2013: 236) reports a similar situation for the Nlak'pamux of British Columbia, who consistently identified “knowledge” as the single-most important feature of their heritage, followed closely by language, traditions, and traditional practices. The Nlak'pamux also frequently included the land and the related aspects of water, air and resources in their conception of heritage, with tangible aspects of heritage, such as places, sites and artifacts, objects, and technology receiving less emphasis (p. 236.).

The values towards heritage captured in this report can be incorporated in Yukon heritage management if Yukon First Nation governments are allowed to play an active role in all the stages of the heritage management process. This would mean YFN engaged in (1) identifying what is valued, and therefore recognized, as a heritage resource, (2) assessing the importance of a particular resource, (3) characterizing the potential impacts to a resource and the significance of same, and (4) where required, developing mitigation recommendations to address such impacts.

Two general conclusions thus become apparent from this study. The first is that attention needs to be paid to process in heritage management —that is, how things are done. The second point would be that Yukon First Nation governments, as representatives of YFN citizens, are the body and organization best positioned to co-ordinate YFN participation in the management of YFN heritage in the Territory. These governments understand the values underlying YFN conceptions of heritage, and are able to convey the complexities of YFN understandings of heritage to other parties. This would include the complexities regarding identity and belonging, spirituality, stewardship and responsibility, the holistic approach, and the shared-experience understanding of relatedness. The full engagement of Yukon First Nation governments in the management of heritage resources related to the history and culture of Yukon Indian People should apply regardless of which level of government is recognized as the party having the overall management responsibility for any specific resource or location.

It is the role of FN governments to assure the integrity of their heritage, and to assist their citizens in honoring their past, while being able to pass it on to future generations. The suggested emphasis on process noted in our conclusions is in line with recent Canadian court decisions. These decisions emphasize the requirement for consultation with First Nations in matters affecting their traditional lands, their people and communities, and as demonstrated in this report, their heritage.

REFERENCES CITED

Berkes, Fikret, P.J. George, and R.J. Preston

1991 Co-management. The Evolution of the Theory and Practice of the Joint Administration of Living Resources. *Alternatives* 18(2):12-18

Carcross/Tagish First Nation

Undated. Draft Statutes of Carcross/Tagish First Nation, Book One, Traditional Beliefs and Practices: Our Place, Our Responsibilities. Available on-line at <http://www.ctfn.ca/documents/general-documents>; accessed August 7, 2014.

Champagne and Aishihik First Nations, Frances Oles, Ukjese vanKampen, and Sheila Greer

2013 *Gúyàt, Dän K'adädlü yü, Beadwork of the Champagne and Aishihik People*. Champagne and Aishihik First Nations, Haines Junction, Yukon.

Clarke, Chris, Sharon Moore, K'anänchá Group

2009 *Tr'ëhuhch'in Näwtr'udäh'q - Finding Our Way Home*. Tr'ondëk Hwëch'in, Dawson City.

Crow, John R., and Philip R. Obley

1981 Han. In *Handbook of North American Indians, Volume 6, The Subarctic*, edited by June Helm, pp. 506-513. Smithsonian Institution, Washington, D.C.

Cruikshank, Julie

1981 Legend and Landscape: convergence of oral and scientific traditions in the Yukon Territory. *Arctic Anthropology* 18(1):67-93.

1990 Getting the Words Right: Perspective on Naming and Places in Athapaskan Oral History. *Arctic Anthropology* 27(2): 52-65.

1990a (in collaboration with Angela Sidney, Kitty Smith and Annie Ned) *Life Lived Like a Story*. University of British Columbia Press, Vancouver.

2005 *Do Glaciers Listen? Local Knowledge, Colonial Encounters & Social Imagination*. University of British Columbia Press, Vancouver and Toronto.

Dauenhauer, Nora Marks

2000. Tlingit At.óow. In *Celebration 2000: Restoring Balance Through Culture*, edited by Susan W. Fair and Rosita Worl, pp. 101-106. Seasaska Heritage Foundation, Juneau.

De Paoli, Mary

1999 *Beyond Tokenism, First Nations Involvement in Archaeological Resource Management in British Columbia*. Master of Arts Thesis, Faculty of Graduate Studies, School of Community and Regional Planning, The University of British Columbia.

Dobrowolsky, Helene

2014 *Hammerstones, A History of the Tr'ondëk Hwëch'in*, 2nd ed.. Tr'ondëk Hwëch'in, Dawson City, Yukon.

Fafard, Melanie

2006 *Canadian Heritage, Indigenous Heritage: Places, Meaning and Management. A Case Study with the Teet'it Gwich'in of Fort McPherson, NWT*. Ph.D. Dissertation, Department of Anthropology, University of Alberta, Edmonton.

Hogan, Barb

2002 "Proceedings of the Adaka Heritage Conference Oct. 27-28" prepared for Yukon Heritage Resources Board (April 2002); available online: http://www.yhrb.ca/pdfs/Adaka_proceedings_final.pdf; accessed September 10, 2014.

Jackson, Betsy, and J. Hawkins

2005 "Tending the Fire. A Forum on Heritage and Culture Summary Document" held at Yukon College Whitehorse, February 28-March 4, 2005." Unpublished manuscript on file, Heritage, Champagne & Aishihik First Nations, Haines Junction.

Joe, Dave

2005 Presentation to Yukon Heritage Resources Board, November 2005. Unpublished manuscript on file, Heritage, Champagne & Aishihik First Nations, Haines Junction.

Klassen, Michael

2013 *Indigenous Heritage Stewardship and the Transformation of Archaeological Practice. Two Case Studies from the Mid-Fraser Region of British Columbia*. Ph.D. Dissertation, Department of Archaeology, Simon Fraser University, Burnaby.

Mattson, Linda K.

1997. *Examination of the Systems of Authority in Three Canadian Museums and the Challenges of Aboriginal People*. Ph.D. Dissertation, Department of Anthropology and Sociology. The University of British Columbia, Vancouver.

McClellan, Catharine

1975 *My Old People Say: An Ethnographic Survey of Southern Yukon Territory* (2 volumes). National Museums of Canada, Publications in Ethnology #6. [republished in 2001 as Mercury Series, Canadian Ethnology Service Paper 137, Canadian Museum of Civilization].

1981 Tagish. In *Handbook of North American Indians, Volume 6, The Subarctic*, edited by June Helm, pp. 491-492. Smithsonian Institution, Washington, D.C.

1981a Tutchone. In *Handbook of North American Indians, Volume 6, The Subarctic*, edited by June Helm, pp. 493-505. Smithsonian Institution, Washington, D.C.

McClellan, Catherine, Lucie Birckel, Robert Bringhurst, James A. Fall, Carol McCarthy, and Janice R. Sheppard
1987 *Part of the Land, Part of the Water. A History of Yukon Indians*. Douglas & McIntyre, Vancouver.

Osgood, Cornelius
1971 *The Han Indians*. Yale University Publications in Anthropology 74, New Haven.

Parsons, Susan, Jody Beaumont, Glenda Bolt, and Georgette McLeod
2008 Myth and Medium—I'm Going to Tell You Another Story. *Proceedings of Symposium 2007 Preserving Aboriginal Heritage: Technical and Traditional Approaches, Ottawa, Canada, September 24-29, 2007*, edited by Carole Dignard, Kate Helwig, Janet Mason, Kathy Nanowin, and Thomas Stone. Canadian Conservation Institute. Ottawa, Canada.

Roburn, Shirley, and Tr'ondëk Hwëch'in Heritage Department
2012 Weathering Changes: Cultivating Local and Traditional Knowledge of Environmental Change in Tr'ondëk Hwëch'in Traditional Territory. *Arctic* 65(4): 439-455.

Rosenmeier, Leah
2010 November 15, 2010 Posting on the WAC (World Archaeological Congress) message forum. PDF on file, Heritage, Champagne & Aishihik First Nations, Haines Junction.

2011 *Towards an Archaeology of Descent: Spatial Practice and Communities of Shared Experience in Mi'kma'ki*. Ph.D. Dissertation, Department of Anthropology, Brown University.

Ross, Rupert
2014 *Indigenous Healing, Exploring Traditional Paths*. Penguin Canada.

Wilson, Jordan
2016 "Belongings" in "čəsnaʔəm: the city before the city". Available online at <http://www.sfu.ca/ipinch/outputs/blog/citybeforecitybelongings>. Accessed March 19, 2016.

Worl, Rosita
2014 Presentation by Dr. Rosita Worl, Sealaska Heritage Institute. Available online at www.pbs.org/Harriman/explog/lectures/worl.htm. Accessed August 7, 2014.

UNESCO
2008. United Nations Declaration of the Rights of Indigenous Peoples. Available on-line, at http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf. Accessed January 15, 2015.

Zimmerman, Larry

Undated. Archaeology's Stories of American Indian Origins and why they are so alienating. Powerpoint presentation available online at

http://www.academia.edu/10024174/Archaeologys_stories_of_American_Indian_origins_and_why_they_are_so_alienating. Accessed January 4, 2016.

APPENDIX A
CHAPTER 13 OF THE YUKON UMBRELLA FINAL AGREEMENT

13.1.0 Objectives

13.1.1 The objectives of this chapter are as follows:

13.1.1.1 to promote public awareness, appreciation and understanding of all aspects of culture and heritage in the Yukon and, in particular, to respect and foster the culture and heritage of Yukon Indian People;

13.1.1.2 to promote the recording and preservation of traditional languages, beliefs, oral histories including legends, and cultural knowledge of Yukon Indian People for the benefit of future generations;

13.1.1.3 to involve equitably Yukon First Nations and Government, in the manner set out in this chapter, in the management of the Heritage Resources of the Yukon, consistent with a respect for Yukon Indian values and culture;

13.1.1.4 to promote the use of generally accepted standards of Heritage Resources management, in order to ensure the protection and conservation of Heritage Resources;

13.1.1.5 to manage Heritage Resources owned by, or in the custody of, Yukon First Nations and related to the culture and history of Yukon Indian People in a manner consistent with the values of Yukon Indian People, and, where appropriate, to adopt the standards of international, national and territorial Heritage Resources collections and programs;

13.1.1.6 to manage Heritage Resources owned by, or in the custody of, Government and related to the culture and history of Yukon Indian People, with respect for Yukon Indian values and culture and the maintenance of the integrity of national and territorial Heritage Resources collections and programs;

13.1.1.7 to facilitate reasonable public access, except where the nature of the Heritage Resource or other special circumstances warrant otherwise;

13.1.1.8 to identify and mitigate the impact of development upon Heritage Resources through integrated resource management including land use planning and development assessment processes;

13.1.1.9 to facilitate research into, and the management of, Heritage Resources of special interest to Yukon First Nations;

13.1.1.10 to incorporate, where practicable, the related traditional knowledge of a Yukon First Nation in Government research reports and displays which concern Heritage Resources of that Yukon First Nation;

13.1.1.11 to recognize that oral history is a valid and relevant form of research for establishing the historical significance of Heritage Sites and Moveable Heritage Resources directly related to the history of Yukon Indian People; and

13.1.1.12 to recognize the interest of Yukon Indian People in the interpretation of aboriginal Place Names and Heritage Resources directly related to the culture of Yukon Indian People.

13.2.0 Definitions

In this chapter, the following definitions shall apply.

"Non-Public Records" means all Documentary Heritage Resources other than Public Records.

"Place Names" includes Yukon Indian place names.

"Public Records" means records held by any department or agency or public office of any level of Government, and records which were formerly held by any such department, agency or public office.

13.3.0 Ownership and Management

13.3.1 Each Yukon First Nation shall own and manage Moveable Heritage Resources and non-Moveable Heritage Resources and Non-Public Records, other than records which are the private property of any Person, found on its Settlement Land and on those Beds of waterbodies owned by that Yukon First Nation.

13.3.2 Subject to 13.3.5 to 13.3.7, each Yukon First Nation shall own and manage ethnographic Moveable Heritage Resources and Documentary Heritage Resources that are not Public Records and that are not the private property of any Person, that are found in its respective Traditional Territory and that are directly related to the culture and history of Yukon Indian People.

13.3.2.1 If more than one Yukon First Nation asserts ownership of a Heritage Resource pursuant to 13.3.2, they shall attempt to resolve the matter among themselves, and, failing resolution, any one of them may refer the matter to the Yukon Heritage Resources Board which shall determine ownership of the Heritage Resource in dispute.

13.3.3 Subject to 13.3.5 to 13.3.7, Moveable Heritage Resources and Documentary Heritage Resources which are not ethno- graphic resources directly related to the culture and history of Yukon Indian People and which are found on Non- Settlement Land shall be owned by Government.

13.3.4 Public Records, wherever they are found, shall be owned and managed by the Government by which they were created or held.

13.3.5 In the event that a Moveable Heritage Resource found on Non-Settlement Land in a Traditional Territory cannot be readily identified as an ethnographic object directly related to the culture and history of Yukon Indian People, that object shall be held in custody by Government until the nature of the object has been determined.

13.3.6 If the object in 13.3.5 is determined by the Yukon Heritage Resources Board to be:

13.3.6.1 an ethnographic object directly related to the culture and history of Yukon Indian People, it shall be owned and managed by the Yukon First Nation in whose Traditional Territory it was found; or

13.3.6.2 an ethnographic object not directly related to the culture and history of Yukon Indian People, or to be a palaeontological or an archaeological object, it shall be owned and managed by Government.

13.3.7 Where the Board is unable to reach a majority decision under 13.3.6, the issue of whether the ethnographic object is directly related to the culture and history of the Yukon Indian People shall be referred to the dispute resolution process under 26.3.0.

13.3.8 Agreements may be entered into by Government and Yukon First Nations with respect to the ownership, custody or management of Heritage Resources.

13.4.0 General

13.4.1 As the Heritage Resources of Yukon Indian People are underdeveloped relative to non-Indian Heritage Resources, priority in the allocation of Government program resources available from time to time for Yukon Heritage Resources development and management shall, where practicable, be given to the development and management of Heritage Resources of Yukon Indian People, until an equitable distribution of program resources is achieved.

13.4.2 Once an equitable distribution of program resources is achieved, Heritage Resources of Yukon Indian People shall continue to be allocated an equitable portion of Government program resources allocated from time to time for Yukon Heritage Resources development and management.

13.4.3 Government, where practicable, shall assist Yukon First Nations to develop programs, staff and facilities to enable the repatriation of Moveable and Documentary Heritage Resources relating to the culture and history of Yukon Indian People which have been removed from the Yukon, or are retained at present in the Yukon, where this is consistent with the maintenance of the integrity of national or territorial collections.

13.4.4 A Yukon First Nation or a Yukon Indian Person who is an owner of a Heritage Resource may transfer the ownership or custody of the Heritage Resource to another Yukon First Nation or to another aboriginal person.

13.4.5 Government shall Consult Yukon First Nations in the formulation of Legislation and related Government policies on Heritage Resources in the Yukon.

13.4.6 Yukon First Nation Final Agreements may include provisions in respect of territorial heritage parks or sites, heritage rivers, heritage routes, heritage buildings, special management areas for Heritage Resources, for other sites or areas of unique cultural or heritage significance, or for other such heritage matters.

13.4.7 Any granting of access to the public, third parties or Government to Settlement Land shall not divest the Yukon First Nation of the ownership or management of Heritage Resources on Settlement Land.

13.4.8 In accordance with Government procedures on access to and duplication of records, and subject to access to information, protection of privacy and copyright Legislation and to any agreements respecting records or the information contained in them, Government, within existing budgets, shall facilitate the preparation of an inventory of Moveable Heritage Resources and Heritage Sites which relate to Yukon First Nations.

13.5.0 Yukon Heritage Resources Board

13.5.1 A Yukon Heritage Resources Board, comprised of 10 members and composed of equal numbers of appointees nominated by the Council for Yukon Indians, and of appointees nominated by Government, shall be established to make recommendations respecting the management of Moveable Heritage Resources and Heritage Sites to the Minister and to Yukon First Nations.

13.5.2 The Board shall operate in the public interest.

13.5.3 The Board may make recommendations to the Minister and to Yukon First Nations on:

13.5.3.1 the management of non-documentary Heritage Resources;

13.5.3.2 means by which the traditional knowledge of Yukon Indian Elders may be considered in the management of Moveable Heritage Resources and Heritage Sites in the Yukon;

13.5.3.3 means by which the traditional languages of Yukon First Nations can be recorded and preserved;

13.5.3.4 the review, approval, amendment or repeal of regulations pursuant to heritage Legislation pertaining to Moveable Heritage Resources and Heritage Sites in the Yukon;

13.5.3.5 the development and revision of a strategic plan for the preservation and management of Moveable Heritage Resources and Heritage Sites in the Yukon;

13.5.3.6 the development, revision and updating of a manual including definitions of ethnographic, archaeological, palaeontological and historic resources, to facilitate the management and interpretation of these resources by Government and Yukon First Nations, such manual to be developed by Yukon First Nations and Government;

13.5.3.7 the development, revision and updating of the inventory of Yukon Indian Heritage Resources provided for in 13.4.8;

13.5.3.8 means by which public awareness and appreciation of Moveable Heritage Resources and Heritage Sites may be fostered;

13.5.3.9 designation of Heritage Sites as Designated Heritage Sites; and

13.5.3.10 any other matter related to Heritage Resources of the Yukon.

13.5.4 In modifying or rejecting recommendations of the Board, Government or Yukon First Nations shall provide the Board with one opportunity to resubmit recommendations for the approval of Government or Yukon First Nations.

13.6.0 National Parks and National Historic Sites

13.6.1 The management of Heritage Resources in National Parks, in Kluane National Park Reserve and in national historic sites administered by the Canadian Parks Service shall be as set out in the relevant Yukon First Nation Final Agreement.

13.7.0 Research

13.7.1 Research or interpretative reports produced by Government or its agents regarding Yukon Heritage Resources shall be made available to the affected Yukon First Nation.

13.7.2 Where feasible, research reports in 13.7.1 or portions thereof, shall be made available to the public, recognizing that some reports may be restricted due to the sensitive nature of the information contained therein.

13.8.0 Heritage Sites

13.8.1 Ownership and management of Heritage Sites in a Yukon First Nation's Traditional Territory shall be addressed in that Yukon First Nation Final Agreement.

13.8.2 Government and the affected Yukon First Nation shall consider the land use activities of other resource users in the management of interpretive and research activities at Heritage Sites.

13.8.3 Government and the affected Yukon First Nation shall institute a permit system for research at any site which may contain Moveable Heritage Resources.

13.8.4 Access to Designated Heritage Sites shall be controlled in accordance with the terms of site management plans which have been reviewed by the Board, and approved and implemented by Government or the affected Yukon First Nation.

13.8.5 Government and the affected Yukon First Nation, when controlling access to Designated Heritage Sites, shall consider:

13.8.5.1 the interests of permitted researchers;

13.8.5.2 the interest of the general public; and

13.8.5.3 the requirements of special events and traditional activities.

13.8.6 Except as otherwise provided in this chapter, the protection of Heritage Resources in or discovered on Non- Settlement Land, either by accident or otherwise, during construction or excavation shall be provided for in Laws of General Application.

13.8.7 Procedures to deal with the accidental discovery of Heritage Resources on Settlement Land shall be provided in each Yukon First Nation's Final Agreement.

13.9.0 Yukon First Nation Burial Sites

13.9.1 Government and Yukon First Nations shall each establish procedures to manage and protect Yukon First Nation Burial Sites which shall:

13.9.1.1 restrict access to Yukon First Nation Burial Sites to preserve the dignity of the Yukon First Nation Burial Sites;

13.9.1.2 where the Yukon First Nation Burial Site is on Non- Settlement Land, require the joint approval of Government and the Yukon First Nation in whose Traditional Territory the Yukon First Nation Burial Site is located for any management plans for the Yukon First Nation Burial Site; and

13.9.1.3 provide that, subject to 13.9.2, where a Yukon First Nation Burial Site is discovered, the Yukon First Nation in whose Traditional Territory the Yukon First Nation Burial Site is located shall be informed, and the Yukon First Nation Burial Site shall not be further disturbed.

13.9.2 Where a Person discovers a Yukon First Nation Burial Site in the course of carrying on an activity authorized by Government or a Yukon First Nation, as the case may be, that Person may carry on the activity with the agreement of the Yukon First Nation in whose Traditional Territory the Yukon First Nation Burial Site is located.

13.9.3 In the absence of agreement under 13.9.2, the Person may refer the dispute to arbitration under 26.7.0 for a determination of the terms and conditions upon which the Yukon First Nation Burial Site may be further disturbed.

13.9.4 Any exhumation, examination, and reburial of human remains from a Yukon First Nation Burial Site ordered by an arbitrator under 13.9.3 shall be done by, or under the supervision of, that Yukon First Nation.

13.9.5 Except as provided in 13.9.2 to 13.9.4, any exhumation, scientific examination and reburial of remains from Yukon First Nation Burial Sites shall be at the discretion of the affected Yukon First Nation.

13.9.6 The management of burial sites of a transboundary claimant group in the Yukon shall be addressed in that Transboundary Agreement.

13.10.0 Documentary Heritage Resources

13.10.1 Public Records shall be managed in accordance with Laws of General Application.

13.10.2 In accordance with Government policies and procedures on access to and duplication of records, and subject to access to information, protection of privacy and copyright Legislation and to agreements respecting the records, Government shall make available to a Yukon First Nation, for copying, Documentary Heritage Resources in Government custody relating to that Yukon First Nation.

13.10.3 Yukon First Nations shall be Consulted in the formulation of any Legislation and related Government policy on Documentary Heritage Resources in the Yukon relating to Yukon Indian People.

13.10.4 Government shall, where practicable, Consult and cooperate with the affected Yukon First Nations on the management of Documentary Heritage Resources in the Yukon relating to Yukon Indian People.

13.10.5 Government shall Consult and cooperate with Yukon First Nations in the preparation of displays and inventories of Documentary Heritage Resources in the Yukon relating to the Yukon Indian People.

13.10.6 Provisions for Consultation and cooperation between Government and Yukon First Nations on the management of Documentary Heritage Resources by Yukon First Nations may be included in a Yukon First Nation Final Agreement.

13.10.7 Government and Yukon First Nations may work cooperatively with Yukon Indian Elders on the interpretation of Documentary Heritage Resources relating to Yukon Indian People.

13.10.8 Yukon First Nations shall own all Documentary Heritage Resources found on Settlement Land other than Public Records or records which are the private property of any Person.

13.11.0 Place Names

13.11.1 There shall be a Yukon Geographical Place Names Board consisting of six people and composed of equal numbers of appointees nominated by the Council for Yukon Indians and appointees nominated by Government.

13.11.2 When considering the naming or renaming of places or features located within the Traditional Territory of a Yukon First Nation, or when acting with a federal agency where joint jurisdiction over the naming of the place or feature exists, the Yukon Geographical Place Names Board shall Consult with that Yukon First Nation.

13.11.3 A Yukon First Nation may name or rename places or geographical features on Settlement Land and such place names shall be deemed to be approved by the Yukon Geographical Place Names Board.

13.11.4 Traditional aboriginal place names shall be included, to the extent practicable and in accordance with map production specifications of Canada, on revised maps of the National Topographic Series.

13.12.0 Economic Opportunities

13.12.1 Economic opportunities, including training, employment and contract opportunities for Yukon Indian People at Designated Heritage Sites and other facilities related to Heritage Resources, shall be considered in Yukon First Nation Final Agreements.

APPENDIX B CONSENT FORM

Yukon First Nations Heritage Values and Heritage Resource Management Consent Form

Project Team:

George Nicholas, Principal Investigator, Professor of Archaeology, Intellectual Property Issues in Cultural Heritage Project, Simon Fraser University
Sheila Greer, Proposal & Research Co-ordinator, Champagne and Aishihik First Nations
Sheila Joe Quock, Heritage Officer, Champagne and Aishihik First Nations
Paula Banks, Heritage Planner, Champagne and Aishihik First Nations
Mark Nelson, Heritage Manager, Ta'an Kwäch'än Council
Heather Jones, Heritage Manager, Carcross-Tagish First Nation
Susan Mooney, Acting Heritage Manager, Carcross-Tagish First Nation
Catherine Bell, Professor of Law, University of Alberta

As a participant/interviewee I have been fully informed of the following points before proceeding with this interview/workshop:

1. The goals of this research are to:
 - I. Document how “heritage value” is defined by Yukon First Nations elders, heritage workers, youth and other members; and to characterize the different aspects or categories recognized by our community as having heritage value (e.g., peoples, places, stories, ways and things);
 - II. Learn about who (individuals, families, clans, governments, organizations) has stewardship responsibility for the different aspects of Yukon First Nations heritage;
 - III. Learn what constitutes stewardship of the different aspects of Yukon First Nations heritage;
 - IV. Learn about other values, norms, laws or practices that may affect heritage resource management practices by self-governing Yukon First Nations.
2. My participation in this research is completely voluntary. If I decide to participate and then change my mind I am free to withdraw from the interview, or from participating in a workshop, at any time. I also have the right to refuse an answer to any question.
3. In order to make sure what I say is captured accurately, video and audio recordings may be used, with my permission. However, I may choose not to be recorded at any time, and if I feel uncomfortable with what is on the audio or video tape, I may have the tape erased in my presence at any time during the course of the interview session.

I agree to recording: _____ **YES** or _____ **NO**
signature signature

4. I have been advised that written records, audio or visual tapes gathered from interviews, group discussions and workshops during this project belong to Carcross-Tagish First Nation, Champagne and Aishihik First Nations, and Ta'an Kwäch'än Council [if desired, may delete name(s) of one or two First Nation governments] and will be securely stored and maintained at the offices of this/these First Nation government(s). Some information will be shared with the Intellectual Property Issues in Cultural Heritage research project in the form of a case study report. Release of written records, audio or visual tapes or portions there-of for purposes other than those stated below will require approval of Carcross-Tagish First Nation, Champagne and Aishihik First Nations, and Ta'an Kwäch'än Council [if desired, may delete name(s) of one or two First Nation governments]. Also, any publications that include content from my contributions to this project will be made available to me for review and approval on request to Sheila Greer at 867-634-4014, or cell 867-335-4604, or sgreer@cafn.ca.
5. I understand it is difficult to maintain the anonymity of workshop participants. Nonetheless, I may choose to be anonymous in any project internal (non-public, held only by the three First Nation project partners) documentation such as written transcripts and recordings derived from either an interview or my participation in a workshop by asking that my name not be indicated in this internal (non-public) project documentation.

APPENDIX C
PROGRAM FOR MARCH 22, 2013 WORKSHOP

Note: this is a draft agenda (all that Sheila has on her computer),
not the final Workshop program; need to get from Nicole

Workshop Co-Chairs: Nicole Aylwin and Diane Strand

1. Opening Prayer – Betsy Jackson
2. Welcome – Khà Shâde Hénì - Danny Cresswell, Carcross/Tagish FN
3. Introductions of those attending
4. Cathy Bell and Nicole Aylwin – Background on the Workshop –
Context, Background & What's Important
5. Betsy Jackson– Values and community health and well-being, the connection to Chapter 13
(Heritage).
Moving from Values to Laws and Policies
6. Mark Wedge –Developing law and policy based on our concepts, values and beliefs: the CTFN
experience.
7. Jody Beaumont and (Diane Strand) – Operating YFN Heritage Programs based on YFN values.
8. HEALTH BREAK
9. Cathy Bell and Sheila Greer - Ascertaining and Articulating Values in the Heritage Context, the YFN
IPinCH Project: Major Themes & Value Statements
10. Val Napoleon: Processes for Identifying and Verifying Indigenous Traditions
11. LUNCH
12. Brian MacDonald – Laws and policies already developed by YFNs- brief overview on processes,
and lessons learned.
13. Monina Wittfoth – The challenges of two different cultures (with their respective legal traditions)
communicating.
14. Nicole Aylwin and Les Jacobs – Policy Considerations
15. Bev Sembsmoen - Challenges in Implementation.
16. HEALTH BREAK
17. Monina Wittfoth & Trevor Farrow (facilitators) - Round Table Discussion: Reflections on Lessons
Learned and Next Steps, including consideration of how academic researchers and policy experts
can support YFNs in this area.
18. Closing Prayer

APPENDIX D

INITIAL SET OF QUESTIONS PRESENTED TO PARTICIPANTS

General Questions

1. What does the phrase “heritage of Yukon First Nations” mean to you, and how would you define “Yukon First Nation heritage resources”.
2. What kinds of places, things, and activities do you consider to have “Heritage Value”, and why do you consider these places, things and activities to have “Heritage Value”?
3. Are there Southern Tutchone (or Tlingit) words that can give us insight into what Yukon First Nations heritage resources are?

Culturally Important Places, Places of Heritage Value

4. What has been your experience with old places, and places that are culturally significant (places recognized as having “heritage value”), e.g., memories from, etc.?
5. Have you received any teachings about taking care of old or other culturally important places?
6. How have you seen community members care for and protect old places (take action, or not take action)?
7. What does it mean to you, to “protect a site”? Does protection mean no longer actively used? (previously question was worded as - Any insights on competing land uses, i.e., development of an old site for contemporary uses, versus protecting for heritage value?)
8. Any insights on when intervention to protect a site is appropriate?
 - a) Intervention if nature is affecting a heritage site?
 - b) intervention if human agency (e.g., pipeline) will affect a site?
9. Have you seen community members stop using an old site or place because its character has changed for some reason? e.g., land use activities in surrounding area changes character of site (could potentially reveal information about size of “buffers” around different kinds of sites).

Old Things – Culturally Important Things

10. Sometimes people find old things like stone tools, or ancient objects around their cabins, or on the land. Have you learned teachings about caring for and handling such old things?
11. Does it make a difference if the maker or user of the object is known, or not known? E.g., Grandma’s gopher snare stick, versus unknown maker of stone arrow point?
12. Does it make a difference if the object is (or still could be) actively used today for its original purpose E.g., *thetchel* (women’s hide scraping tool) versus ancient wooden dart shaft?

Do you have suggestions as to how those tasked with being custodians for such important things, can both take care of them (keep them safe from damage), and make them accessible to citizens, and part of active culture?

Management of Culturally Important Places & Things - General

13. Are there special Yukon First Nation rules, guidelines, protocols or laws that you are aware of that should be followed in controlling and caring for the heritage resources that you have mentioned (who-ever has the responsibility for taking care of them)?
14. Are there Southern Tutchone (or Tlingit) words or concepts that can give us insight into how Yukon First Nations heritage resources should be taken care of?
15. Is it important that citizens, including youth, be able to actually touch/feel old things connected to their peoples' history and culture, and visit the old places and sites?

Roles and Responsibilities (FN Government, Families, Clans)

16. What role do you think TKC government should have in taking care of Culturally Important Places in TKC Traditional Territory?
17. Do clans or families have a role in stewardship, of these Culturally Important Places, and if so, what?
18. What role do think TKC government should have in taking care of Culturally Important Things found in TKC Traditional Territory, or made by TKC members/citizens, or related to your FN history and culture, or the history and culture of Yukon Indian People?
19. Do clans or families have a role in stewardship of these things, and if so, what might that be?
20. What role do you see for the Territorial Government (YG), in taking care of Culturally Important Places in TKC Traditional Territory,
21. What role do you see for the Territorial Government (YG), in taking care of Culturally Important Things that are related to history and culture of Yukon Indian people, which have been found in TKC Traditional Territory,

Telling Our Story

22. Any insights on whether public commemoration (potentially at the National, Territorial or First Nations level) of FN heritage sites is appropriate?
23. Any comments on what parts of our history should be publicly shared, and who should do the sharing?

Closing

24. It has been said that one can express and stay connected to their aboriginal identity and heritage in many ways. Which of the following do you believe can help the younger generations connect to their aboriginal heritage? Select as many as relevant; add others that you think of.
 - use of one's traditional language;
 - learning, knowing and sharing the traditional stories that record the history of the land (how it came to be) and the history of our old people;

- serving the opposite clan in their time of need (Funeral and Memorial Potlatch worker); attending potlatches, maintaining graves, fulfilling other clan and family cultural responsibilities;
- providing meat and fish to, and sharing with, Elders and other community members;
- wearing one's regalia with pride;
- knowing your "Indian name" (if you have one) and who you are named after, and the responsibilities that come with that name; knowing your family and clan genealogy, who you are related to;
- visiting and taking care of old sites, trails, and special places on the land;
- taking care of family and clan heirlooms (regalia, old things);
- participation in traditional dancing, drumming, singing;
- participation in other expressive art forms such as wood and stone carving, sewing, beading, quill work, or making traditional goods such as slippers, vests;
- practicing traditional activities such as tanning hides and furs, trapping, hunting, fishing, berry picking;
- using and maintaining close ties to the land, travelling on it, harvesting plants and animals;

Tr'ondëk Hwëch'in Collections Policy

JUNE 2014

INTRODUCTION

“Keep fish camp tidy and clear or fish won’t come back.”

– “Tr’ondëk Hwëch’in Da’ole” research report compiled by Jen Laliberte, 2012, Pg. 21.

Caring for this world requires respect for natural resources, recognition of the accomplishments of ancestors, and a modest view of one’s place on earth. The Tr’ondëk Hwëch’in values of stewardship, adaptation, respect, and community are the guiding principles of this policy.

In keeping with Tr’ondëk Hwëch’in core values, you keep your house clean and you take good care of your tools; you respect the animal that has provided those tools and clothing by taking good care of them. As well, there is a responsibility to pass along knowledge and traditions to ensure a healthy and strong community. We do this by gathering, safeguarding, and providing access to artifacts and the knowledge associated with them so both are alive and healthy for generations to come. Artifacts deserve and require our protection and respect. They are a medium connecting us to the past and belong to future generations.

“Treat all hunting/fishing gear with care and don’t mess around with other people’s gear, step over it, or throw it down onto the ground”

– “Tr’ondëk Hwëch’in Da’ole” research report compiled by Jen Laliberte, 2012, pg. 6.

Although long-ago people could not imagine the role their artifacts would play in contemporary society, the values that govern their stewardship persist. As modern-day stewards of artifacts, the Tr’ondëk Hwëch’in Heritage Department is responsible for meeting these needs. We approach collections stewardship by combining the best Western conservation techniques with practices that reflect Tr’ondëk Hwëch’in values. Like Tr’ondëk Hwëch’in of all eras, we use the best technologies available in ways that are uniquely Tr’ondëk Hwëch’in.

1.0 SCOPE

1.1 Authority

This policy is issued under the authority of Chief and Council resolution #2014-06-12-08 and supercedes any other policies that may have been enacted before.

1.2 Purpose of the Tr'ondëk Hwëch'in Collections Policy

The purpose of this policy is to satisfy heritage objectives contained in the *Tr'ondëk Hwëch'in Constitution* (1998) and Chapter 13 of the *Tr'ondëk Hwëch'in Final Agreement* (1998).

1.3 Abbreviations

TH – Tr'ondëk Hwëch'in

THD – Tr'ondëk Hwëch'in Deposit

TH HD – Tr'ondëk Hwëch'in Heritage Department

YG – Yukon Government

1.4 Definitions

Accession – The legal process of formally accepting an object into the collection. An object or collection that has been formally accepted through this legal process.

Accession number – A three- or four-part number assigned to an individual object during the legal process of formally accepting it into the collection to identify and distinguish that object from all other objects.

Acquisition – The transfer of ownership (permanent acquisition) or the transfer of responsibility (incoming loan).

Appraisal – A legal document containing an estimate of the fair market value of the acquisition on the date of transfer of ownership.

Archives of government – The non-active records of the TH Government accrued regularly from central filing according to their record scheduling.

Archival records – Books, documents, maps, drawings, photographs, letters, vouchers, papers, oral recordings and any other thing on which information is recorded or stored by any means whether graphic, electronic, mechanical, or otherwise that are preserved by TH as having ongoing value as evidence of the documentary history of TH.

Artifact – An object showing human workmanship or modification, as distinguished from a natural object.

Collection – Archival records, artifacts, and specimens that have been formally accepted into the stewardship of the holdings of TH with the strong presumption of perpetual care, management, and access for present and future generations.

Collections Management – The actions taken or coordinated towards the acquisition, documentation, preservation, use, and disposition of the TH HD collection in order to meet TH HD goals. These actions include maintaining registration records, accessioning, cataloguing, ensuring proper storage, taking regular inventory, and monitoring the condition of artifacts and specimens in the collection.

Conservation – The application of science or traditional knowledge to the examination, maintenance, and treatment of artifacts or specimens. Its principal aim is to stabilize artifacts or specimens in their present state. It encompasses both preventative conservation and conservation treatments.

Conservation Treatment – An intervention causing changes in the physical properties or structure of an artifact or specimen.

Cultural Patrimony – Inheritance of cultural property from TH ancestors.

Deaccession – The legal process of removing an object from the collection.

Fair Market Value – The highest price, expressed in terms of money, that the property would bring in an open and unrestricted market between a willing buyer and a willing seller who are knowledgeable, informed, and prudent and who are acting independently of each other.

Gifts to Government – Any object formally presented to TH as a gift of friendship or acknowledgment that is clearly intended for the TH government as indicated by an inscription or some other tangible evidence or by the nature of the gift itself and has a FMV over \$30 or is of significant value to the history of the TH government.

Heritage Resource – A general term referring to a physical or non-physical resource identified as having heritage value. Included in this definition are objects or data recording in any media format including but not exclusive to three-dimensional objects, documents, oral histories, books, specimens, and recordings. For the purpose of this policy, a heritage resource does not include a non-moveable heritage resource such as a building, landscape, trail, geological feature, archeological site, or contemporary site.

Intangible Heritage Resources – The practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artifacts, and cultural spaces associated therewith—that communities, groups, and, in some cases, individuals recognize as part of their cultural heritage. Intangible Heritage Resources, transmitted from generation to generation, are constantly recreated by communities and groups in response to their environment, their interaction with nature, and their history and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. Intangible Heritage Resources are manifested in the

following domains: oral traditions and expression, including language as a vehicle of heritage; performing arts; social practices, rituals, and festive events; knowledge and practices concerning nature and the universe; and traditional craftsmanship.

Object – A general term referring to an archival record, artifact, or specimen that forms a part of the collection.

Preservation – The effect of all actions performed to maintain and stabilize the condition of objects in the collection in order to pass them along to future generations. It includes conservation treatments and preventive conservation. It also includes actions that have a direct effect on the physical well-being of the collection, such as the use of safe and proper storage, handling and exhibit techniques, and the spiritual well-being of the object.

Preventative Conservation – Non-intrusive actions taken to slow or stop deterioration and to prevent damage to objects in the collection.

Repatriation – For the purpose of this document, the transfer of ownership or title, physically or intellectually, to TH by Canada or a national or regional heritage institution of an artifact or archival material. Acceptance, physically or intellectually, of this artifact or archival material by TH.

Specimen – A natural object, including rock, mineral, fossil, animal, or plant material, as distinguished from an object made or modified by human actions. This includes archaeological and paleontological specimens.

2.0 ROLES AND RESPONSIBILITIES

2.1 Overview

TH is responsible for acquiring, documenting, preserving, and presenting heritage resources that are significant to TH citizens. Examples of these resources include artifacts, specimens, archives, and TH government records. The management of this collection is guided by the need to preserve the collection while encouraging access to it by the public with the ultimate goal of preserving the heritage of TH. This policy sets out the principles for managing that collection.

This policy provides standards and consistency for the selection, acquisition, documentation, preservation, and use of the collection and for disposal, if necessary. This policy provides the framework for guidelines and procedures found in the Collection Procedural Manual.

2.2 Standards and Ethics

The Collection Policy is created in reference to a set of professional standards of contemporary museum practices, in accordance with relevant legislation and bylaws enacted by TH, federal, and international agencies. These professional standards are defined, but not limited to the following documents:

- Canadian Museum Association Ethics Guidelines (2006)
- Canadian Cultural Property Export and Import Act (revised 2005)
- Canadian Access to Information and Privacy Acts (revised Sept. 30, 2012)
- Canadian Copyright Act 1985 (revised Dec.. 12, 2005)

These standards will be used as a guide in the management of the collection where it does not interfere or contradict TH traditional law or community knowledge.

It is expected staff, volunteers, contractors, and governance of TH will always act in the best interests of TH and its citizens. Principles of conduct and conflict of interest must find their reference in the best interest of TH. The TH HD will seek to ensure information it publishes, by whatever means, is accurate, honest, objective, and well-founded in the values of TH.

The Collection Policy will be considered in formal documents between outside funding sources in relation to collection-based activities to clearly establish the relationship between the TH HD and the funding source to ensure the standards and objectives of the Collection Policy or the interests of TH citizens, the living community associated with the collection, are not compromised by such a relationship.

2.3 Statement of Intent

Our focus is the protection, preservation, promotion, and presentation of our TH heritage by doing the following:

- Record, collect, preserve, care for, and restore TH heritage as defined by the areas of interest in this document by establishing Category I and Category II collections.
- Undertake, foster, and support research and study of TH heritage as defined by the Areas of Interest in this document.
- Provide reasonable access to the collection for TH citizens and the general public on a regular basis, unless access is restricted by legal or administrative requirements or written agreements with the donor.
- Educate the public by increasing their awareness and appreciation of TH heritage with the use of the collection through exhibits, outreach programs, and public programming.
- Work in cooperation with other First Nations, heritage institutions, government or not-for-profit organizations in Yukon, nationally, and internationally that have similar aims and objectives.

2.4 Delegation of Authority

It is the responsibility of the TH HD to care for the collection on behalf of TH. All collection-related matters are to be addressed to the TH HD. The Collections Manager has the authority, on behalf of TH, to acquire, document, allow access, care for, and preserve the collection. Disposal of a Category I collection heritage resource requires approval of Chief and Council. The Dānojà Zho Cultural Centre functions as a public-programming and exhibition face of the TH HD but does not acquire, document, or store collections directly.

3.0 PROCESS OF THE COLLECTION

3.1 Acquisitions

The TH HD shall acquire heritage resources relating to the above through the following:

- Provisions of Chapter 13 of the TH final agreement.
- Transfer from other TH departments.
- Field collecting.
- Gift.
- Bequest.
- Purchase.
- Exchange.
- Other transaction by which legal title to the heritage resource in question is secured by the TH HD.

Best practices regarding the process of acquisition will be adhered to.

3.2 Areas of Interest

The primary geographical area of interest includes the territory outlined on the map titled “Tr’ondëk Hwëch’in Traditional Territory, (TH TT)” in Appendix B – Maps, of the *Tr’ondëk Hwëch’in Final Agreement* (1998).

The primary subject area of interest includes the heritage of TH inclusive of all its previous and future incarnations.

The Category II collection is also interested in the following, in order of priority:

- Material having to do with heritage professional development.
- Material concerning other Yukon First Nations or Yukon First Nations organizations.
- Material concerning First Nations in North America, the circumpolar North and around the world.

The Category II collection does not include the following:

- Material on professional development from other government departments.
- Any original manuscripts.
- Material with inherent value or a financial value greater than the value of the information it conveys (such as rare books or first editions).
- Certified cultural property.
- Any material that falls outside the areas of interest.
- Any material that cannot be properly cared for, stored, or used.

These geographical and subject areas in the form of, but not limited to, the following in all media formats are of interest:

- Three-dimensional objects.
- Documents.
- Government records.
- Oral histories.
- Intangible heritage resources.
- Maps and architectural drawings.
- Specimens including archaeological material.
- Books.
- Photographs.

Specific focus areas of interest for the immediate future (circa 2013–2018) are outlined in Chapter 13 of the *Tr'ondëk Hwëch'in Final Agreement*. (Ownership and management is outlined in 13.3.o.)

3.3 Collection Classifications

The collection is divided into two distinct components:

- Category I collections contain accessioned permanent heritage resources of significance that have innate cultural or scientific value and directly support the TH HD mission and help to achieve the statement of intent. They are acquired with intent of perpetual care.
- Category II collections are non-accessioned research, programming, props, libraries, and gifts to government resources which augment the permanent collection by providing additional documentation of the collection and TH history for research, programming, or exhibit purposes. Or, they may have been acquired specifically to revive craft, art, or technology without intent of perpetual care. This category may include those heritage resources of the same general character as those in Category I but which are of limited value to the collection because of their poor documentation, their ease of replacement, or their limited use as a source of information. Inauthentic artifacts, duplicates, props, gifts to government, and published and library materials may fall into this category. These objects can be used for those purposes that

entail risk of loss, damage, or destruction or that may be modified or otherwise utilized when so agreed.

3.4 Criteria for Collecting

Only heritage resources that have a clear legal pedigree shall be accepted into the collection. The source must have clear and legal title to the heritage resource and possess the unencumbered right to dispose of the heritage resource by gift or other means to the TH HD. The Tr'ondëk Hwëch'in Traditional Knowledge Policy will address intangible heritage resources.

The TH HD shall obtain unconditional surrender of ownership by means of a duly executed legal deed of gift or other agreement for Category I collections. Any restrictive conditions on the transfer of ownership shall be kept to an absolute minimum and must have a reasonable limit on the time for which they shall apply, with a definition of the conditions under which their forces may terminate.

If a heritage resource is acquired directly from an artist (or donor if applicable), the royalty, reproduction, exhibition, and moral rights as well as installation plans will be negotiated and documented.

Due to limited exhibition space and periodically changing exhibitions, no commitments shall be made to exhibit heritage resources acquired for the collection for any duration of time as a condition of acquisition.

Category I acquisitions will be made with maintenance in-perpetuity in mind unless specific circumstances exist. No Category I heritage resource shall be accepted into the collection with intent of eventual disposal for trade, cash value, or other reason.

The TH HD acquires collections of heritage resources in two general categories: Category I, permanent collection, and Category II, programming collection. Restrictions on the uses of heritage resources in each of these categories are described in Section 4.0 of this policy and shall be reviewed and revised as necessary from time to time.

No Category I heritage resource shall be accepted into the collection that falls outside the areas of interest except in exceptional circumstances. Acquisitions must have the capacity for use in exhibitions or for research and scholarly purposes and must support the mission.

No Category I heritage resource shall be accepted into the collection unless proper care, display, use, or storage can be provided by the TH HD following the provisions of Section 5.0 of this policy. Some exceptions to this policy may be made if a plan for required conservation treatment within a reasonable time is established prior to acquisition.

TH HD archeological field collecting will adhere to industry standards and Chapter 13 of the *Tr'ondëk Hwëch'in Final Agreement*.

3.5 Appraisals

Appraisals and income tax receipts apply to Category I collections only.

It is the responsibility of the donor requesting an income tax receipt to obtain and provide a legal appraisal before an income tax receipt will be issued for Category I resources worth more than one thousand dollars (\$1,000.00). The appraisal document must contain all the elements required by Revenue Canada as outlined in the Income Tax Act. An appraisal will only be provided by the Collections Manager to the donor if, as outlined in the Income Tax Act, they are familiar with the type of gift in question, the overall value is less than \$1,000, an independent appraiser cannot reasonably be located, or the independent appraisal involves unreasonable expense.

3.6 Documentation

The TH HD shall establish and maintain a formal Collection Procedures Manual, including documentation procedures outlining details of the practical means of implementing these policies in day-to-day operations.

This system shall be established and controlled by the Collections Manager. Documentation procedures shall be reviewed and revised from time to time as required.

An up-to-date inventory of all heritage resources in the collection as well as those that are on loan shall be maintained.

All heritage resources acquired by, or on loan to, the TH HD shall be properly identified and documented by means of an appropriate documentation system that identifies source, unique identification number, provenance, history of manufacture and use, and other necessary information following accepted museum practice.

All records forming part of the documentation system shall be retained as permanent records of the TH HD.

A second regularly updated copy of collection accession records shall be kept off-site in a secure location.

3.7 Disposal

The TH HD has the right to deaccession and dispose of heritage resources, carefully and judiciously, from Category I and Category II collections in a manner consistent with professionally accepted standards providing the following:

- Legal freedom to act.
- Established clear title to the heritage resource proposed for disposal or, in the case of undocumented material, a serious, diligent, and documented effort to locate owners has been made.

- There are no restrictions associated with the heritage resource when it was acquired.
- The transaction is fully approved by the Chief and Council for Category I collections, acting on advice from the Collections Manager.
- An income tax receipt was not issued to the donor.

3.8 Criteria for Deaccessioning

The criteria for deaccessioning a heritage resource from the Category I collection includes, but is not limited to, the following:

- The heritage resource has ceased to have relevance and consistency with the TH HD's mission, statement of intent, and areas of interest.
- The heritage resource's condition has deteriorated beyond usefulness.
- The heritage resource is made of hazardous materials or is actively decomposing in a manner that directly affects the condition of other heritage resources or the health and safety of the TH HD's staff or visitors.
- The TH HD is unable to continue to provide care and storage for the heritage resource in keeping with professionally accepted standards.
- The heritage resource's care and storage are far more expensive than the value of the heritage resource as it relates to the TH HD's mission and statement of intent.
- The heritage resource has failed to retain its identity or authenticity.
- The heritage resource has been lost or stolen and remains so for ten years or more.
- The heritage resource may be replaced with a similar heritage resource of greater significance, quality, or condition.
- A Category II resource has fulfilled its ephemeral role or function and is no longer relevant.

For Category I collections, a written deaccession request listing the reason or reasons for deaccession and recommended means of disposal must be signed by the Collections Manager before submission to the Chief and Council. Only if the deaccession request is approved by the Chief and Council is the TH HD authorized to proceed with the deaccession and disposal. This is not required for Category II collections.

3.9 Methods of Disposal

Complete records will be maintained on all deaccessioned heritage resources and their subsequent disposition. A deaccessioned heritage resource may be disposed of in one of the following methods in order of preference:

- Transfer to the other Category collection if appropriate.
- Transfer through donation, exchange, or sale to another more appropriate First Nations Heritage institution.

- Transfer through donation, exchange, or sale to an appropriate non-profit museum or scholarly or cultural institution or government repository, preferably within the Yukon Territory if appropriate.
- Sale at an advertised public auction or in the public marketplace in a manner that complies with the Collections Policy and that will best protect the interest, objectives, and legal status of the TH HD.
- Destruction of the heritage resource.

TH may not dispose of collections by returning them to the original donors as a gift, whether or not the donor received any tax benefit at the time of the donation, with the exception of loaned resources.

3.10 Use of Proceeds Derived from Deaccession/Disposal

Proceeds from the sale of any disposed heritage resource shall be used to improve the content or care of the collection. No member of the Chief and Council or their immediate family, staff, or volunteer of TH shall be permitted to acquire, through gift or purchase or other transaction, a heritage resource disposed through sale or gift by the TH HD. It is unethical for TH HD employees, their relatives and associates, or any individuals or organizations associated with funding the TH HD, to acquire or to benefit in any way from disposals of TH HD collections.

The TH HD must create a public communication plan when a Category I heritage resource has been recommended for disposal. The plan must address the intent and circumstances of the decision to dispose of the heritage resource.

3.11 Loans

Incoming Loans

The TH HD may acquire use of heritage resources through a formal loan process on a temporary basis for which a definite period of time is specified by means of a legal loan agreement. No permanent loans or loans for an unspecified period shall be accepted under any circumstances.

The TH HD may acquire heritage resources on a temporary loan basis for the following purposes:

- Evaluations for possible acceptance into the collection.
- Exhibits.
- Programs.
- Study.
- Any other reason that follows the mission and statement of intent of the TH HD.

Heritage resources on loan are to be provided with the same professional level of care afforded Category I heritage resources owned by the TH HD. No heritage resource on loan will be modified in any way without the permission of the owner.

All incoming loans are subject to the conditions set forth on the loan documentation, which must be signed by the lender prior to shipment of the heritage resource. Any special conditions, requests, or restrictions must be discussed, negotiated in advance, and documented on the loan documentation.

Complete records on all incoming loans are maintained in the permanent collections records.

Lenders to the TH HD shall have obtained the heritage resource legally and ethically and have a clear and verifiable title of ownership to the heritage resource.

The TH HD will not knowingly accept a heritage resource on loan if the physical condition is such that the heritage resource will not be able to withstand travel or exhibit or if the physical condition puts the rest of the collection or the employees that come into contact at risk.

The TH HD does not accept incoming loans offered for the purposes of commercial exploitation of the heritage resource or to increase the value of the heritage resource when sold.

The TH HD does not provide long- or short-term storage services of artifacts.

Loans are made to the TH HD for the period of time listed on the loan documentation and may not be withdrawn without adequate prior notification. All costs involved with incoming loans must be discussed and agreed to in advance. These can include loan, licensing or rental fees, framing costs, insurance fees, and two-way shipping charges.

If requested, the TH HD will provide the borrower with a certificate of insurance as evidence that TH has insurance in place for the heritage resource on loan. Loans will be insured based on their fair market value as provided by the lender. It is the responsibility of the lender to inform the TH HD if the stated value of the heritage resource changes during the period of the loan.

It is the responsibility of the lender to inform the TH HD in writing if their address or ownership status changes during the loan period.

The TH HD will only release the heritage resource to the lender listed in the loan documentation. The lender must provide written authorization for release of the loan to another party. If, for some unforeseen circumstance, a heritage resource on loan remains in possession of the TH HD for 10 years past its loan term and after all reasonable attempts have been made to return the loan to the lender identified on the loan documentation or prior authorized third party, it becomes the property of TH.

Outgoing Loans

The TH HD may lend heritage resources it legally owns in accordance with the mission and statement of intent, to qualified museums and heritage and learning institutions for specific purposes such as exhibition or research, for a specified time period if such institutions meet professional standards of collections care and management. The TH HD will not lend heritage resources it has borrowed. Loans from the collection are made at the discretion of the Collections Manager.

The TH HD will prioritize its own programs and exhibits when considering outgoing loans and will not lend heritage resources which are needed for exhibition or research purposes.

Complete records on all outgoing loans are maintained in the permanent-collection records.

No outgoing loan may be altered or modified in any way without the written permission of the Collections Manager. No heritage resource will be loaned if its condition is fragile.

Loans are not made for personal use or for commercial purposes. The TH HD will not consider requests for loans of original documentary photographs unless the borrower can show a need to exhibit the original.

All outgoing loans are subject to the conditions set forth on the loan documentation, which must be signed by the borrower prior to the release of the heritage resource. Any special conditions, requests, or restrictions must be discussed with the Collections Manager in advance and documented on the loan documentation.

The borrower is responsible for any appraisal, conservation, packing, shipping, handling, and insurance costs associated with the loan. Unframed works on paper will be matted and framed using archival quality materials at the borrower's expense. Mats and frames remain the property of the TH HD. If the borrower requests that the TH HD maintain its own insurance on the heritage resource for the duration of the loan, it will be done at the borrower's expense.

Appraisal values for insurance purposes will be based on the fair market value of the heritage resource as determined by the TH HD. If the TH HD cannot provide an accurate valuation or if the period of the loan is greater than one year, a professional outside appraisal may be required at the borrower's expense.

4.0 ACCESS TO AND USE OF COLLECTIONS AND COLLECTIONS RECORDS

4.1 Intent

It is the intent of the TH HD to provide access to its collection by all legitimately interested parties and to protect heritage resources from deterioration. Access to the collections or associated records will be made available, subject to restrictions for reasons of confidentiality and security and where reasonable notification is given, in a controlled, professional manner that protects the physical, ceremonial, spiritual, and intellectual integrity of the collection and associated records. All attempts will be made to offer a prompt reply where staff resources are available. Acknowledging responsibility to safeguard the collection and related records, the TH HD reserves the right to control access to prevent the following:

- Deterioration, mutilation, loss, or dislocation of heritage resources or collection records.
- Undue interference with the administrative, professional, and technical operations of the TH HD.

- Undue impact on the furnishing of services to other TH HD users.
- Confidentiality and security.

Authority for permitting and monitoring access to and use of the collections and collections records is shared by the Traditional Knowledge Specialist and Collections Manager.

4.2 Guidelines

The TH HD will provide access to its collection in accordance with the established policies and fee schedule (Appendix A).

Use of, and access to, collections is contingent on conservation practices appropriate to each specific heritage resource in order to prevent damage, deterioration, or loss.

Appropriate practices are determined by the Collections Manager and guided by the Collection Care and Preservation Policy.

Access to the collection is supervised by the Collections Manager at all times.

All individuals seeking access to the TH HD collection are required to complete and sign a Collection Access Form (Appendix B).

- Access to the collection may be granted or denied at the discretion of the Traditional Knowledge Specialist or Collections Manager. Reasons for denied requests may include inappropriate intended use of the collection and archives or requests to use restricted materials.
- Individuals who are denied access will be informed in writing of the decision and justification for denial.
- Individuals who are granted access will schedule a date and time to access the collection and archives with the Collections Manager.

All individuals requesting copies of collections are required to complete and sign a Reproduction Form (Appendix C) appropriate to their intended use of materials.

- Requests for copies of collections may be granted or denied at the discretion of the TH HD. Reasons for denied requests may include inappropriate intended use or requests to copy restricted materials.
- Individuals who are denied copies of materials will be informed in writing of the decision and justification for denial.
- Approved reproductions of any of TH collection is for one-time use only. The reproduction fee schedule shall apply in all cases.
- No commercial use of the collection is permitted without the permission of the copyright owner. In the event the TH HD is the copyright owner, written permission will be given in accordance with existing collection policies and procedures and in compliance with any restrictions or conditions pertaining to specific heritage resources. The publisher shall furnish the TH HD, without charge, two (2) copies of the publication in which the reproduction

appears. The reproduction fee schedule shall apply in all cases. Royalty fees may apply and will be determined on a case-by-case basis.

- The TH HD reserves the right to deny any request should the intended use be contrary to the values of the organization or citizenship.
- The TH HD will respect all rights inherent within its collections including copyright, exhibition rights, intellectual rights, and moral rights.
- The TH HD will provide appropriate credit when its collections are used.
- Individuals using the collections are required to appropriately credit materials.

Use of original materials will be on-site only.

The TH HD will take no responsibility for the use of its collections by a third party in a libelous or illegal manner.

5.0 COLLECTION CARE AND PRESERVATION

It is the responsibility of the TH HD to take the best possible care of its collection. Care and preservation of the collection as well as the community knowledge that brings meaning to the collection is a high priority. Practices of care and preservation shall be consistent with the best available information on the subject within the discipline and from community knowledge. TH commits itself to providing facilities and staff time required to carry out this responsibility.

Collection care and preservation must be considered in every aspect of TH HD work including decision making, study, exhibit, programming, and any other use of the collection.

Collection-care and preservation procedures shall be determined by the Collections Manager, set down in writing, and made available to TH HD staff.

A trained conservator must be used for any invasive conservation treatments on Category I collections. All conservation treatments will be carried out in such a manner as to maintain its cultural, religious, spiritual, historic and aesthetic integrity.

All those working directly with the Category I collection, including all paid and unpaid staff, volunteers, and contractors, are required to receive basic training in preventative conservation and proper handling techniques. No one shall have direct access to the Category I collection until they have received this training.

Regular maintenance of the collection shall be conducted to ensure adequate care. The collection shall be inventoried on a regular basis.

The collection will be stored in a safe manner that limits potential damage from threats such as fire, earthquake, insect infestations, and other agents of damage and destruction. The collection will be stored in a manner appropriate for its religious, spiritual, traditional, technological, or community value as determined on a case-by-case basis under the direction of traditional law or community knowledge. Personal safety will be of the highest priority and the collection must be stored and used in a manner that protects the staff and the public from injury. TH shall undertake to provide adequate, secure, environmentally stable, separate, and exclusive storage space for the collection.

Adequate Category I collection insurance will be maintained, and the Category I collection shall be evaluated for insurance purposes on a regular and stated basis.

The collection shall be monitored on a regular basis to ensure its care and preservation is maintained and the status of its integrity has not changed.

The Emergency Preparedness Plan for the Category I collection will be maintained and kept up-to-date.

The Code of Ethics and Guidance Practice of the Canadian Association for Conservation of Cultural Property and of the Canadian Association of Professional Conservators (third edition, 2000) as well as the Canadian Conservation Institute's Conservation Notes will be used as a guide in the care and preservation of the Category I collection where it does not interfere or contradict TH traditional law or community knowledge.

6.0 POLICY REVIEW

This Collection Policy and the Collection Procedure Manual shall be reviewed every five (5) years or as significant changes dictate.

Tr'ondëk Hwëch'in Best Practices for Heritage Resources



March 2011



Scope

This manual provides the First Nation perspective on working with heritage resources in Tr'ondëk Hwëch'in Traditional Territory. It is not intended as a legal document or to supplant any regulatory frameworks within the Yukon. This is not a comprehensive guide nor is it intended to be static. These best practices represent the best information and resources currently available.

The Tr'ondëk Hwëch'in Heritage Department consists of specialists in heritage sites, land-based heritage resources, language, traditional knowledge, and collections management. We are both capable and enthusiastic to work with industry to protect First Nation cultural heritage. It is the role of this department to represent and safeguard the heritage and culture of the Tr'ondëk Hwëch'in.

The Tr'ondëk Hwëch'in Heritage Department has proven that working cooperatively with proponents of the mining, development, resource, and industrial sectors is mutually beneficial and assists everyone in meeting their goals.

We welcome inquiries from all project proponents. Early collaboration facilitates proper management and protection of our heritage resources.

Contact:

Tr'ondëk Hwëch'in Heritage Department
PO Box 599
Dawson City, Yukon
Y0B 1G0
Phone: (867) 993-7113
Fax: (867) 993-6553
Toll-Free: 1-877-993-3400

Cover Photo: Tro'chëk, 2004.



Table of Contents

Objectives	4
Legislative Framework	5
Cultural Context	6
Heritage	8
Protecting Heritage Resources	10
Reporting	14
References: Useful Resources, Legislation, Policy, and Best Practices	15



Cut stump recorded during a 2005 heritage inventory around the Ogilvie and Miner rivers.



Julia Morberg harvesting blueberries.

Objectives

- Protect cultural, heritage, and archaeological resources in Tr'ondëk Hwëch'in Traditional Territory.
- Protect First Nation burial sites in Tr'ondëk Hwëch'in Traditional Territory.
- Provide insight into First Nation concepts and values pertaining to heritage and culture.
- Share information with industries working within Tr'ondëk Hwëch'in Traditional Territory to ensure heritage and cultural resources, as understood by First Nation people, are protected.



A hide flesher found during excavations at Black City, 2004.



A stone point found at the Forty Mile heritage site during excavations, 2003.

Legislative Framework

Under Chapter 13 of the *Tr'ondëk Hwëch'in Final Agreement*, the First Nation manages all heritage resources that reside on settlement land. The *Tr'ondëk Hwëch'in Land and Resources Act* protects heritage resources from disturbance on settlement land. On non-settlement land, the Tr'ondëk Hwëch'in Government manages the protection of ethnographic moveable heritage resources within the traditional territory.

Within the Yukon, historic resources are protected from disturbance under the *Yukon Historic Resources Act* and *Yukon Archaeological Sites Regulations*. In the Yukon it is unlawful to actively search for, excavate, disturb, or alter a historic site without a permit under the *Yukon Archaeological Sites Regulation*.

The *Yukon Environmental and Socio-economic Assessment Act* (YESAA) reviews a broad number of activities within the Yukon. A YESAA assessment determines any potential impact risks to heritage resources in a project area and provides recommendations to mitigate these impacts. The project proponent may be required to provide information to assist this evaluation. The YESAA *Assessable Activities, Exceptions and Executive Committee Projects Regulations* and the *Decision Body Time Periods and Consultation Regulations* provide a comprehensive list of activities which will trigger a YESAA review.



A stone and wood hunting blind in the Seela Pass, 2007.



Historic cabin remains documented during a 2002 heritage survey. Remains such as these are common in the Yukon backcountry.

Cultural Context

For thousands of years, the Yukon has been home to First Nation people. They have lived off the land, practiced their own traditional laws, developed economic links with newcomers, and nurtured enriching family lives. This traditional way of life is entrenched in oral histories handed down through generations, as well as the physical remains that today scatter the landscape.

The Hän linguistic group, which includes the Tr'ondëk Hwëch'in, traditionally used an area centred in the Yukon River drainage in western Yukon and eastern Alaska. In the late 19th century, three main groups of Hän speakers were identified. Two were in Alaska, mostly living in Johnny's Village (about five kilometres above the present site of Eagle) and Charley's Village (near the mouth of the Kandik River). The third group, the Tr'ondëk Hwëch'in, were based at the mouth of the Klondike River, where they remain to this day (Mishler & Simeone, 1997).

The Tr'ondëk Hwëch'in established a seasonal round based on animal and plant cycles, which they relied on for food, clothing, shelter, tools, and trade goods. This seasonal round utilized all areas of the traditional territory. Since the land's resources varied from place to place and from season to season, people travelled constantly, adjusting the size of their group according to their ability to feed its members. They travelled lightly, carrying only the basic materials for shelter, clothing, hunting, and trapping. Social organization in such a harsh environment meant small, highly mobile groups. The most important resources were the traditional knowledge of the Elders and the practical abilities that allowed the Tr'ondëk Hwëch'in to survive wherever they went.



Archie Roberts (left) and Joe Joseph Sr. (right) on a Forty Mile caribou hunting trip west of Dawson. [2007.7.33a Grace Haldenby Collection, Tr'ondëk Hwëch'in Archives]

This seasonal round involved the amalgamation of smaller family groups into larger groups, approximately 20-50 people, in late spring and early summer, as people moved to fish camps along the Yukon River to harvest migrating salmon. Typical camps included several families who used the same fishing spot each year (Mishler & Simeone, 1997; Osgood, 1971).



Jack Lasky standing beside a fish wheel adjacent to the Yukon River. [2008.240.9 Grace Haldenby Collection, Tr'ondëk Hwëch'in Archives]

While waiting for the salmon, camp life included such tasks as rebuilding canoes, fish traps, nets, drying racks, and shelters, as well as tanning caribou and moose hides for clothing and trade.

The chinook salmon run in late-June to early-July and the chum salmon run in August to early-September provided the Hän with an important food source and trade item. Large quantities of salmon were caught, processed, and stored in preparation for the winter months. Later in the summer and during the fall, a number of berries and other plants were harvested to both supplement diet and preserve for winter stores (Osgood, 1971).

The fall time was used for hunting, preparing for winter, and repairing gear. As the weather turned cold and food became more difficult to find, people would disperse into smaller family units. The Tr'ondëk Hwëch'in would move into the highlands along tributaries of the Yukon River to hunt caribou, moose, and Dall sheep. They relied on these animals not only for food, but for clothing and numerous different tools and implements. As winter set in, some families would move back to semi-permanent fish camps along the Yukon River. Usually two families would live in a pole-framed, moss-covered house, living on salmon, berries, and game harvested during the summer and fall. The family groups would once again disperse as winter food stores were depleted and needed replenishment, at which time lone game were hunted (Mishler & Simeone, 1997; Osgood, 1971).

In early spring, people would harvest freshwater fish, such as Arctic grayling, at nearby lakes and streams and would hunt small game in the surrounding forests. Returning waterfowl, beaver, and muskrat were among the animals that supplemented the diet at this time. By late spring, the Tr'ondëk Hwëch'in were back along the Yukon River and preparing canoes, fish weirs, and nets for the fishing season (Mishler & Simeone, 1997).

Heritage

The land has always been home to us and this is where we intend to stay.

Together today for our Children Tomorrow, 1973

Heritage is all that we gain from our ancestors, it is our cultural identity. Our cultural identity is made up of many things: language, creation stories, associations with place, and that connection with our ancestors made by accepting their gifts to us. Heritage is those values and attitudes that our families try to instill in us as children so that we can grow up to be decent and respectful members of our community.

David Neufeld, 2000

For the Tr'ondëk Hwëch'in, heritage is rooted in the landscape. Taking care of the land is critical as all the land's resources are a valuable part of this heritage. Tr'ondëk Hwëch'in heritage is kept alive and protected when we hunt, fish, and harvest. This stewardship protects the land and its resources.

The Tr'ondëk Hwëch'in have a broad definition and perception of what heritage is and what it includes. Heritage is not something from the past, but a way of life reflected in the beliefs, values, knowledge, and practices passed from generation to generation. Heritage permeates all aspects of First Nation lives, communities, and governance. It includes much more than the material remains that are left behind. These heritage resources are understood as physical reminders of what is truly important.



Caribou harvest during the First Hunt culture camp, 2008.



Madeline deRepentigny harvesting birchbark to construct a canoe, 2008.

The Tr'ondëk Hwëch'in Heritage Department uses the term *land-based heritage resources* (LBHR) as an overarching classification for heritage resources in the traditional territory that warrant protection, preservation, and management. LBHR are defined as areas of particular heritage interest or value stemming from the traditional, cultural, or historic relationships to the land. These are usually non-moveable objects and can be either material or non-material in nature. LBHR also include the moveable heritage resources connected to, and in situ with, the non-moveable components. LBHR resources can include, but are not limited to, the following:

- Harvestable Resources (e.g., wildlife, fish, and plants, and their habitats)
- Migration routes, waterways, salt licks, calving areas, and traplines
- Medicines
- Raw materials (e.g., bark, wood, stone, bone, fibres, and dyes)
- Place names
- Camps, trails, and caches
- Burial sites
- Sacred sites
- Traditional knowledge
- Archaeological and historic sites



A stone knife found in a lithic quarry during an archaeology survey, 2005.



Fence post marking a burial site in the Seela Pass, 2007.

Protecting Heritage Resources

Heritage Resources can be adequately protected with properly implemented precautionary measures and processes. Note that these resources include not only archaeological and historic resources as defined in the *Yukon Historic Resources Act*, but also resources such as traditional plants, wildlife, medicines, and current activities on the land that are rooted in ancestral family practices. (e.g., hunting and subsistence living)

Early initial contact with the First Nation and the Heritage Resource Branch

Early contact with the First Nation and the appropriate Yukon Government department is the best way to ensure proper protection of cultural or heritage resources in a project area. Contact with the First Nation should be made regardless of whether the project is on settlement or non-settlement land. The Tr'ondëk Hwëch'in Heritage Department can provide information on known heritage sites and resources so their location can be buffered immediately. Traditional knowledge can determine whether there are important spiritual, traditional-use, or heritage resources in the area that may not be recognized by the Yukon Government Heritage Resources Branch. Early contact also helps determine if any Tr'ondëk Hwëch'in land users will be impacted and allows for an early decision regarding the need for a heritage assessment in the project area.

Follow the recommended actions set out in the *Yukon Government Best Management Practices for Heritage Resources*

The Yukon Government Heritage Resources Branch has released several best-management practices for heritage resources publications targeting numerous industries, including gas and oil, placer mining, mineral exploration, and wilderness tourism.

These publications provide recommendations to mitigate the impact of industry-specific activities on heritage resources. A significant amount of protection can be achieved by following the recommended actions for each specific project activity.

Heritage Resource Assessments

Heritage resource assessments are a standard tool for determining the heritage potential and the extent of heritage resources in a project area, assessing the impact a project will have on heritage resources, and recommending mitigations for the protection of identified resources.

There are three types of assessments that may be requested. The first, a **heritage resource overview assessment (HROA)**, identifies and assesses heritage resource potential in a proposed development area. These assessments often include background research, estimation of heritage potential in a study area, an assessment of possible impacts to heritage sites by a proposed development, and recommendations for project alternatives as well as further heritage impact assessment studies.

Overview studies are particularly important with respect to large-scale development such as hydroelectric projects, transmission-line corridors, pipeline rights-of-way, mine facilities, and large mineral exploration projects.

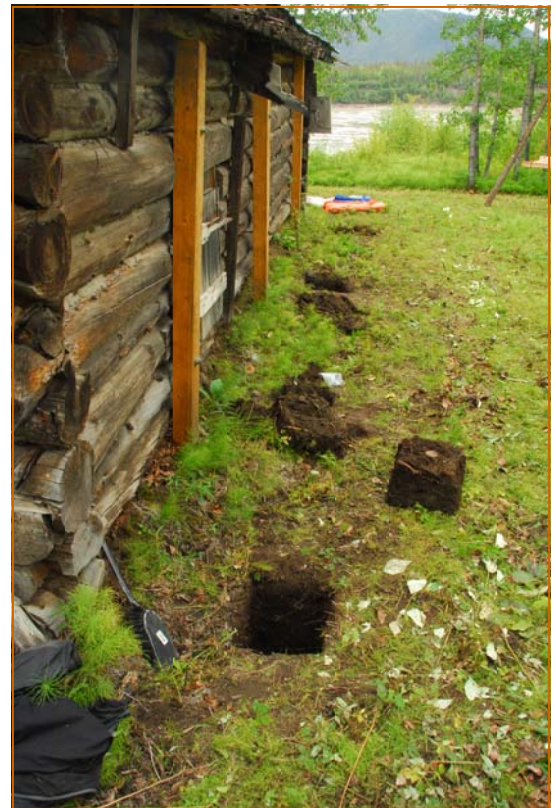
An HROA may be recommended for any proposed land-use or development project. The factors for determining whether an HROA is required include the following:

- The presence of previously recorded heritage sites
- The heritage resource potential as determined by certain terrain types, localities, and landscape features
- The nature and extent of previous land disturbance
- The nature and scope of new land alteration
- High-impact activities, including significant access development, camp construction, or large trenching, drilling, and stripping activities



Ridge in the Ogilvie River area with surface lithic scatters.

The second common assessment tool is the **heritage resource impact assessment (HRIA)**. An HRIA determines whether a proposed development project will adversely impact historical, archaeological, or paleontological resources. Generally, an HRIA utilizes shovel testing and larger-scale excavations for in-field identification and recording of resources within a proposed project area. The nature and scope of an HRIA is determined by the results and recommendations from an HROA. The HRIA is a more specific study intended to inventory areas identified in the HROA that will be adversely affected by the proposed project. Subsequent mitigations for these areas will be determined by the extent and significance of the heritage resources.



Test pits excavated during a heritage impact assessment at the Forty Mile heritage site.

There are a number of different methodologies which may be utilized in conducting impact studies. The proponent's archaeological consultant must develop an appropriate study plan for the proposed assessment. There are a number of archaeological consultants working in the Yukon that are accredited to conduct these types of assessments.



Tr'ondëk Hwëch'in Heritage Department staff documenting heritage resources at Cache Creek, 2010.

The third assessment tool, a **cultural values impact assessment**, may be requested in highly valued areas. This assessment considers impacts to cultural resources and values which may not be considered in an HROA or HRIA, including traditional knowledge, traditional use (e.g., harvestable resources, important raw materials, and medicines), traditional place names, spiritual use, and the overall value of place.

Standard Mitigations

Avoidance: Complete avoidance of an area is often the most favourable mitigation if possible. This mitigation is recommended not only for heritage artifact sites, but also for places with spiritual importance, important harvest and wildlife areas, or areas identified as having heritage importance to the First Nation.

Buffering: This mitigation protects known heritage resources with a minimum 30-metre buffer. This is also the case for any found heritage resources.

Mitigation study: This mitigation involves the collection and analysis of a systematic sample of the site prior to its partial or total destruction. Significant heritage sites located either in unavoidable conflict with a proposed development or exposed during construction will require an appropriate level of impact mitigation study.



Human remains found at the Dawson City sewage-treatment plant, 2010.



Human remains were removed with the expertise of archaeologists and Tr'ondëk Hwëch'in Heritage staff, and help from volunteers.

Reporting

If a heritage or archaeological resource is discovered, work at the location must immediately cease and the site marked and buffered from further activity by 30 metres.

Documentation of the site is encouraged. General information should include the following:

- GPS Location
- Estimated size or area of the site or feature
- Description of setting and access to area
- Brief description of the actual features
- Photographs

Reporting directly to the First Nation is only legally required for projects on settlement land, but as a best practice we request the Tr'ondëk Hwëch'in Heritage Department be contacted in the event of any find within our traditional territory.

Tr'ondëk Hwëch'in Heritage Department

PO Box 599

Dawson City, Yukon

Y0B 1G0

Phone: 867-993-7113

Fax: 867-993-6553

Toll-free: 1-877-993-3400



Recording a lithic scatter in the Seela Pass area.

References: Useful Resources, Legislation, Policy, and Best Practices

Tr'ondëk Hwëch'in Heritage

- ♦ Tr'ondëk Hwëch'in Heritage
<http://www.trondekheritage.com>
- ♦ *The Archaeology of the Hän Traditional Territory*, T.J. Hammer (2001)
- ♦ *Hammerstones: A History of the Tr'ondëk Hwëch'in*, Helene Dobrowolsky (2003)
- ♦ *Hän: People of the River*, Craig Mishler and William Simeone (2004)
- ♦ *The Hän Indians: A Compilation of Ethnographic and Historical Data on Alaska*, Cornelius Osgood (1971)

Government Links

- ♦ Tr'ondëk Hwëch'in Government
<http://www.trondek.ca>
- ♦ Yukon Government Heritage Resources Unit
<http://www.tc.gov.yk.ca>

Supplementary Guidelines and Legislation

- ♦ *Tr'ondëk Hwëch'in Land and Resources Act*, 2007
- ♦ *Yukon Government Yukon Mineral Exploration Best Management Practices for Heritage Resources*
http://www.tc.gov.yk.ca/pdf/Mineral_Exploration_BMP_for_Heritage_Resources.pdf
- ♦ *Yukon Government Guidelines Respecting the Discovery of Human Remains and First Nation Burial Sites in the Yukon*
http://www.tc.gov.yk.ca/pdf/respecting_guidelines.pdf
- ♦ *Yukon Government Handbook for the Identification of Heritage Sites and Features*
http://www.tc.gov.yk.ca/pdf/publications_heritagehandbook.pdf
- ♦ *Government of British Columbia Archaeological Impact Assessment Guidelines*
http://www.tsa.gov.bc.ca/archaeology/docs/impact_assessment_guidelines/index.htm
- ♦ *Yukon Historic Resources Act*
http://www.tc.gov.yk.ca/pdf/historic_resources_act.pdf
- ♦ *Yukon Archaeological Sites Regulation*
http://www.tc.gov.yk.ca/pdf/oic2003_073.pdf
- ♦ *Yukon Environment and Socio-economic Assessment Act*
<http://www.yesab.ca>



© Tr'ondëk Hwëch'in, 2011