

PIECING TOGETHER MODERN TREATY POLITICS
IN THE YUKON: INDIGENOUS AESTHETIC PRACTICE,
PAPER POLITICS, AND COLLAGE

A DISSERTATION SUBMITTED TO THE GRADUATE DIVISION OF THE UNIVERSITY
OF HAWAI'I AT MĀNOA IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF

DOCTOR OF PHILOSOPHY

IN

POLITICAL SCIENCE

December 2021

By

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Keywords: Indigenous People, modern treaty, land claims, resurgence, collage, Yukon

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Because of my mom.
And for my dad.

ACKNOWLEDGEMENTS

To the lands upon which this work came to life and the Peoples who care for it – mahsi cho: The unceded territories of the Lekwugen and WSANEC speaking people, especially around MEE-qan. The `Āina and its caretakers, especially within the ahupua`a of Waikiki and at Ho`oulu `Āina, Paepae o He`eia, Māhuahua `Ai o Hoi, and Anini. Aloha `Āina! The lands and waterways cared for by the Yellowknives Dene in Chief Drygeese Territory, especially McKenzie Island. The Peoples and protectors of unceded Dena Kēyeh, especially at Tu Łidlini and Nío Nę P`éné. The lands and waterways cared for by the Kwanlin Dün, Ta'an Kwachän, and Tagé Cho Hudän, especially along the Tánintşę Chü Dachäk and Gyò Cho Chü.

To the Social Sciences and Humanities Research Council of Canada, University of Hawai`i (Graduate Student Tuition Waiver), Kwanlin Dün First Nation, Indspire, and Yukon University (Employee Tuition Reimbursement Program) for the generous financial contributions to my studies and livelihood throughout the eight years of this project.

To Valerie Salez, visionary of To Talk With Others, for inviting me into your project, providing me with creative support along the way, and extending the financial support you received from Canada Council of the Arts to all the artists.

To Joseph Tisiga, Ken Anderson, and Doug Smarch, the other artists in the To Talk With Others project, for sharing your artistic expertise with me—the novice of the group—and holding me up through the To Talk With Others creative journey.

To Mary Bradshaw and the staff at Yukon Arts Center, and the curators and staff at Klondyke Institute of the Arts, Art Gallery of Greater Victoria, and the Penticton Art Gallery for supporting To Talk With Others and amplifying our work.

To all the participants who helped with the pink moose and paper hide project, especially Tarrin McDonough, Sarah Proder, Michael Thessel, Teya Rear, Charlene Dawson, Kaitlyn Charlie, and Emily Jarvis for your care, generosity, commitment, and love of creation.

To the community of thinkers, writers, and educators that has journeyed alongside me, sparked ideas, shared their brilliance, and helped me shape this work – mahsi Gina Starblanket, Mick Scow, Aiko Yamashiro, Jamacia Osorio, Tina Grandinetti, Logan Narikawa, No'eau Peralto, Mandee McDonald, Dawn Mahi, Sarah Hunt, Mele Kalama-Kingma, `Ilima Long, Jeff Corntassel, Norman Sterriah, Grady Sterriah, Juniper Redvers, Chris Tse, Wendy Wickwire, Jordan Aslett, and my colleagues at Yukon University and the students in YukonU's Indigenous Governance Degree Program (2016-2021).

To the flourishing artist community that I'm connected to and influenced by, mahsi cho for your generosity, bold creativity, and decolonial love. Camille Larivée, Laurence Desmarais, Jessica Sabogal, Melanie Cervantes, Elizabeth Blancas, Melaw Nakehk'o, Shawna Davies, Shelby Blackjack, Siku Allooloo, Chief Ladybird, Jeneen Frei Nijootli, and Mo Thunder, you and your work are an inspiration. #Landback

To my friend, Erica Cardwell, and writing mentor, Daniel Zomparelli at the Banff Centre for Arts and Creativity: Literary Arts Writing Retreat, 2019. Much of the creative work here is the result of your attention and care for me and the words I was putting on the page. Mahsi.

To Chris Hine, my transcriptionist and editor: wow, I'd still be checking citations if it wasn't for you. Mahsi for your attention to detail, time, and care. You got this into the tight package that it is, except for every error and typo that remains: those are on me.

This dissertation was two solid months from being done and my new colleagues and work family at Dechinta Centre for Research and Learning supported me in more ways than one to finish. Mahsi. I feel like I've come home. I look forward to what comes next and being dechinta (in the bush) with you: Kelsey Wrightson, Leanne Betasamosake Simpson, Glen Coulthard, Kyla LeSage, Josh Barichello, Justina Black, Auntie Berna, Randy Baillargeon, and many others.

Four Yukon Indigenous women shaped me and this work in intellectual, emotional, spiritual, and physical ways – mahsi cho Shirley Adamson, Judy Gingell, Gertie Tom, and Jean for your guidance, teachings, humility, generosity, and dedication to those who follow behind you.

My dear friends Amber Blenkiron, Michael Kulachkosky, Nic Hyatt, emily jarvis, Yoko Oda, and Nastuna Motayama, you have held me up, leant a hand, fed me, showed up, and hugged me at moments when I've need you the most. You kept me grounded and going. Mahsi for your love.

Mahsi cho to my PhD Committee members – Dr. Noelani Goodyear-Ka'ōpua, Dr. Jon Goldberg-Hiller, Dr. Candace Fujikane, and Dr. Heidi Kiiwetinepinesiik Stark – for your guidance and commitment to me and this project. It was a pleasure working with you.

Aloha e Dr. Hokulani K. Aikau, my PhD Chair. You are the backbone of this whole project. You helped me stand tall and step into my potential. I am so grateful for the larger forces at play that brought us together so that we could take this journey together. Mahalo nui loa.

To my family Northern Tutchone family—Auntie Elizabeth, Auntie Eileen, Auntie Elsie, Auntie Helen, and many cousins—you lead by example and show me what it means to be Northern Tutchone and to care, share, teach and respect, as we have always done. Mahsi.

To my dad, Peter Charlie, mahsi cho for guiding me along this journey back to myself, our People, and our land.

To Michael, my partner. You have been on this journey every step of the way, confidently by my side. I am eternally grateful for your unwavering love and support (and carpentry, tech, and creative skills). Danke schön, my love.

To my mom, Luanna Larusson, and sisters, Kaitlyn Charlie and Elihle Ncana. You have each taught me so much about how to be strong, how to never give up, and how to stand up for others and what is right. Mange tak. I love you.

And finally, to my little salmon boy, Luka. You are my everything. Mahsi cho for letting me be your mama. I love you.

ABSTRACT

In this dissertation, I posit a conceptual intervention into Yukon settler colonial politics using three community-made political art pieces: a life-size, hot pink papier mâché bull moose, made out of the Umbrella Final Agreement, the framework that guides modern treaty-making in the Yukon; a paper moose hide on a frame, indicative of a stage in a Northern Tutchone traditional moose hide tanning process, that is made out of a collage of land claims maps; and a paper baby belt, a traditional Northern Tutchone garment used to carry a child, made out of the Little Salmon/Carmacks land claims map and the Placer Mining Act.

Yukon settler colonial politics are defined by modern treaty (also known as comprehensive lands claims and final agreements), a right-based approach to Indigenous/state relations housed within Canada's recognition paradigm. I claim that Indigenous aesthetic practices have a role in rebuilding Indigenous governance systems that center Creation. Indigenous aesthetic practices reconnect Indigenous Peoples to the intimate qualities of their governance practices, values, and ethics; and facilitate a reconnection to, whilst simultaneously rebuilding, Creation-based lifeways and decolonial futures.

Although Yukon First Nations imagined a future in which their worldviews and values would be present within their governance practices, and that modern treaty would be the mechanism for this, the post-treaty political and social landscape in the Yukon demonstrates otherwise. Yukon First Nations have not escaped settler state domination and are embedded within the ambit of the state. I argue that the mechanisms used within the politics of recognition serve the interests of the Crown, not Indigenous nations, because they facilitate state and corporate access to Indigenous lands by extinguishing in perpetuity Aboriginal title and rights and re-defining and containing Aboriginal jurisdiction based on the state's terms and conditions.

I draw upon the art practice of collage and offer a collage methodology and theory to frame out the resurgence approach of this study.

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PREFACE

I'm with my partner, Michael; two of my older cousins, Rick and Jessie; and my other cousin's French-Canadian husband, Jacques. We're in Rick's new boat going down Little Salmon River. We are looking for a moose. It's a clear summer evening in our traditional territories in the Yukon (northern Canada). The sun is high and bright. The cool summer wind cuts through my jacket. I scan the river's edge. There was a forest fire here the summer before last. The spruce trees are charred and encircled with fireweed. The bright magenta flowers pop against the black of the burn. I think I see a moose downriver, so I turn to the group from the bow where I'm seated and flag my cousins. They're all scanning the shoreline and eyeing the bend in the river ahead; no one responds to my silent alarm. They don't register what I see because what has caught my eye is not a moose. It is more likely birds startled into flight, a lichen-covered rock, or a clumping of bushes, which make a dark mass easily mistakable as a moose, especially for my city eyes. Rick cuts the throttle, and we slow down. Our wake nudges us forward as small waves roll under the hull. The boat can't get on step. The water level is too low, and the new jet engine is sucking in reeds. While Rick and Jessie deal with it, I turn to Jacques next to me and ask, a little embarrassed: "What does a moose look like? What do I look for?" "It's huge and black," he replies. "Its rack kind of glints in the light. You'll know when you see it."

You'll know when you see it? I grew up away from my Northern Tutchone family and only recently returned after 25 years of being away. I'm on a long journey of reconnection to my family, my culture, and my own indigeneity. This is the hard work of my generation that is experiencing and overcoming one very painful and resounding intergenerational effect of residential school: disconnection. I am learning and practicing how to be a Northern Tutchone woman, mother, and educator. I know that the moose has been central to our lifeways since the beginning of time. It fed us, clothed us, and guided us.

The moose is our partner in our agreement with Creation.

CHAPTER 1

Piecing Together Modern Treaty Politics in the Yukon: Recognition, Resurgence, and Indigenous Collage

Introduction

The Umbrella Final Agreement (UFA) structures Indigenous governance and land claims in the Yukon (Northern Canada) as a settled issue. In the 1970s, Yukon First Nations embarked on a process to address the problems of living under the Indian Act through engaging the Government of Canada in a land claims settlement. Fifty years later, under current political conditions, Yukon First Nations are trying to make sense of their current political circumstances and of how to move forward. Yukon First Nations leaders signed a modern treaty that they thought would address the problems of the Indian Act and position them to walk into an Indigenous future. But in 2021 this is not where they find themselves. Yukon First Nations are learning about whilst simultaneously implementing a state-centric governance model that systemically undermines Indigenous lifeways. There is uncertainty about how to proceed.

Under the landmark Umbrella Final Agreement (1990), eleven of the fourteen¹ First Nations in the Yukon Territory negotiated comprehensive land claims and self-government agreements with the territorial and federal governments. Celebrated as “modern treaties,” the final agreements that stem from the UFA exemplify a recent trend in the Aboriginal rights movement in Canada, in which the Canadian state negotiates renewed legal and political relationships with Indigenous Nations based on mutual recognition and reconciliation. Scholars of resurgence theory (Simpson 2011, 2013, 2017; Coulthard 2014) argue that rather than liberate Indigenous Nations that engage in such approaches, “the politics of recognition” (Taylor 1992) are state-serving at their core and merely extend the colonial project by repackaging land dispossession as self-determination (Coulthard 2014). At stake in the implementation phase of

¹ The eleven Yukon First Nations that have signed final agreements under the UFA: Carcross/Tagish First Nation, Champagne and Aishihik First Nations, First Nation of Na-Cho Nyäk Dun, Kluane First Nation, Kwanlin Dün First Nation, Little Salmon/Carmacks First Nation, Selkirk First Nation, Ta'an Kwäch'än Council, Tr'ondëk Hwëch'in, Teslin Tlingit Council, Vuntut Gwitchin First Nation. The three Yukon First Nations that have not: Liard First Nation, Ross River Dena Council, and White River First Nation.

final agreements is First Nations' ability to rebuild their governance systems and stave off the territorial and federal governments' interest in and demand for access to natural resources in the North. Whereas recognition politics appear to be a radically new approach to Aboriginal rights and position the Canadian settler state as benevolent, this process only extends the reach of the state deeper into Indigenous lives and politics (Coulthard 2014; Nadasdy 2012; Povinelli 2002; Tully 2004) by forcing them to conform to state-centric governance practices, further disconnecting Indigenous peoples from Creation, the source of Indigenous lifeways.

In this dissertation, I posit a conceptual intervention into Yukon settler colonial politics as defined by modern treaty. I claim that Indigenous aesthetic practices have a role in rebuilding Indigenous governance systems that center Creation. As I demonstrate in this dissertation, Indigenous aesthetic practices reconnect Indigenous Peoples to the intimate qualities of their governance practices, values, and ethics; they also facilitate a reconnection to, whilst simultaneously rebuilding, Creation-based lifeways and decolonial futures.

Research Questions & Argument

Although Yukon First Nations imagined a future in which their worldviews and values would be present within their governance practices, and that modern treaty would be the mechanism for this, the post-treaty political and social landscape in the Yukon demonstrates otherwise. Yukon First Nations have not escaped settler state domination and are embedded within the ambit of the state, arguably, even more. As such, this dissertation is guided by the following questions:

Questions:

1. How did Yukon First Nations get to this place?
2. What were Yukon First Nations' expectations for a land claims settlement and why did signing a modern treaty not meet these expectations?
3. Where do Yukon First Nations, who have signed modern treaties, go from here?
4. How do Indigenous Peoples enact Indigenous forms of governance under contemporary conditions that include current agreements with the Crown and current compositions of Indigenous nationhood?

I argue that the mechanisms used within the politics of recognition serve the interests of the Crown, not Indigenous nations, because they facilitate state and corporate access to Indigenous lands by extinguishing in perpetuity Aboriginal title and rights and re-defining and containing Aboriginal jurisdiction based on the state's terms and conditions. As such, I argue that engaging in recognition politics turned out exactly as the Crown expected it to: the state gained certainty about land ownership and unfettered access to Indigenous lands and established Indigenous governments of its volition and design. The state's treaty process, thus, did not meet the needs of Yukon First Nations because it never intended to.

Yukon First Nations entered treaty negotiations seeking justice for the oppression they faced under the Indian Act, measures to ensure their cultural protection, the continuation of their land and lifeways, and the power to determine their own future(s). Now, bound within a state-centric treaty arrangement, I argue that the path forward requires a re-engagement with our original treaty partner: Creation. Indigenous aesthetic practices create a condition for multiple publics to engage in Indigenous governance systems that reveal alternative possibilities for the future. As such, I argue that Indigenous aesthetic practices make visible 1. the limits of recognition politics, 2. the role of relationships, personal experience, and the body² in the resurgent (re)creation of Indigenous governance systems, and 3. alternate processes of co-creating Indigenous desired futures.

What follows is a brief overview of the modern treaty context in the Yukon.

Yukon Territory and the Umbrella Final Agreement

The complexities of modern treaty politics are particularly evident in the Yukon, a northern territory of Canada. Home to fourteen First Nations and approximately 40,000 people, twenty-three percent of whom identify as Indigenous, the Yukon is unique in contemporary Indigenous politics because most of the territory has been settled by comprehensive land claims (also known as final agreements or modern treaties). In 1973, Chief Elijah Smith and a delegation of representatives from Yukon First Nations (YFNs) travelled to Ottawa to deliver to Prime Minister Pierre Elliott Trudeau a grievance document titled *Together Today for our*

² Together these aspects—relationships, the personal, and the body—are referred to as the intimacies of Indigenous governance.

Children Tomorrow (TTFCT), which called for a “fair and just” settlement with Canada and captured a desire, at the time, for redress and recognition of Indigenous rights and title to land in the form of a legal settlement (Yukon Indian People 1973, 17). This settlement process was understood as a way of moving respectfully and responsibly toward a better future with Canada. The submission of TTFCT and its acceptance by Trudeau initiated a land claims process in the Yukon, which is further explored in Chapter 2.³

Following seventeen years of difficult negotiations, the landmark Umbrella Final Agreement was reached in 1988, finalized in 1990, and ratified in 1993 between the Government of Canada, the Government of Yukon, and the Council for Yukon First Nations (known then as the Council for Yukon Indians), the latter of which represented the fourteen Yukon First Nations in the negotiations at the time. The UFA is a 308-page document comprising twenty-eight chapters on a range of topics relevant to self-governing First Nations, including taxation, enrollment, water management, fish and wildlife management, land use planning, and implementation. The details of each chapter were meticulously negotiated by the three parties. Each chapter outlines the rights, powers, and jurisdiction of each party and how they are to relate to one another. The UFA includes the general provisions for each individual First Nation’s final agreement. An individual Yukon First Nation uses the UFA as the basis of its final agreement and goes through an additional negotiation phase to determine its specific provisions and then ratify its own final agreement with the Yukon Government and Canada. The UFA is the basis for all final agreements in the Yukon.

Since 1990, eleven out of fourteen Yukon First Nations have signed comprehensive land claims and self-government agreements under the UFA. As a result, they have been transitioning from Indian Act bands, governing bodies designed and administered under the Indian Act, to self-governing First Nations, political entities that are organized and managed by the First Nations themselves, much like municipal governments but with Constitutional protection. The

³ In 1902, Ta’an Chief Jim Boss submitted a letter to the Yukon Commissioner and the Superintendent General of Indian Affairs with the help of a lawyer. He requested that the Government of Canada and King Edward VII begin treaty discussions with Yukon First Nations. His effort is considered the first attempt by Yukon First Nations to address the land struggles and demise of their people. His plea was denied. Continued attempts were squelched by the 1927 Indian Act amendments which made it illegal for Indigenous Peoples to address land claims with help of a lawyer. I address this in Chapter 2 and offer a more nuanced understanding of Chief Jim Boss’s efforts in Chapter 5.

remaining three Yukon First Nations (White River First Nation, Ross River Dena Council, and Liard First Nation) continue to be administered as Indian Bands under the Indian Act.⁴

The UFA has ushered in a suite of political changes in the Yukon. The Indian Act—federal legislation concerning status Indians, Indian bands, and the reserve system in Canada—ceases to apply to First Nations that have signed a self-government agreement, and each First Nation’s specific treaty rights are now outlined in individual agreements. Self-governing Yukon First Nations have jurisdiction and law-making abilities on their settlement land. Settlement land is the term used in the UFA to describe land that is owned and managed by a First Nation (I explain more about the land categories under the UFA in Chapters 2 and 4). A self-governing Yukon First Nation can determine its Nation’s citizenry, as well as design and implement justice, heritage, and social programming for its citizens. It can also engage in economic development (many YFNs have development corporations) as well as modify its governing structure to reflect more traditional governance practices, within limits. Yukon First Nations’ governments must be comprehensible to and fit within the tripartite arrangement with Yukon Government and the Government of Canada. Yukon First Nations can design and pass their own laws, which can be enacted by their citizens on settlement land. Yukon First Nations can also put forward recommendations concerning the management of Crown land (non-settlement land) through a claims-mandated boards and committee system and a Yukon Environmental Assessment review system, both of which were created by the UFA. Recommendations put forward through these systems go to the Yukon Government, which, within the UFA schematic, can make final, unilateral decisions (White 2020).

The agreements signed under the UFA are considered “modern treaties.” A modern treaty addresses land rights that have not previously been dealt with by, for example, historical treaties or other legal means. In the last forty years in Canada, twenty-six modern treaties have been signed via the comprehensive land claims process “covering 40% of Canada’s landmass” (Land

⁴ The White River First Nation, the Ross River Dena Council and the Liard First Nation are colloquially referred to as “non-signers” of the UFA. The historic and contemporary relationship between these Nations, the Yukon Government, the Government of Canada, and the Council for Yukon First Nations is complex and beyond the scope of this dissertation, as I focus on the First Nations that have signed final agreements in the Yukon. I am in the beginning stages of building a relationship with the Ross River Dena Council. I hope to research the impact of not signing the UFA and the possible futures this creates. For work within a similar vein, see: Shiri Pasternak, *Grounded Authority: The Algonquins of Barriere Lake Against the State*, 2017.

Claims Agreements Coalition 2017–2019). The Government of Canada claims that the comprehensive land claims approach is based on “true reconciliation” between Indigenous Nations and Canada (2015). Land claims replace the ambiguity surrounding Aboriginal rights and title to land with “certainty” established through the negotiation and definition of treaty rights and title in clearly defined areas. Modern treaties have dramatically altered Indigenous-state relations in Canada, and the Yukon stands as a notable example. While eleven Yukon First Nations grapple with the implementation of their agreements and the re-building of their nations, a plethora of scholarly work has emerged, complicating Indigenous-state relations in general and certainly relations and practices established through rights-based (Corntassel 2012) mechanisms like land claims agreements. According to Joyce Green (2001) “Canada has much to be proud of in terms of social justice and political accountability, but it must take responsibility for the fact that ‘Project Canada’⁵ rests on the foundation of indigenous immiseration through colonization” (716). As ‘Project Canada’ continues under the leadership of Prime Minister Justin Trudeau, who maintains land claims are capable of “real change” and are an impetus of a “new relationship”, critical scholarship claims otherwise.

Recognition, Reconciliation, and Resurgence

Resurgence theory makes visible the entrapments of recognition and the ubiquitous nature of settler colonialism. Resurgence theory also identifies a general directive to Indigenous Peoples: turn away from and refuse the settler colonial state (Coulthard 2014; Simpson 2014). However, more research on what this looks like in practice, given the various social, economic, and political constraints that Indigenous Peoples and nations are maneuvering within, is needed. This project looks at resurgence principles enacted within the shadow of a modern treaty.

Land claims and self-government agreements are mechanisms of what Charles Taylor frames as “the politics of recognition” (1992). Some liberal scholars, and certainly the Canadian state, champion the process of recognizing Aboriginal rights and title via comprehensive land claims and self-government agreements as capable of righting historical and contemporary

⁵ Joyce Green defines ‘Project Canada’ as the following: “I use the term ‘Project Canada’ to refer to the state constructed from the colonies by colonial and then settler elites, evolving but firmly grounded on the original and continuing appropriation of indigenous land and resources, and built on racist and sexist practices that create the forms of privilege that dominate the state today” (Green 2001, fn4).

wrongdoings and state-initiated injustices. “As a post-colonial attitude spreads,” writes Canadian political theorist James Tully (1999), “Aboriginal peoples are beginning to be seen, not as lower and subordinate, but as contemporary and equal; not to be ranked in Eurocentric stages but to be seen for what they are—as ‘diverse’” (417). This shift in perspective of Indigenous Peoples in Canada noted by Tully in the 1990s marks a transformation from overtly assimilationist and eliminatory state policies of the Indian Act to practices of “renewed relationships” rooted in negotiation and founded on recognition of Aboriginal rights.

Indigenous scholar Dale Turner, in *This is Not a Peace Pipe: Towards a Critical Indigenous Philosophy* (2006), describes two dimensions that have informed recognition in Canada. Indigenous People’s

...unique political status” arises from the “special” relationship that Aboriginal peoples have with the Canadian state. There are two important dimensions to this form of recognition – dimensions that Aboriginal peoples argue are overlooked when the meaning and content of Aboriginal rights are being determined. The first is the historical relationship Aboriginal people had with the British Crown and later with the Canadian state. This form of recognition has continued to evolve in Canadian legal and political practices since 1982 and is articulated by the discourse of constitutional rights in general and by the discourse of Aboriginal rights in particular.

The second dimension focuses on the claim that Aboriginal peoples possess a form of sovereignty, or nationhood; more importantly, the kind of nationhood Aboriginal people believe they still possess predates the formation of the Canadian state. One of the most serious legal issues in contemporary Aboriginal rights discourse is the problem of reconciling Aboriginal nationhood, as manifested in indigenous laws, with the Crown’s unilateral assertions of sovereignty” (14).

It is within these two dimensions that Canada’s rights-based framework has been built. Indigenous Peoples have secured several protective measures engaging the state this way.

Legal and political recognition has provided a degree of affirmation of inherent rights and legal security (Engle 2010), state-backed protection from development and encroachment (Klopotek 2011; Nadasdy 2005), cultural protection and renewal (Alcantara 2015; Engle 2010; Klopotek 2011), material redistribution and economic gain (Fraser and Honneth 2003), and access to resources and land ownership (Irlbacher-Fox 2009). However, some scholars are drawing attention to the way that the state maintains control of Indigenous Peoples and their land by using mechanisms of recognition, which are carefully constructed to restrict Indigenous

Peoples' ability to make autonomous decisions, dispossess Indigenous Peoples of large tracts of land, and reconcile Indigenous rights with state sovereignty (Coulthard 2014; Irlbacher-Fox 2009; Nadasdy 2005, 2017a). Yellowknives Dene scholar Glen Coulthard (2014) argues that the politics of recognition are state-serving at their core and merely extend the colonial project by repackaging land dispossession as self-determination. Stephanie Irlbacher-Fox (2009) states that lands claims can be viewed as symbolic. "...[T]hey are settlements that return small fractions of lands, resources, and authorities to Indigenous peoples," she explains, "and in that sense the settlements to a great extent cement rather than change the fundamental dominant-subordinate relationship between the state and Indigenous peoples" (6-7).

For others, like Charles Taylor, recognition is a necessity (1992). It is a means by which relations based on difference and identity can be organized more justly. The opposite, that is, misrecognition or nonrecognition, "can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being" (Taylor 1992, 25). Recognition is argued to be capable of material redistribution and a means for moving marginalized groups toward economic equity (Fraser and Honneth 2003). The latter points reveal recognition's potential for moving groups toward more just relationships, especially for politically oppressed or socially, culturally, or economically marginalized groups that seek redress. "At its best," writes Markell (2003), "the politics of recognition is driven by the admirable desire to combat deep-seated forms of injustice in relations of identity and difference" (17). He continues:

But it does render even the best-intentioned versions of the politics of recognition ill-equipped to diagnose and respond effectively to the underlying relations of subordination that give rise to systematic, identity-based social and political inequality. And it also makes this politics especially prone to become complicit with injustice, either reinforcing the very problems it hopes to combat, or helping to create new relations of social and political subordination. (17)

As such, in many ways the legal and political precedents created by recognition have revealed several problems.

Indigenous Peoples who engage in recognition politics are still restricted in their ability to make autonomous decisions (Engle 2010; for examples in the North, see: Alcantara 2015; Irlbacher-Fox 2009; Nadasdy 2005; Coulthard 2014). Moreover, the financial, legal, and political onus to prove claims to land and cultural continuity falls on Indigenous Peoples (Klopotek 2011;

Nadasdy 2005). Some argue that the state, even in its most liberal and democratic form, cannot conceive of, let alone comprehend, Indigenous alterity, which makes *mutual* recognition impossible (Bhandar 2007; Povinelli 1998, 2001, 2002; Nadasdy 2017a). As more Indigenous Peoples engage the state in terms of recognition, and as recognition secures its place as the most viable path toward a more just future, an increasing amount of scholarship is challenging the state's capabilities to do what it is intended to do, in the ways both needed and expected by Indigenous Peoples.

How to navigate this complex political landscape as it relates to land, the health and wellbeing of Indigenous communities, and Indigenous self-determination has become the focus of much scholarship. There is a clear delineation in the scholarship between works exulting the reconciliatory nature of recognition and an emergent school of thought that is deeply critical of the colonial state's motivations, continued treatment of Indigenous Peoples, and its desire for land that motivates the continued use of recognition. Scholars of resurgence theory and praxis call for a disengagement from state-controlled political and legal frameworks and argue that the pursuit of self-determination requires turning away from (Coulthard 2014) or refusing (Simpson 2014) the settler state and concentrating efforts on "...self-determination and change from within rather than recognition from outside" (L. Simpson 2017, 22).

Within settler colonial states like Canada, Australia, New Zealand, and the United States, recognition, and its ability to move Indigenous-state relations toward justice is challenged by factoring-in historical and contemporary colonialism. A new contradiction emerges when recognition is held up alongside settler colonial desires to "eliminate the native" in pursuit of a legitimate settler claim to Indigenous territory (Wolfe 2006; Tuck and Yang 2012). In places where the settler has "come to stay" (Wolfe 2006) and intends to make native land its new home (Tuck and Yang 2012), recognition is arguably being used to maintain colonial domination, rather than dismantle it (Simpson 2014; Coulthard 2014). In other words, recognition is posited as a tool to uphold the settler state in a way that does not confront or deal with (and, in fact, denies) continued settler occupation of Indigenous lands and the generative nature of settler colonialism itself. As Starblanket and Stark note:

Indeed, settler colonialism doesn't just try to eliminate but, in its place, seeks to produce something new. But in the process, settler states do so through relationship with Indigenous nations. Settler colonialism, then, is not so much eliminatory as it is concomitantly reductive and productive. We risk becoming further entangled within these productive and reductive tenets of settler colonial logics when we fail to account for how settler regimes regulate or circumscribe our relationships. (2018, 183)

“As a result,” writes Jodi Byrd, “the breakaway settler colonialisms that produced the global North...have created internally contradictory quagmires where human rights, equal rights, and recognitions are predicated on the very systems that propagate and maintain the dispossession of indigenous peoples for the common good of the world” (2011, loc 195). Markell (2003) refers to this as a “profound irony in the ideal of recognition,” in that “the very desire that makes the ideal [of recognition] so compelling—the desire for sovereign agency, for an antidote to the riskiness and intermittent opacity of social life—may itself help to sustain some of the forms of injustice that many proponents of recognition rightly aim to overcome” (5). Scholars are drawing attention to this paradox and calling for radical alternatives to the recognition paradigm.

Indigenous scholars Glen Coulthard (2007, 2014), Audra Simpson (2014, 2016), and Leanne Betasamosake Simpson (2011, 2017) have presented a series of arguments housed within the theory and praxis of resurgence that fundamentally challenge the recognition paradigm. Coulthard critiques the politics of recognition in *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (2014). He argues that

instead of ushering in an era of peaceful coexistence grounded on the ideal of *reciprocity* or *mutual* recognition, the politics of recognition in its contemporary liberal form promises to reproduce the very configurations of colonialist, racist, patriarchal state power that Indigenous peoples' demands for recognition have historically sought to transcend. (his emphasis, 3)

In its place, Coulthard argues for “a resurgent practice of cultural self-recognition” (26). Nishnaabeg scholar Leanne Betasamosake Simpson's work calls for an emphasis to be placed on cultural renewal and the restoration of Indigenous political and intellectual traditions rather than on reconciliation as defined by the state. This, she writes, “...requires a clean break from mobilizations and organizing that occur in direct response to the state and that are entwined with the politics of recognition” (L. Simpson 2017, 175). Mohawk scholar Audra Simpson (2014) calls for a politics of refusal: “a political and ethical stance that stands in stark contrast to the

desire to have one's distinctiveness as a culture, as a people, recognized" (11). Their contributions to debates surrounding the efficacy of recognition reveal an Indigenous desire for a radical alternative, and their arguments are couched within a growing realization that Indigenous nationhood-(re)building requires a reorientation grounded in the reality that the state will not play a role in Indigenous liberation.

While Asch, Borrows, and Tully (2018) note that the literature across resurgence and reconciliation has been polarized and polarizing, there is a debate taking place in the literature about *how* to engage and defend against the state and how to frame the state's motives in its relationship with Indigenous Peoples and lands. This debate is taking place alongside a colonial reality in which Indigenous Peoples' lifeways and lands are continuously under threat. Every day, Indigenous Peoples are confronting implicit and explicit colonial violences, poverty, intergenerational trauma of residential schools, racism, discrimination, substance abuse illnesses, and the like. For Yukon First Nations that signed modern treaties, these colonial realities continue, and they are just as pervasive as they are anywhere else.

Politics are Personal

As an educator and early-career academic teaching and engaging with the schools of thought addressed above and doing so alongside teaching and learning about Yukon Indigenous—our—history, politics, and everyday experiences, I have learned a lot about their applicability. Due to the privilege of my own social mobility, I move through and alongside communities in the Yukon that are dramatically different because of socioeconomics and race. Many Indigenous people live below the poverty line and in substandard living conditions. The one thing I know for certain is that the direct and indirect intergenerational effects of residential schools are pervasive and overwhelmingly insidious; they affect the day-to-day lives of most Indigenous people in the Yukon and across Canada (Truth and Reconciliation Commission of Canada 2015). The Truth and Reconciliation Commission of Canada (2015) and the Inquiry into Missing and Murdered Indigenous Women and Girls (2019) made this staggeringly clear.

Yet, just paying attention to the realities of everyday life for Indigenous peoples in the Yukon is painfully revealing. I have known Sam, a young Indigenous artist who participated in this dissertation project, for the past three years. In that time, she has lost three friends to suicide.

Indigenous women in the Yukon and Canada endure multiple forms of violence (Dorries and Harjo 2020). The National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) revealed that Indigenous women are more likely to be murdered or missing than other women in Canada. These are a few examples of the experiences Indigenous Peoples are having that get national and media attention. Hidden from public view are the daily systemic experiences related to domestic violence, poverty, lateral violence, mental health struggles, hunger, substance abuse illnesses, and sexual and gender violence. All of these can be made hyper visible by the media and the settler gaze, or worse, rendered invisible and bracketed as Indigenous Peoples' fault.

The debates within academic circles and the attention that they get from scholars are very much peripheral to the day-to-day lives of Indigenous Peoples in the Yukon, many of whom are dealing with trauma, violence, poverty, and survival daily—issues of life and death. I am reminded of this every time that I interact with Sam and Rosie, who you will meet in the coming chapters. They have days where their focus is staying alive.

What the scholarly debates are highlighting, however, is a need for justice and ending colonial violences. The theory matters, but only to the extent that it is directly applicable and meaningful to regular Indigenous people's lives. At the center of this project are the needs of Indigenous youth, cultural practitioners, community members, leaders, and regular folks who are trying to live their lives free of violence, rebuild their nations, and keep their cultures, lands, and lifeways intact. With their needs in view, the next move must be making the theory accessible and applicable, which this research project does using Indigenous aesthetic practices.

However, I do not come to this work lightly. As I mentioned in the opening vignette, I grew up away from the Yukon and my Northern Tutchone family. Although born in the Yukon, I have spent most of my life in the South.⁶ As I engaged in the research for and wrote this dissertation, I navigated a Yukon-specific political culture that was new to me. The argument being made here has been partly built outside the territory and deeply informed by national and international Indigenous theory, scholarship, and political mobilization. Being newly returned to

⁶ "The South" or "down South" is a colloquial term used in the Yukon to describe any place in Canada below the 60th parallel. It is different than the American use of "The South" which references the continental southern states as a geographic and cultural region.

the Yukon and having been schooled away have placed me in a somewhat precarious position with my community and peers. Given that the Yukon Government and many Yukon First Nations self-government leaders are proud of modern treaty and its legacy in the Yukon, I do take some risks in presenting a critique and alternatives, especially within a sparsely populated territory where many people are interconnected through family and social ties. My intent is not to provide a definitive plan of action for every modern treaty nation but to raise questions, ideas, and concerns about recognition and resurgence politics concerning the re-building of Indigenous futures. This dissertation is not about providing all the answers or even providing a definitive review of Yukon land claims and modern treaty potentialities and challenges; instead, it endeavors to add thoughts about creative approaches to the Indigenous self-determination movement. I offer my perspective as a Northern Tutchone woman.

Indigenous Aesthetic Practices

Throughout this dissertation, I use the term Indigenous aesthetic practices to denote culturally rooted practices of making and creating that are in relationship with and connected to Creation. A simple definition of aesthetic is “of or relating to beauty”. Aesthetics can be understood as a set of principles that guide the work of artists, makers, and creatives. In an Indigenous context, as with Indigenous aesthetic practices, the set of principles guiding the work of Indigenous artists, makers and creatives are rooted in tradition, place, language, and ontologies. Further, given the context in which the making and creating is taking place and continues to be confronted with settler colonialism, the making/creating is inherently decolonial (L. Simpson 2017; Martineau 2016; Martineau and Ritskes 2014). Moosehide tanning is a strong example of a Northern Tutchone aesthetic practice, as the practice and its purpose are deeply linked to Creation.

Indigenous aesthetic practices create access points for understanding the complexities and intimacies of contemporary Indigenous politics and enacting alternatives to dominate governance systems. While resurgence points out theoretical tensions within recognition politics, I claim that Indigenous aesthetic practices make these tensions visible by giving them a physicality and materiality, thus making the nuances of modern treaty, for example, accessible and understandable by the general public. I used collage as an artistic medium to make the three

political art pieces at the center of this study: a life size hot pink papier-mâché bull moose, a paper stretched moose hide on a frame (indicative of a stage in the moose hide tanning process), and a paper baby belt (a traditional Northern Tutchone garment usually made from tanned moose hide and used to carry a baby). Each is made with paper-based materials of political significance in the Yukon, and each references Creation-based elements of traditional Indigenous governance practices.

Collage as artistic medium allows incommensurate elements of Indigenous politics to come together in interesting ways: literally on the art pieces and figuratively as theory. I claim that collage serves as a metaphor for contemporary Indigenous politics where different pieces such as political traditions, people, values, practices, desires for the future, and tools for bringing them into fruition are brought together into “purposeful juxtaposition” (Allen 2012, xix). When considered alongside the intimacies of Indigenous governance, collage serves as metaphor and visual aid for the complexities and in/congruencies of a variety of relationships within Indigenous governance systems, between, for example, Indigenous and settler communities, or Indigenous Nations and the state. Collage helps articulate these relationships and creates theoretical spaces for analyzing and altering them.

Scholars of Indigenous resurgence like Leanne Betasamosake Simpson (2011, 2017) and Glen Coulthard (2014) maintain that self-determination requires revitalizing Indigenous ancestral values and governance practices free of settler state control and interference. For these scholars, Indigenous self-determination is grounded in the resurgence of Indigenous Peoples, lands, languages, and laws. It is enacted intentionally in the everyday (Corntassel 2012; Hunt and Holmes 2015) with the belief that such intentional collective actions will steadily advance Indigenous Peoples toward a radically alternative present (L. Simpson 2017), perhaps one that our ancestors might recognize. This dissertation takes up a subsect of resurgence theory posited by Leanne Betasamosake Simpson (2017) and Jarrett Martineau (2015) and Martineau and Ritskes (2014). Simpson, in *As We Have Always Done* (2017), by drawing upon her own peoples’ Anishnaabeg stories, theorizes the place of intentional creative actions: the act of *doing*. She explains: “Kinetics, the act of doing, isn’t just praxis; it also generates and animates theory within Indigenous contexts, and it is the crucial intellectual mode for generating knowledge. Theory and praxis, story and practice are interdependent, co-generators of knowledge. Practices

are politics. Processes are governance. Doing produces more knowledge” (20). It is this continuous, intentional commitment to *doing* that underpins Simpson’s “Radical Resurgent Project,” and marks a notable intervention that theorists, like Simpson, are making in the field: linking the theory directly to *creative* action/behaviors with attention to process. Attention to process is also evident in art practices in general, as explicated by Conrad and Sinner (2015): “The notion of **process**, is at the heart of many of the practices represented; the stirring, mixing, evolving, and emergent nature of process is seen as central to arts practices” (their emphasis, xvii).

In his dissertation, Jarret Martineau (2015) likens the process of collective making and creating through art and art collectives to anti-colonial mobilizing. He notes:

Indigenous art-making is not simply a utopian project of creative imagining or a commercial enterprise of commodity production; it is a transformational process that demands dreaming and doing. To become a weapon in the struggle to decolonize, creativity must be connected to collective action and political practice. (Martineau 2015, 12)

In their article, “Fugitive Indigeneity,” Martineau and Ritskes, situate an Indigenous “fugitive aesthetic” firmly in the recognition/resurgence debates addressed above. “A fugitive aesthetic,” they write, “refuses the struggle for better or more inclusion and recognition (Coulthard 2007) and, instead, chooses refusal and flight as modes of freedom” (2014, iv). Art-making, articulated this way, is “the freedom to imagine and create an elsewhere in the here; a present future beyond the imaginative and territorial bounds of colonialism” (Martineau and Ritskes 2014). I take up this attention to process in this dissertation and explore “arts practices as sites of research” (Conrad and Sinner 2015, xvii) by utilizing an Indigenous research methodology based on the art practice of collage.

Indigenous collage as methodology, method, and analytical frame can help us not only imagine but create the present that we want (L. Simpson 2017). Collage offers a space for Indigenous historical realities, present political realities, and desired presents to intersect in innovative and unexpected ways. Collage is offered here as one way of augmenting our current view of our political context in a way that brings into view the realities of our communities, while also accounting for the distinct and diverse contexts we must navigate and the tools (i.e., theories and practices) we have to do so. Simpson (2017), Martineau (2015), and Martineau and

Ritskes (2014) identify the decolonial potential of collectivized art-making in the present, where the act of creation is not about “creating alternative futures,” but about making alternative *presents*.

A Moose, a Moose Hide, and a Baby Belt

The main source of evidence for this project centers on three art pieces that I made with the help of my family and community: a life size hot pink papier-mâché bull moose, a paper stretched moose hide on a frame (indicative of a stage in the moose hide tanning process), and a paper baby belt (a traditional Northern Tutchone garment usually made from tanned moose hide and used to carry a baby). Each of the art pieces is made with paper-based items of political significance in the Yukon that have been introduced and implemented through a complex relationship between Indigenous Peoples and the settler state; this relationship is fleshed out in detail throughout this dissertation. The paper moose, for example, is made of the Umbrella Final Agreement, which is the framework for modern treaty-making in the Yukon; the stretched hide is made of 11 Yukon First Nation land claims maps; and the baby belt is made of the Little Salmon/Carmacks First Nation land claims map and the Placer Mining Act, legislation that regulates gold mining in the Yukon. Each art piece also denotes creation-based components of traditional Indigenous governance systems. For Northern Tutchone people, as with many Indigenous nations of the North, the moose (animal/relation) is paramount to Indigenous governance, culture, and survival. Moose hide tanning, which is a traditional way of processing a moose hide to make it into a workable, wearable material, is a kinship-based, relational practice connected to the moose and carried out by Indigenous women (Irlbacher-Fox 2009; MacDonald 2020).



Figure 1: Bull's Eye. Yukon Arts Centre, Whitehorse, Yukon, Canada. Photograph by author, 2018.

By combining the paper- and Creation-based elements, the art pieces give material form to a multiplicity of factors shaping Indigenous governance today. By placing these factors within new proximities to each other, literally and figuratively, the art pieces bring to light incommensurate factors of Indigenous politics that have significant impacts on Indigenous life, land, and futures. First, for example, the paper moose melds the living, reciprocal relationship Indigenous Peoples have with a real moose and the Umbrella Final Agreement that represents a statist and capitalist relationship to Indigenous Peoples and lands. While the UFA outlines and extends specific treaty rights and powers to Yukon First Nations, it simultaneously extends the colonial project by forcing Indigenous Peoples to trade land for state recognition of limited rights (Coulthard 2014; Nadasdy 2017a). By linking this political tension to a real moose, the art piece

exemplifies the continuance of settler colonialism and harkens alternate political orders in which Creation undergirds Indigenous lifeways and governance, not the settler state.

Second, the paper hide art piece links a physically laborious, land- and kinship-based stage in a complex moose hide tanning process to a colonial understanding and treatment of Creation as resource. The latter is represented by using Yukon First Nation land claims maps as the hide, plus the copper piping frame and gold-painted hide scraper. The art piece captures one stage in the complex, land-based practice of moose hide tanning in which the hide is mounted to a frame and the epidermis is removed off the hide using a blade. The fleshed hide that is left, once smoked, and processed, becomes a strong functional material. In the art piece, the epidermis (the flesh that is removed and discarded) is represented by a colorful paper collage of the land that is adhered to the maps. The colorful landscape collage represents an ancestral connection to Creation. The hide below the image is made of a collage of land claims maps that represent a colonial understanding of Creation/land as resource that is controllable, divided, named, claimed, and ordered.



Figure 2: Part of the Land | Stretched Hide. Yukon Arts Centre, Whitehorse, Yukon, Canada. Photograph by author, 2018.

The process of removing the paper image using a blade, as one would to remove the epidermis off a real hide, is a metaphor designed to capture the conflicting elements of Indigenous and colonial worldviews, generally, and between Indigenous and state understandings of Creation/land and the intentional practices and actions that uphold both ways of being. Removing the epidermis/paper collage is an action; abiding by and implementing the state's political order is an action. Both of these are carried out by people's bodies. The art piece gives material form to a larger question being asked in this dissertation: if actively participating in the state's recognition process threatens Indigenous land and lifeways, what does it mean that the state and/or Indigenous Peoples are intentionally, using their own labour (represented by physically scraping the hide), contribute to the removal of Indigenous land and lifeways? Yet, there is also possibility captured in this metaphor: what would happen if we collectively realized

the damage of our efforts (in other words, committed to the state's systems on the state's terms) and stopped scraping the hide? Both of these questions are explored through an application and analysis of resurgence theory in the Yukon's modern treaty context and given materiality via the paper hide.

Third, traditionally, a Northern Tutchone baby belt is made of tanned moose hide and, as such, is an extremely robust and functional garment. It ensures that a person can carry a child whilst working (creating or making) on/with/alongside Creation. The baby belt art piece, however, is made out of paper: settler state legislation and a land claims map, to be exact. Both of these, literally and figuratively, facilitate state and corporate access to Indigenous land for capitalist gain and threaten Indigenous land and lifeways. Building on the questions posed with the paper hide art piece, the paper baby belt exposes the viability of prioritizing and relying upon paper-based modes of "colonial governmentality" (Coulthard 2014, 15) to ensure and protect Indigenous lands and lifeways by literally exposing paper's ineptitude as a functional material. A baby belt made of real moose hide, which is connected to a larger system of Creation, functions exactly the way it was intended to; however, a paper baby belt is not strong enough to carry a baby.



Figure 3: Part of the Water | Baby Belt. Yukon Arts Centre, Whitehorse, Yukon, Canada. Photograph by author, 2018.

Together, the art pieces address a larger theme of certainty. The land claims (modern treaty) process was developed by the Canadian federal government as a way of achieving “certainty” in places where Indigenous rights and title had not been previously recognized by historical treaty or another legal means. To rectify this, through negotiation and formal recognition, the land claims process results in certainty about land ownership, jurisdiction, and land allocation. While the politics of recognition—land claims agreements, self-government agreements, and economic development packages offered by the state—result in some securities for Indigenous Peoples, settler colonialism continues. The art pieces—the paper moose, paper hide and paper baby belt—literally and figuratively question the utility of paper; in turn, they question the strength and utility of the state’s recognition mechanisms. In this dissertation, I challenge the certainty assumed in modern treaty by demonstrating the ineptitude of the paper (as

metaphor and material) as the source of Indigenous self-determination and decolonization. In turn, I re-center Indigenous bodies, actions, behaviors, relationships, and Creation as the unifying force of Indigenous governance systems and intimate sites of decolonization.

The goal of this dissertation is not to reconcile the incommensurabilities and un/certainties exemplified by each of the art pieces, but to make them visible and comprehensible to regular people: Indigenous Peoples who are *of* the North and settler residents who claim this place as their home. These are the people who are responsible for making, enacting, and sustaining decolonial governance practices via treaty relationships. To do this, Indigenous Peoples and settler allies need to know the intricacies of the systems they are part of and upholding, knowingly or not, and the entry points for changing them or building them anew. As this dissertation demonstrates, Indigenous aesthetic practices make complex elements of Indigenous politics comprehensible and accessible by bringing them within a personal purview. I argue that this kind of intimate consciousness-building by Indigenous Peoples and settlers, individually and in relationship, and supported by creative, decolonial pedagogical experiences, creates a foundation upon which decolonial futures can be built.

Paper Politics

Paper has a theoretical, metaphorical, and material presence in this work. Since returning to the Yukon five years ago and getting more active in the community and Yukon politics, I noticed the overwhelming presence of paper in Indigenous governance practices. First Nations are turning to paper to help them make decisions. For self-governing First Nations, all the rules, regulations, policies, and laws are written on paper. Self-governing First Nations turn to paper when they need to decide who is a citizen of the Nation, essentially using paper to decide who belongs and who does not. They turn to paper when they need to resolve a conflict or make a decision that will affect generations to come. Self-governing First Nations use paper to guide intergovernmental relationships with other First Nations, the territorial government, and Canada. The UFA, the framework for modern treaty-making in the Yukon, is a 308-page paper document. The final agreements that stem from the UFA inform First Nations' governance structures and guide intergovernmental relations are also recorded on paper. When a Yukon First Nation or the state needs clarification about who owns what land (and where) or what can be done there (or

not), it turns to land claims maps, legislation, and documents made of paper. Where Indigenous Peoples once turned to Creation—land, water, seasons, non-humans, migration patterns—and each other in relationship with Creation to guide us in *all* their decision-making and governance practices, they are now turning almost exclusively to paper. This phenomenon of prioritizing paper in Indigenous governance is explored on a theoretical, metaphorical, and material level throughout this dissertation.

The place of paper in the modern world has been studied and theorized by anthropologists, scholars of media studies, historians, and the like. While exploring the literature, I noted that the study of paper collides with studies of literacy, reading, and writing in the modern world. I sought out literature that would help me understand (and build an argument) for the place of paper in our modern treaty governance practices as they currently stand, heavily informed, if not shaped, by a “Euro-Canadian legal-bureaucratic model” (White 2020, 279). In *Paper Knowledge: Toward a Media History of Documents* (2014), media historian Lisa Gitelman provides a history of the “document” across genres and various types of media. “Any object can be a thing,” writes Gitelman (2014), “but once it is framed as or entered into evidence—once it is mobilized—it becomes a document, an instance proper to that genre” (2). She continues:

The word ‘document’ descends from the Latin root *docere*, to teach or show, which suggests that the document exists in order to document. Sidestepping this circularity of terms, one might say instead that documents help define and are mutually defined by the know-show function, since documenting is an epistemic practice: the kind of knowing that is wrapped up with showing, and showing wrapped with knowing. Documents are epistemic objects; they are the recognizable sites and subjects of interpretation across the disciplines and beyond, evidential structures in the long history of clues. (1)

Gitelman’s articulation of the document as “an epistemic object” that shows the reader or consumer of that document something while simultaneously revealing and existing in a world of knowing in a particular way, then creates this space—this “know-show” space—to understand documents in an entirely different way.

But what does this have to do with paper? “When it comes to documents,” explains Gitelman, “it should be clear, a thing made of paper and bearing semiotic traces is not merely the most typical case, it is also the most salient, since the affordances of paper and the function that

defines documents have become inextricable from one another during the many centuries in which paper has been in general use, whether under the conditions of scarcity, plenitude or excess” (3). Here, Gitelman is linking the document’s epistemic form to its physical or material form: document as paper. The inverse is also true, according to the above: paper as document.

The main material used in the art pieces addressed in this dissertation is paper, on which several documents are printed: the Umbrella Final Agreement, the Placer Mining Act, land claims maps, and photographs. “Documents are important not because they are ubiquitous, I should be clear,” writes Gitelman, “but rather because they are so evidently integral to the ways people think and live” (4). It is these points that I wish to link to the claims I make here. The documents used as the basis of the art pieces, particularly the UFA as the moose’s hide, are shaping the way Yukon First Nations are thinking and living. They are shaping our political lives, ideas, and futures. And, as documents, Gitelman’s work helps show how they are “tied to specific settings”; they are “context-dependent in space and time” (4). What do the documents used in the art pieces tell us about the context in which they are made, read, copied, cited, and referenced? To borrow Gitelman’s phrase, what do they “know-show” us about our modern treaty context? Max Weber noted a similar tendency in the function of bureaucracies. “He [Weber] viewed documents as instruments for materializing reference and predication,” writes Hull, “in order to establish and communicate a stable relation between discourse and individuals, actions, objects, and environments” (2012, 256). Further, summarizing Weber, Hull (2012) notes that, “Writing establishes the stable relation between words and things necessary for bureaucracies effectively to implement regimes of control” (256).

Collaged throughout this work is an overarching claim that paper reflects an emerging Indigenous political order influenced and necessitated by the modern treaty context. The paper moose art project helps make this political order visible while also putting into productive juxtaposition a fundamental divergence, which Tuck and Yang refer to as an “incommensurability,” between a paper moose and the real thing. A paper moose, as metaphor, links paper, a material object with epistemic significance, to a moose, which, for Indigenous Peoples in the Yukon, holds a very significant place in our livelihoods, cultural practices, traditional economies, and governance. As I will demonstrate here and throughout this dissertation, a real moose is an active, living member of our ancestral governance practices as

Northern Tutchone people. As noted in the Preface, the moose is our partner in our agreement with Creation. We have laws and protocols that guide our relationship to the moose. Traditionally, our relationship to the moose and the fact that it is our main source of food made it integral to our decision-making processes. We would follow a moose around our land while hunting it. Once killed, families would move camp to the moose so that everyone could help process it. Protocols informed how the moose meat was then distributed to the family and the community. Non-edible parts of the moose were processed and used. The bones were made into tools and the hide was tanned using a multi-stage, complex, and labor-intensive process led by women. A hide could be used to make a boat, clothing, footwear, and other functional garments like hats, bags, weapon slings, and baby belts. As such, the moose was central, if not fundamental, to Northern Tutchone lifeways, and, as the collaborative part of our decision-making processes, it was foundational to Northern Tutchone traditional governance system.

Hunting moose continues today. Cultural laws and protocols still inform how we relate to the moose and distribute the meat, though not everyone abides by Northern Tutchone laws; laws with legal weight are settler laws and protocols. Often the hide is left out on the land because it is very heavy and difficult to transport. Additionally, few people still know how to tan hides. There is a gap in the knowledge transfer to the next generation because of 150 years of residential schooling. Even for those who know how to tan hides, time is spent differently today because of a wage-based economy; few people can afford to commit to the multi-stage, weeks-long process of moose-hide tanning (Irlbacher-Fox 2009; McDonald 2020).

Northern Tutchone people's relationship to the moose may have changed over time, but our memory and practices—fragments that remind us of its centrality in our lifeways as Northern Tutchone People—remain. These memories and fragmented practices exist alongside the colonial worlds in which we are also present. As such, linking paper with a moose, a moose hide, and a baby belt creates a strong, recognizable, and cascading series of metaphors: moose as relation, moose as creation, moose as governance. This reveals interesting and complex questions about our governance practices in the past and present. I used this recognizable relationship to the moose as a foundation of the art pieces. When coupled with paper, then, especially given the theoretical interventions available in Gitelman's work, the pieces raise hard questions about our current governance system under a modern treaty.

Indigenous people today are having to learn a whole new governance system, and the complexities of this are made more tangible by understanding this as a relationship to paper. This dissertation uses the practical and metaphorical elements of the art pieces to explore paper's usefulness as a central force in our current post-treaty governance system and questions paper's (in)ability to do the work Indigenous Peoples need it to do. Under a modern treaty, Indigenous Peoples have replaced a living agreement with Creation (e.g., a moose) as the foundation of their governance system with paper-based agreements with the state. While the agreements have a legal and political significance that is addressed here, their materiality is prioritized. The UFA is a paper document with epistemic significance in Yukon Indigenous politics. This dissertation is an effort to remember and re-enact governance systems in which the real moose is the central force.

Intimacies of Indigenous Governance: Site for Relational Transformation

The intimacies of Indigenous governance acknowledge that there are personal and emotional features to our traditional governance systems that are elemental to their process and function. These personal and emotional features are expressed through relationship and are relationships themselves. These elements are rooted in who you are, where you come from, what you know, your age, family, gender, skills, and clan. Traditional clan structures for many Yukon First Nations linked people to authority and responsibilities directly associated with land. For example, authority was extended to decedents and relations of the same clan. The authority was determined through a matrilineal and matriarchal clan system, in that connection to place was through the mother's line, and authority for place, while shared, was headed by a matriarch. As such, one's clan linked them to Creation-based authority and responsibility, and, in turn, linked them to expectations about behavior and actions.

How can the values that undergird this clan system be operationalized and enacted by both Indigenous Peoples and settlers? What does this look like within the modern treaty context? How do Indigenous aesthetic practices facilitate this? The intimacies of Indigenous governance are sites for this kind of relational transformation. The intimate is an important site for exercising intentionally decolonial (inter)actions, choices, and behaviors that unsettle settler colonialism, but, more importantly, create a foundation for making an alternative. As such, these intentional,

intimate efforts result in decolonial micro-shifts in how we relate to ourselves and one another, and how we use our bodies, all of which derives from and serves to reconnect us to Creation. I demonstrate how these decolonial micro-shifts are enacted and collectivized via Indigenous aesthetic practices of making and creating together. As Indigenous scholars, such as Leanne Simpson, make clear, our ancestors created and sustained Indigenous governance systems at an intimate level through relationships and familial practices and according to the needs of the human and non-human in the present and into the future.

Indigenous Collage: A Theory in the Making

Collage as Theory

Here, collage is used as an arts-based pedagogical approach and tested for its applicability and decolonial potential. Chadwick Allen's (2012) use of purposeful and productive juxtaposition is a key concept explored here, as his language alludes to a place for agency and empowered, informed, and intentional decision-making in which we can attend to power embedded within the political structures that Indigenous people are confronting. For example, collage-making as an art form requires manipulating images into any form, shape, or size that is desired by the collagist. They choose the pieces and how they interact with each other in the layout and the design. Choice is available at every stage of the collage-making process. While some pieces can be added, removed, reshaped, cropped, or expanded with the addition of new materials, others can be "refused" (Simpson 2014) or circumscribed by "turning away" (Coulthard 2014). "Each act of creative refusal makes a new present possible," as noted by Martineau and Ritskes (2014, x). There is a continuous, active engagement with the collage elements that happens at both a conscious and unconscious level. From a theoretical standpoint, then, as described by Davis (2008), "The artistic creation of collage may thus furnish a means to take back a measure of power over spectacular representations and renegotiate them versus everyday experience" (247).

Beyond its physical form, collage also represents an important theoretical and methodological practice. In theory, Indigenous collage can help us think in ways that circumvent and collapse dichotomies such as Indigenous/state, resurgence/reconciliation; it reveals new access points into seemingly incommensurable and polarized political divides. Outside of

collage, there might be disorder, confusion, disempowerment, and exclusion as a result of continued colonialism. Within collage, however, there is room for purposeful engagement and empowered creative production as these incommensurable pieces have a place to meet each other. There is also room for all these realities to exist together. Collage theory is less about choosing one over the other, and more about learning to see and maneuver with intention within such complexity.

Just as collage as an art form requires a collagist, Indigenous collage theory requires an active and creative agent to engage in the process of identifying the pieces and their placement within the larger, theoretical collage. Conrad and Sinner (2015) have noted the potentiality of art for “...empowerment, for inviting voice and positioning community members as active agents for change” (2015, xvii). Indigenous collage as theory allows for an Indigenous individual, family, collective, community, or nation to be the collagist, which not only invites but requires their creative and subjective input. In this project, participants are invited to participate in arts practices and to create. The arts practice is a space to practice agency, self-determination, and collective governance. Therein lies collage’s potential to disrupt incommensurability and create space for alternative realities to come into existence.

Collage as Pedagogy

Recent work in aesthetic pedagogy shows how art is being used as an educational tool in and outside the classroom. Art takes a number of forms as a pedagogical practice ranging from personal art to the use of public displays (murals, public performances, drama, street art, culture jamming, etc.) to evoke emotional responses, conversation, critical reflection, and social action (Helguera 2011; Sholette et al. 2018). Aesthetic pedagogies draw upon critical pedagogy to spur consciousness-raising or to mobilize people (Freire 2000; hooks 1994, 2003, 2010). According to Duncum (1999, 2002), “our everyday aesthetic experiences are a significant site where ideological struggles occur” (Duncum quoted in Darts 2004). As such, aesthetic experiences present themselves as interesting or potential pedagogical techniques. “Locating art education within a critical place-based pedagogy,” writes Graham (2007), “disturbs standardized curriculum models and re-envision educational purposes by valuing the peculiarities of the local and questioning taken for granted assumptions about progress and our relationships with nature.

Teaching becomes responsive to ecology and local culture and art making becomes socially aware, reflective, and transformational” (376). Seen as an invitation, community art processes can transform people, make “visible” the invisible in society, and be used as a communication system through which different views and marginalized or silence perspectives can be expressed (Clover 2000).

Indigenous collage as art practice, theory, and pedagogical tool invites us to maneuver with(in) a political context that has, in some cases, been cast as fixed, rigid, and too massive to unsettle. In Indigenous collage theory, the “collage-makers” are outfitted through an aesthetic pedagogical practice with tools and optics that enable them to dismantle and reconfigure the pieces in ways that reflect their needs, desires, and responsibilities as Indigenous Peoples. At the same time, collage acts as a metaphor for the emergence of alternative governance forms and a means to creatively extend our understanding of Indigenous contemporary politics and Indigenous research methodologies.

Collage as Method

I conducted research using a mix of ethnographic methods, including interviews, focus groups, and participant observation, and auto-ethnographic methods such as personal stories, journaling and art-making. The research centers around the making of three art pieces—a life-size, hot pink, papier-mâché bull moose, a paper stretched moose hide on a frame (indicative of a stage in the moose hide tanning process), and a paper baby belt (a traditional Northern Tutchone garment, usually made from tanned moose hide, that is used to carry a child). Each is made of paper documents that have political significance in the Yukon: The Umbrella Final Agreement, land claims maps, and the Placer Mining Act.

In 2017, I was invited to participate in an art project called *To Talk with Others* by Valerie Salez, a Yukon-based artist and coordinator of the project:

To Talk With Others responds to the minutes of a meeting in August of 1977 between Prime Minister Pierre Elliot Trudeau and five Yukon First Nations leaders regarding the then-approved Mackenzie Pipeline. Held in the Tr’ondëk Hwëch’in archives, this document illustrates the ongoing dichotomy of two opposing cultures and ways of understanding economic, social and cultural development with the land and its inhabitants. Through a diverse range of media, Yukon artists Ken Anderson (Tlingit/Scandinavian), Lianne Marie Leda Charlie (Tagé Cho Hudän | Big River People),

Valerie Salez (1st Generation Canadian), Doug Smarch Jr. (Tlingit), and Joseph Tisiga (Kaska Dene) activate this archival document and ultimately continue the conversation surrounding self-determination in the face of federal and corporate agendas. (2019)

The art pieces were included in the exhibition. The research phases for this project coincide with the making of each piece, which took place from October to December 2018 in Whitehorse, Yukon. The paper moose and hide art pieces were made collectively. A core group of twelve people helped with the moose. Most are my friends and two are family: my sister and my partner. Of the core twelve moose-makers, six helped make the paper hide. I hosted two community workdays in November 2018 and invited the public to help with the moose; twenty-eight people came out. I knew all but one of them, as they were all from Yukon University and the Whitehorse community. I conducted face-to-face interviews with five of the core moose-makers and one written interview with a youth participant who preferred to answer the interview questions in writing. I also conducted one focus group with six of the moose-makers.

The completed art pieces were exhibited at the Yukon Arts Center in Whitehorse, Yukon (December 2018–February 2019), in three galleries in Dawson City (May 2019–September 2019), and at the Greater Victoria Art Gallery (November 2019–March 2020). While the pieces were on exhibit in Dawson City, I facilitated two educational workshops lasting two hours each for research; six participants attended the first and five participants attended the second. One of the participants in the workshop is my cousin. I audio-recorded both workshops in full. Participants also filled out pre- and post-workshop questionnaires.

I conducted additional interviews with three Whitehorse-based Elders who have been active in Yukon politics for most of their lives. I use pseudonyms for all the participants in the research, except for these three Elders and the Elder who came out to the workday. While it may be considered a risk to be named and identifiable in research, because of the size and interconnectedness of Yukon and Northern communities and the contentious and political nature of this subject matter, it is also important in Indigenous settings to acknowledge knowledge-holders. I use their full names with permission and out of respect for their deep knowledge and generous contributions to this project. It is important that readers know who these Elders are and where they and their knowledge come from. As one Elder, Jean, said to me: “I want people to know it was me who was part of this project” (Jean, pers. comm., June 2019).

Having said that, given the closeness of our communities and the contentiousness of this project, at times I struggled with the responsibility of researching, writing, and holding stories and experiences shared with me throughout this project. Every story told here that includes other people, their words, ideas, or actions is done so with the utmost respect. Any mistakes, omissions, or misrepresentations are my own, and not those of the volunteer contributors to this project.

Collage as Writing

This dissertation is organized as a collage. It brings together several different pieces: photographs of the art pieces and the making thereof, stories, personal experiences, and analysis to understand Indigenous politics in the Yukon creatively. I journaled and took field notes throughout the research project. I relied upon my personal observations, field notes, interviews, and conversation with participants to write ethnographic narratives, which are shared throughout the dissertation in various formats. Some are shared as a collage of stories in which vignettes, excerpts from interviews, and participants' quotes are formatted and collaged together. Each chapter opens with a vignette that anchors the analysis in personal reflections, observations, or stories. In most cases, the collage of stories and vignettes brings together topics that are in tension with each other or with the themes in the succeeding chapter. Following the ideas and practice of collage, each of the stories are in productive juxtaposition with the next as a way of layering meaning throughout the dissertation.

Chapter Overview

Yukon First Nations engaged the state in a process that the state designed to achieve its own ends: certainty. Yukon First Nations entered the land claims process as an act of self-determination and to escape the oppressive entrapments of the Indian Act. While the Indian Act no longer applies to the 11 Yukon First Nations that ratified final agreements, a state-centric and oppressive colonial structure remains. In Chapter 2, I contrast Yukon First Nations' desires as outlined in *Together Today for Our Children Tomorrow* and echoed by two Yukon Indigenous leaders with critiques of recognition politics available in the literature. In doing so, I demonstrate

how the hopes and realities of modern treaty for Indigenous Peoples do not align. In short, the state's treaty process did not meet the needs of Yukon First Nations because it never intended to.

In Chapter Three, I argue that Indigenous aesthetic practices make this possible at an intimate, interpersonal scale by providing the space to learn and apply Creation-based practices within interpersonal relationships. This argument treats the interpersonal level as a key part of governance systems. Intervention at this level necessitates understanding how governance systems work and renewing Indigenous relationships with each other rooted in the values and practices that shaped Indigenous Creation-based ancestral lifeways. Indigenous aesthetic practices provide the space to do this. Scale is key here. I demonstrate that Indigenous Creation-based values can be enacted collectively within interpersonal, familial governance systems and then scaled up. I argue that the familial governance system stands in stark contrast to the Euro-Canadian bureaucratic governance structures Yukon First Nations have inherited through self-government agreements.

In describing the pink moose, the paper hide, and the paper baby belt, in Chapter Four, I argue against the layers of un/certainty assumed and presumed in modern treaty. Just as the pink moose appears to be whole, final, fixed, it is a fabrication—the action or process of manufacturing or inventing something; an invention; a lie—that appears certain. So too is the state's certainty clause that “cedes, releases, and surrenders” Aboriginal title to large tracts of land to the Crown in perpetuity. While certainty is consented to on paper by individuals signing contract-like agreements on behalf of nations and future generations, paper-based consent is also a fabrication. The fact that Indigenous people remain, refuse, and re-member is evidence of the uncertainty embedded within modern treaty and the threat Indigenous Peoples pose to the settler state and settler futurities. I analyze the art pieces and demonstrate their connection to and depiction of treaty, certainty, jurisdiction, territoriality and resource extraction—pillars of Yukon settler colonial politics. As Indigenous Peoples navigate the realities and potentialities of modern treaty politics, such creative practices and interventions espouse collectivity and serve to revitalize Indigenous values, whilst exposing settler colonial fragility.

In Chapter 5, I use my family's enactment of an afterbirth ceremony for my son to articulate a decolonial present (Simpson 2018) in which ancestral agreements with creation are revitalized as a decolonial praxis using the body (bodies and body parts). I situate the afterbirth ceremony within Indigenous feminisms to articulate rematriation, the process of reclaiming Indigenous women's authority and positions within creation-based governance systems. The afterbirth ceremony is a decolonial praxis and an intimate intervention into the heteropatriarchal settler colonial order produced by land claims. The real (body, placenta) subverts the paper (contract, land claim, map), and creation resumes its position as the center of Indigenous governance systems.

In Chapter Six, I conclude the dissertation with an overview of each chapter and the dissertation arguments. As a point of departure, I reflect on treaty relations through a brief engagement with an Indigenous, aesthetic pedagogy. The art installations—the pink moose, paper hide, and baby belt—created a learning environment that can serve to transform modern treaty relations in the Yukon.

Conclusion

A paper moose, compared to a real moose, is stagnant, not living, and inadequate. A living, breathing, agentic moose is an active member in Northern Tutchone governance practices. It is strong, alive, and free, even as it struggles to survive under contemporary conditions of reduced habitat and strained relations with its human kin. What cautions should Indigenous Peoples be wary of when we choose to build governance systems that prioritize paper rather than Creation? Paper-based governance systems are not capable of protecting land and Creation in the multiplicity of ways needed to ensure the continuation of Indigenous lifeways that are intimately connected to and a part of them. A *paper* moose cannot feed us, a *paper* moose hide cannot clothe us, and a *paper* baby belt is not strong enough to hold a baby.

In sum, this dissertation is about arts-based, politicized practices enacted intentionally in a unique contemporary Indigenous-settler context in the Yukon. In this work, collage is art practice, medium, research methodology, and theory. A collage in its most basic form consists of manipulating paper, usually by cutting it with scissors, then reordering it and binding it together with glue at the discretion of the collagist. This process of collage-making is theorized and used

as metaphor. The collaged art pieces addressed in this dissertation are made of paper, which I theorize to the extent that I make a case for paper as a referent for current Indigenous modern treaty politics. All these pieces—artwork, modern treaty politics, collage as art practice, collage as theory, collage as metaphor, and paper as material, metaphor and referent—are connected in this work. Each piece is bound by people: myself, as a researcher, artist, educator, active political agent, and community and family member; and the numerous participants in this research who made the artwork with me, talked about it (before, after, and throughout the process), learned from it, taught others with it, and who are actively engaged in the politics of this place simply by living here in the Yukon, on this land.

While the project brought us together in different ways, it was the land that held us, guided us at times, and witnessed our work. This was reciprocal relationship, in that the work that we did is, in the end, for the land—land that, as of this moment, continues to be in contention. This land guided and sustained millennia of Creation-based governance systems enacted by generations and generations of Indigenous Peoples, who are ontologically and epistemically *of* this place. This relationship was altered drastically and violently with the imposition of settlers, settler logics, and the settler state. The dissertation is a collage that shows all these pieces coming into contact with one another, impacting and influencing one another—in relationship.

Vignette: Together Today

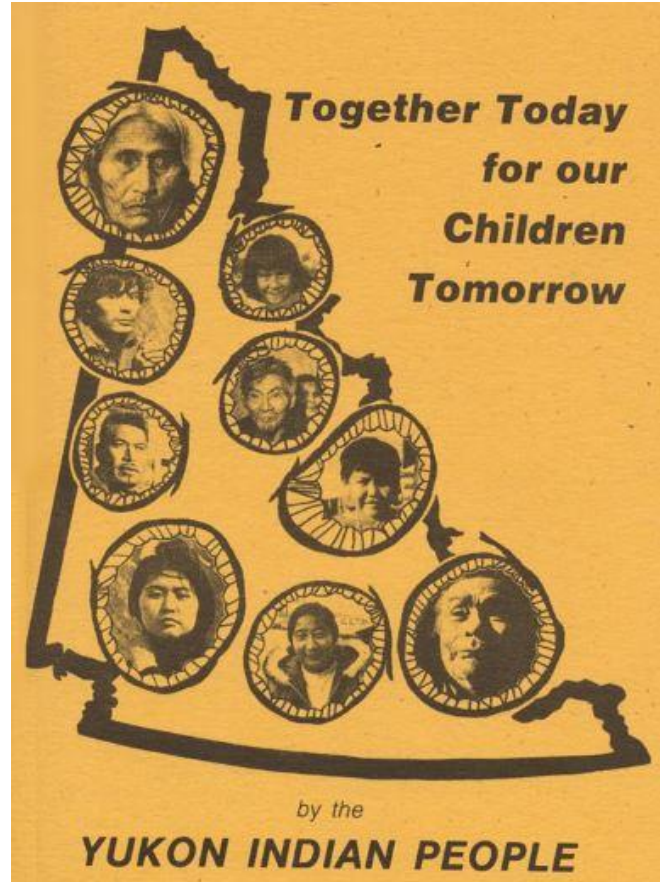


Figure 4: Cover image of *Together Today for our Children Tomorrow*, 1973. Retrieved from <https://cyfn.ca/agreements/together-today-for-our-children-tomorrow/>

“The Indian Way – As the Whiteman Sees It” – Excerpt from *Together Today for our Children Tomorrow*, 1973. By the Yukon Indian People.

In spite of all the influences of the Whiteman on Yukon Indians, many of the differences still exist.

Many Whitemen complain that Indian People are sullen and refuse to talk. We have never been a ‘talking’ people. We have been brought up to ‘feel’, and very often words seem to us, like an excuse for people who are afraid to ‘feel’ or ‘think’. We are not comfortable talking in the Whiteman’s language.

Some Whitemen complain that Indian people have no religion. We had religion, but you took it from us by putting our children in your schools. But we still have not completely accepted your religion. We hope we will never accept your religion unless it becomes more meaningful to us.

Some Whitemen complain that we don't want to stay in one place—on one small piece of land. This is because it is against our whole way of life. We are trying to learn your way but being squeezed in by neighbors, White or Indian—separate us from the open land. We have a home for each season and cannot spend twelve months in one place. We have never considered that we “own” a piece of land, but all lands are “tribal” lands. We only “use” it. When a Whiteman fences off grazing leases on our traplines, it makes up ask ourselves why can't two different kinds of animals use the same piece of land.

Many Whitemen complain that Indians have no concept of time. This is not true. Historically we lived by the sun, moon, and the seasons. The Indian was the master of his 'time', while the Whiteman is mastered by his time. If we did not have enough food ready for winter, we went hungry before spring. We will adapt to your 'eight-hour shift work' but it will take time. We need the type of job that is meaningful to us. Money alone is not enough for every person Indian or White.

Many Whitemen say the Indian is lazy. What they do not realize is that the majority of the Indian people have not had an opportunity to provide for this family in the Whiteman's World. They government has not helped to provide this opportunity. He does not have the education or the skills which will allow him to make a living at something he understands and wants to do. The Indian Agent and Welfare Officer have replaced the Indian as head of his own family. Because he is unable to make a living within the changed society, his wife calls the Indian Agent when she needs food, clothing or firewood.

Many Whiteman say we do not care for our children. They point to Welfare, Truancy, and Juvenile Delinquency statistics to prove their point. Nothing could be further from the truth. The main concern of Indian parents today is what is happening to our children. We do not know because you are not telling us what you are doing to them. You take them to school, they go to your movies and dances, they watch your television and hang around your poolrooms. You told us they had to learn to live like Whitemen, so we did not interfere. You said our way of life was dead and that we had nothing to teach them. Please tell us what you are doing to our children, because they are breaking our hearts. We are accused of giving up our children for adoption and foster homes. If you would give us back control over our own lives, no Indian child would be in need of a home. Divorce, adoption, foster homes and illegitimacy are White inventions, not Indian.

Many Whitemen say “that person is not an Indian – look at the new house and the big car”: or else they say, “look at that Indian—He does not work”. Being an Indian is something only and Indian can decide. If a White Girl marries an Indian she automatically becomes an Indian, but an Indian Girl marries a Whiteman she becomes “White.” This law written by the Whiteman is called the Indian Act. This law which decides who is and who is not an Indian, we will be asking you to change.

So we hope the Whiteman will see for himself that we are different—we are the product of our culture—and that has made us different than the Whiteman. (13-14)

CHAPTER 2

For our Children Tomorrow: From Indian Act to Modern Treaty in the Yukon

The Yukon Native Brotherhood is presenting to the Government of Canada this Statement of our Grievances, and our suggestion about a Settlement on behalf of the Yukon Indian People. At the same time we want the Government to know that we feel that this is a big responsibility for us. Our people have many deep feelings about our land and about the future of our children. The Yukon Native Brotherhood has been meeting with their people for several years, to find out what kind of Settlement we feel will be 'fair and just' to both our people and to our White Brothers. Many of our people feel that our grievances are so great that there is no way we can be compensated for what has happened to us. This, we ask you to try to understand and to respect. So that you will better understand our deep feelings, we will tell you something about our past history; then something about the problems we have today; and finally our thoughts about the future.

—The Yukon Indian People, *Together Today for our Children Tomorrow*

...the liberal recognition-based approach to Indigenous self-determination in Canada that began to consolidate itself after the demise of the 1969 White Paper has not only failed, but now serves to reproduce the very forms of colonial power which our original demands for recognition sought to defend.

This argument will undoubtedly be controversial to many Indigenous scholars and Aboriginal organization leaders insofar as it suggests that much of our efforts over the last four decades to attain settler-state recognition of our rights to land and self-government have in fact encouraged the opposite – the continued dispossession of our homelands and the ongoing usurpation of our self-determining authority.

—Glen Coulthard, *Red Skin, White Mask: Rejecting the Colonial Politics of Recognition*

Introduction

Yukon First Nations entered comprehensive land claims negotiations with Canada in pursuit of a just relationship based on a reinstatement of power and authority over their lives and lands and rooted in the recognition of their inherent rights; Canada entered land claims seeking certainty. To gain certainty, the state's comprehensive land claims process requires that Indigenous nations cede, release, and surrender title to large tracts of their land in exchange for recognition of their Aboriginal rights, compensation, and jurisdiction, albeit limited. As such, resurgence scholars, like Dene Yellowknives political theorist Glen Coulthard quoted in the epigraph, maintain that dispossession and the ongoing usurpation of Indigenous authority continues under modern treaty, claiming that state recognition does not shield Indigenous Peoples from settler colonialism; instead, it repackages it. Such critiques of modern treaty are rooted in a larger problem of recognition. Scholars are grappling with the limits and possibilities of recognition, and their work is considered here to explain how, when one compares the spirit and intent of Yukon First Nations' pursuit of land claims with the political and systemic realities

of modern treaty, a deep incommensurability is revealed. What were Yukon First Nations' (YFNs) expectations for a land claims settlement and why did signing a modern treaty not meet these expectations? I situate YFN's desires as outlined in *Together Today for our Children Tomorrow* (1973), quoted in the epigraph and echoed by two Yukon Indigenous leaders interviewed for this chapter alongside critiques of recognition politics available in the literature. From this standpoint, it is evident that the hopes and realities of modern treaty for Indigenous Peoples do not align. I argue that the state's modern treaty process did not meet the needs of Yukon First Nations because it never intended to.

When the Yukon Native Brotherhood submitted *Together Today for our Children Tomorrow* in 1973 to the federal government requesting a "settlement", they did so intentionally and amidst a flurry of dramatic national policy changes related to "Native rights claims" in Canada. In the first half of this chapter, I explore the social and political conditions leading up to the submission of *Together Today* when Indigenous life in the Yukon was constrained by the Indian Act. The vignette that precedes this chapter is an excerpt from *Together Today*; the authors outline a thematic overview of their experiences under the Indian Act and in contact with the growing settler populations and state (1973). Two Yukon First Nation leaders—Judy Gingell and Shirley Adamson—give life to this historic period in Yukon Indigenous political history and illustrate how and why Yukon First Nations pursued land claims. Their experiences and perspectives are shared alongside a historical overview of modern treaty-making in Canada, with a focus on the Yukon and the territorial north.

In the second half of this chapter, I address a growing body of scholarly work that addresses modern treaty-making in the North, particularly work authored by resurgence scholars like Coulthard (2007, 2014), claiming that Canada's rights recognition process that emerged post-1969 (as noted in the epigraph) did less to shield Indigenous Peoples from continued injustices and more to entrench the state's presence on Indigenous lands and in Indigenous lives. This line of critique of recognition politics is controversial, as Coulthard notes. Yet, it is rooted within a growing, global discourse on the problem of recognition (Povinelli 2002; Bhandar 2007, 2011; Fraser and Honneth 2003; Markell 2003). Coulthard's work is highlighted in this chapter because he provides a theoretical intervention that problematizes recognition within a settler

colonial context (Canada) and roots it in the historical experiences and political mobilization of the Dene Nation in the 1970s. The Dene are also within the territorial north of Canada and were very much on the political radar of Yukon First Nations as they mobilized around a rights movement of their own in the 1970s. I analyze recognition theory for what it reveals about the limits and possibilities of recognition via modern treaty in the Yukon. The Yukon First Nations land claims process is treated as a case study and presented alongside scholarship that analyzes rights-based approaches to Indigenous self-determination efforts. This chapter concludes with a presentation of the alternative pathway that resurgence offers both as a theory and a practice, in which Indigenous aesthetic practice emerges as a creative, accessible form of Indigenous self-determination in the Yukon.

Together Today, coupled with Judy and Shirley's experiences, says much about the social climate in the 1970s and Indigenous Peoples' desires for redress, reprieve, and protection. A settlement was seen as a source of justice and capable of protecting Indigenous land, alterity, and futures. Reflecting on this, Judy noted, "what we have in our agreements is our safeguard" (Gingell, 2019). Under modern treaty, the Indian Act no longer applies, parcels of land are held within collective rights of YFNs, and self-governing Yukon First Nations have decision- and law-making abilities previously denied under the Indian Act. Further entrenched into law is an agreement between the three governments—the Yukon First Nation, the Yukon Government, and the Government of Canada—to work together and for each to act in the best interest of the other. Some scholars claim that the tripartite governance structure brought in by modern treaty is not only unprecedented but amplifies First Nations' positions within Canadian federalism (White 2002, 2020; Alcantara 2015).

Yet, a growing body of scholarship raises several pointed critiques about the practice of modern treaty by identifying issues within its subsystems, like co-management (Nadasdy 2003, 2005; Natcher 2005; White 2020), or highlighting flaws within its main pillars, like jurisdiction (Nadasdy 2017a, 2017b) and extinguishment (Alcantara 2015; Coulthard 2014; Simpson 2016; Stark 2010). These features are understood as continued constraints on and containment of Indigenous authority by the state. When resurgence critiques are viewed alongside the recognition paradigm, they reveal the limits of modern treaty as a source of justice

for Yukon First Nations. Modern treaty is state-serving at its core and the pathway forward requires confronting this and navigating alternative pathways forward still fueled by the sentiments and “just future” Yukon First Nations peoples called for in *Together Today*.

Yukon: Historical Context

Intimacies of Indian Act governance

The state’s comprehensive land claims (modern treaty) process was birthed at a peak in national Indigenous mobilizing in the 1960s and 1970s. In the early 1970s, the Yukon Native Brotherhood positioned itself to submit *Together Today* (1973), a “Statement of our Grievances, and our suggestion about a Settlement on behalf of the Yukon Indian People” (7), on the heels of a Supreme Court of Canada case (*Calder v British Columbia*) that recognized the existence of Aboriginal title prior to colonization. *Calder* obligated Canada to overhaul its policies and position on Native rights claims, and Yukon First Nations, whose territories had not been treated or ceded by any other means, were prepared to engage the state in discussions about a settlement.

Yukon First Nations entered land claims negotiations with the hope of transcending the oppressive and colonial regime shaped by the Indian Act and replacing it with a system rooted in a “fair and just” relationship with Canada (Yukon Indian People 1973, 35). The federal government’s land claims process emerged in the early 1970s as a catalyst for this kind of change, and YFNs pursued it hopefully. Now, almost 50 years after their submission of *Together Today for our Children Tomorrow* (1973), the document that marks the beginning of the land claims process in the Yukon, Yukon First Nations with modern treaties continue to navigate many of the challenges they faced under the Indian Act. While the Indian Act no longer applies to the 11 Yukon First Nations that ratified final and self-government agreements, a state-centric and oppressive structure remains; I refer to this as a modern treaty regime.

The process of state recognition of Aboriginal rights in Canada has gained momentum in the last fifty years; modern treaty is a key mechanism used within this process. Two historical events mark a shift in the federal government’s approach to Indigenous/state relations away from an assimilative approach via the Indian Act to what can now be called a reconciliatory approach.

“In 1972,” writes J.R. Miller, “the James Bay Cree responded to a typical provincial initiative with resistance that led to the negotiation of Canada’s first treaty in over fifty years” (2009, 250). The Calder decision, based on a legal case between the Nisga’a and British Columbia, “revolutionized Canada’s understanding of Aboriginal title and caused the federal government to establish a process for resolving claims based on assertions of unextinguished indigenous title” (ibid, 250). These two political events—the James Bay confrontation and the Calder decision—serve as a catalyst for the federal government’s shift in approach and the emergence of the modern treaty or comprehensive land claims process.

When Yukon First Nations requested, and then actively and intentionally participated in, the federal government’s burgeoning land claims process in the 1970s, they did so amidst profound social unrest and as an act of self-determination. Judy Gingell and Shirley Adamson, two Indigenous women leaders in the Yukon, speak to the social, emotional, and cultural toll residential schooling and the Indian Act were having on their People. Shirley notes the colonial forces aimed directly at dismantling the role of women as political leaders in a traditionally matrilineal, clan-based governance system via the imposition of the Indian Act. Judy and Shirley speak to the detrimental effects of residential school and decades of removal of Indigenous children from their families. Both share stories that reference the growing settler population in the Yukon, because of the Klondike Gold Rush (1896-99) and then the building of the Alaska Highway (1942), and the impact this population was having on the land and animals. The land claims process emerged as a just way toward a better future: “This Settlement is for our children, and our children’s children, for many generations to come” the Yukon Indian People write, “All our programs and the guarantees we seek in our Settlement are to protect them from the repeat of today’s problems in the future” (1973, 17).

Judy and Shirley provide insights into how federal policy played out at the scale of the intimate, affecting Indigenous families, relationships, lives, and bodies. I narratively place their stories alongside the analysis of the of Indian Act policies to demonstrate its impact on an intimate level. Additionally, this collage approach offers another dimension to a body of modern treaty literature that is short on Indigenous perspectives of day-to-day, on-the-ground

experiences, especially during the dramatic transition from Indian Act bands to self-governing First Nations in the latter half of the 20th century.

The Community Leaders

Judy was born on her family's trapline.⁷ Her grandmother, Kitty Smith, a well-known Southern Tutchone storyteller and carver, who, later in her life, collaborated with anthropologist Julie Cruikshank (1990, 1998), delivered her. Judy, a trained bookkeeper, entered the political scene in 1969 as a Band Manager for the Whitehorse Indian Band. Her father requested that she take the role, which he had occupied, so that he would be freed up to work with Elijah Smith, the Chief of the Whitehorse Indian Band at the time, on building the Yukon Indian Brotherhood. In 1973, Judy was part of the delegation that Elijah Smith led to Ottawa to submit *Together Today* to Prime Minister Pierre Elliott Trudeau. In 1990, she signed the Umbrella Final Agreement as Chair of the Council for Yukon Indians, the body representing the fourteen First Nations in the Yukon. She was the first Indigenous Commissioner of the Yukon (1995-2000), and she was made a member of both the Order of Canada (2009) and Order of Yukon (2019). Her political career has been robust and diverse, and she remains politically active today.

Shirley Adamson is a prominent Elder in the Yukon. She is Wolf Clan of the Ta'an Kwäch'än, a language speaker and language proponent, and a knowledge holder. She has been politically active in the Yukon for most of her life; she was very much engaged during the land claims negotiation decades. She comes from a long line of matriarchs. She is also an artist. In January 2019, she attended an artist panel in which I talked about the paper moose, paper hide, and baby belt. At the end of the panel, she shared with me a thought that had come to her after listening to us artists speak about our pieces: "This talk made me realize how much your generation needs to learn about what it was like before land claims, during the Indian Act times" (pers. comm., January 2019). Several months later, I messaged Shirley and told her how her comment had stuck with me and that I would like to learn more about the Indian Act times in the

⁷ A trapline is a route along which a trapper sets traps for fur-bearing animals like wolf, fox, lynx, etc. Traplines are usually used in the wintertime when the animals' fur is thickest and of highest quality. Traplines are held within family or clan groups and have been handed down through generations.

Yukon from someone who lived through them. I asked her if I could interview her. Over a series of interviews, Shirley shared much about her childhood at Lake Laberge, in the heart of Ta'an territory, with her grandparents; life in Whitehorse during the 1960s, 1970s, and 1980s; and her experiences in various political and professional roles during the negotiation period (1973–1988). She was a CBC reporter in the 1970s and 1980s and part of the executive for the Yukon Association of Non-Status Indians (YANSI) from 1975 to 1976. Outside of her formal roles, she was a self-proclaimed “rabble-rouser,” always present on picket lines and at community gatherings, her children in tow.

“We had somebody else telling us how to live”

In this section, I weave/layer Judy and Shirley's stories alongside the Yukon historical literature to paint a picture of the social, cultural, and political conditions in the Yukon under the Indian Act and leading up to the submission of *Together Today*. As Judy, quoted in the title, says, Yukon First Nations were told how to live as subjects of the paternalistic Indian Act. Key to this time is the building of the Alaska Highway (1942), residential schooling (legalized under the Indian Act), and a growing settler population and state presence. Settler presence in the territory increased from early explorers and the Russian/Hudson's Bay Company fur trade era (1800s) to the Gold Rush (1896), through to the building of the Alaska Highway (1942). During the 19th century, a steady and sometimes staggering increase of settlers into the territory resulted in the spread of disease, decimating Indigenous populations (Coates 1985; Cruikshank 1990, 1998; Geddes 1997; Krech 1984) and causing dramatic changes to Indigenous Peoples' subsistence-based economies (Coates 1985, 1991, 2005; RCAP 1996). The influx of settlers also equated to a growing presence of the state, represented by the North West Mounted Police (NWMP) and Indian Agents, who administered the Indian Act to varying degrees. Coates (1991) notes a shift in state approaches to relations with Indigenous Peoples from a pre-1950s “best left as Indians” (169) approach, when Indigenous Peoples' subsistence lifeways were largely accommodated by the state, to a post-war “bureaucratization of aboriginal life” (190). Administration of Aboriginal life increased with the building of the Alaska Highway, which literally paved the way for the Welfare State to enter the territory (Cruikshank 1990; Coates

1991; Nadasdy 2003). Judy and Shirley experienced, witnessed, and were told stories of many of these transformative moments in Yukon history; several are shared in this section.

Eleven thousand American soldiers built the 1,700-mile (2,700-kilometer) stretch of the Alaska highway in eight months (1942), connecting the contiguous United States to Alaska via southern Yukon. According to the Royal Commission on Aboriginal People (RCAP 1996), the building of the Alaska Highway “triggered permanent changes in the territorial economy and society,” (RCAP, vol. 1, 421). Most notably, it facilitated the introduction of state programs and services, such as family allowance, which resulted in “sweeping changes” to Indigenous family life (RCAP, vol. 1, 421). Also, during this period, the state administered the creation of “residential-reserves.” According to an Indian agent, quoted in RCAP, “The establishment of these Reserves will assist us to improve the living conditions of the Yukon Indians and will also improve our supervision and administration which will undoubtedly be in the interests of all concerned,” (RCAP, vol. 1, 422). Prior to this, there had been no formal reserve system in the Yukon. The creation of reserves, along with the increased presence of the Welfare State in the territory, resulted in rapid and intense change:

At the end of the Second World War, for example, the majority of Aboriginal people in the Yukon spent most of the year out on the land in camps. Within two or three decades, a good part of the year was spent in government-constructed villages used as a base for continued but declining harvesting activities. (RCAP, vol. 1, 424)

The excerpt from *Together Today* shared in the vignette that precedes this chapter addresses the impact of this effort to draw family groups off the land and into contained, “manageable” locations. The coupling of the state’s residential school project and the Welfare state facilitated this as well.

Residential schooling was a central component of the federal government’s Aboriginal policy for more than a century. Reflecting on Canada’s practices under the Indian Act, the Truth and Reconciliation Commission of Canada notes that residential schools were part of a “coherent policy to eliminate Aboriginal people as distinct people and to assimilate them into the Canadian mainstream against their will” (Truth and Reconciliation Commission of Canada 2015, 3). It is estimated that at least 150,000 First Nations, Métis, and Inuit students in Canada passed through

the system, and the last federally supported residential school closed in the late 1990s (Truth and Reconciliation Commission of Canada 2015). The TRC recorded 6,000 documented deaths of children at Indian Residential Schools across Canada. Only in the last year, however, with the uncovering of the remains of 215 children buried at the site of the Kamloops Indian Residential School in British Columbia, Canada, have the realities of undocumented deaths and unmarked gravesites and burials at residential schools gained national attention (CBC, May 27, 2021; Truth and Reconciliation Commission of Canada 2015).

In the 1950s, two federally owned and Church-operated Indian residential schools were established in the Yukon area. The Missionary Society of the Church of England in Canada (MSCC) opened the Chooutla Residential School in Carcross, Yukon. It accommodated 160 students a year from all regions in the Yukon in grades 1–4, ages 6 to 13 years old (The Anglican Church of Canada 2011). It closed in 1969. The Catholic Church opened and operated Lower Post Residential School in Lower Post, British Columbia. It was built along the newly opened Alaska Highway (Coates 1991). Lower Post accommodated Indigenous children from all over Yukon and northern British Columbia from 1951 to 1975. It is the residential school that my father, Peter, attended as a child. At the height of its operations in the 1960s, Lower Post had 185 children in residence (Government of Canada 2005). According to the National Centre for Truth and Reconciliation residential school database: “In the mid-1990s two former Lower Post staff members were convicted of having sexually assaulted students while working at the school,” (National Center for Truth and Reconciliation).

Another Indian Act policy at play during this time that greatly affected Yukon First Nations governance was enfranchisement, a legal process for terminating a person’s Indian status and granting full Canadian citizenship. It was in effect from 1876 to 1961. As a key feature of Canada’s assimilation efforts, enfranchisement resulted in Indigenous People losing Indian status, and the unique inherent rights associated with status, through several circumstances: marriage (i.e., if a First Nations woman married a non-First Nations man, she and her children lost their Indian status), education (i.e., if an Indigenous person pursued higher education), enrollment in the Canadian Armed forces, and other extenuating circumstances such as prolonged absence from a reserve (Coates 1991; Dacks 1981). The federal government, by way of the Indian Act, determined who was an Indian and who was not. “One of the most unfair

tricks ever used to wipe out a race of people,” write the authors of *Together Today*, “is the enfranchisement....By signing a piece of paper, an Indian person can become a Whiteman...Many Indian girls have lost their status when they married Whitemen. Their children are defined as Whitemen by the Indian Act,” (Yukon Indian People 1973, 15).

Shirley, reflecting on the discriminatory and gendered elements of the Indian Act, remarked:

[Y]ou know, the Indian Act is a patriarchal document. Everything, the Indian Act identified a person as being a male over the age of 21 or the age of majority...of the day...[That] of course goes completely opposite of traditional culture where children get their clan status and their names through their mother’s line. So it began to just really destroy the foundation of Aboriginal culture, that which made us the strongest, which gave us authority to speak and live and harvest from our own lands. All of that was just destroyed, just by the simple act of not acknowledging women as persons and reinforcing in the Indian Act. (Adamson 2019)

Judy marked enfranchisement as a discriminatory element of the Indian Act as well:

[I]t’s a minister in Ottawa that decides and tells us how to elect our Chief. And the word “Chief” is foreign also, right? So...the law in Ottawa, through the Indian Act, says “Judy Gingell, you’re a white lady now”. I’ll use the term “white lady”, because that’s how it used to be, right? We didn’t say First Nations, then. That came through the agreements, First Nations. “And Judy, you’re a white lady now, you’re no longer an Indian, because you married a white man.” So, you get enfranchised through marriage. And, so there was laws like that, very discriminat[ory]. (Gingell 2019)

The patriarchal and racist elements of the Indian Act, especially those that legalized “involuntary exclusion” through the losing of Indian status had profound and lasting impacts on Indigenous women (Green 2001, 723). Shirley and Judy speak to a few localized impacts. Nationally, however, the Indian Act (before the 1986 amendments) severely impacted indigenous women’s lives. Eberts (2017) argues that the sexist conditions created by the Indian Act have facilitated increased violence, poverty, and harm in indigenous women’s lives (69), further undermining Indigenous gender and kinship relations (Stevenson 2020; Anderson 2000).

While Dacks (1981) claims that the Indian Act “divided the native community in Canada into status Indians, who have the right to receive benefits from Ottawa, and non-status Indians, who do not,” (57) Shirley noted in her interview that not having status or being non-registered allowed for some folks to be “under the radar” (Adamson 2019). The state’s assimilation policies

targeted status Indians, including children with status. These children, not non-status children, were forced to attend residential school or were “scooped” during the state’s child welfare campaign in the 1960s (known colloquially as the 60s Scoop) that saw thousands of Indigenous children in Canada taken from their families and adopted by white families. The intergenerational effects of this remain today.⁸ Non-status or non-registered children did not have to legally attend residential school, as in Shirley’s case. Shirley attended public school in Whitehorse and spent weekends with her Indigenous grandparents on the land around Lake Laberge.

I think because we were non-status, or non-registered Indians, we really were under the radar. There was no authority, and we lived by standards very comfortably...we only were living in Whitehorse for us to go to school, so we weren’t neglected, we weren’t hungry, we weren’t all of the things people were saying Aboriginal people were living like, or they just didn’t care because we had no Indian status. Nobody was going to benefit from scooping us...I do recall seeing kids in the neighborhood getting scooped up, screaming and crying and getting dragged into police cars and usually, it was police cars, because the social workers wouldn’t come into the communities on their own. They did it under the guise of somebody breaking the law or banning their children and things like that. It was pretty ugly, but kind of the norm, strangely enough...We lived in two different realities, because we were brought into Whitehorse to go to school, and on weekends and days when we didn’t...have to be in school, we were out in the bush with our grandparents and our parents living a good life. I didn’t know it then, how good it was. (Adamson 2019)

Not only was the state enforcing laws that codified and fractured Indigenous families and communities via the Indian Act, but it was also shaping how First Nations thought of themselves. Both Judy and Shirley spoke about how the Indian Act and residential schooling eroded Indigenous identity. Judy, reflecting on the impacts of the Indian Act on Indigenous identity, notes: “I found that the residential school and the Indian Act is what totally, totally destroyed our people; stripped us of who we are” (Gingell 2019). Shirley noted similar impacts:

[The Indian Act] was really damaging...I believe that a lot of people began to—people born into the Indian Act era began to believe that’s where their identity came from. And it was, of course, really a sad, you know...the damage done by the Indian Act and residential mission schools...just eradicating traditional knowledge and language and

⁸ For additional information on the 60s scoop see: Allyson D. Stevenson’s *Intimate Integration: a history of the Sixties Scoop and the colonization of Indigenous Kinship* (University Toronto Press, 2020); Chelsea Vowel, *Indigenous Writes: a Guide to First Nations, Metis & Inuit Issues in Canada* (HighWater Press, 2016).

things like that. So once you start getting rid of the language, you begin to get rid of all of the important elements of a people's history, especially people who were dependent on oral history-keeping. So, it's really sad when I look at it, but I also can see it happening, because if you don't have it written somewhere and you sever that thread to that knowledge, like what happened in mission schools and residential schools, where do you get it from? You start to get it from the Indian Act and other people telling you what you are. (Adamson 2020)

The cumulative impacts of the state's assimilative efforts via the Indian Act were pervasive and deeply personal. Although Coates (1991) notes, the "...scattered settlement, limited development, and continuation of Native mobility [initially] interfered with the implementation of national programs" (160), with time the state's intrusion into Indigenous family life became the norm. Judy and Shirley's experiences noted above attest to this on a personal level.

As this section demonstrates, Judy and Shirley give voice to personal experiences of the legislated, systemic impacts of the Indian Act in the Yukon. Shirley spoke numerous times of how the Indian Act displaced women and their place in matrilineal, clan governance structures. The Indian Act ushered in a Chief and Council system that displaced the centrality of women in Yukon First Nations. Further to this, the Indian Act also prevented Indigenous Peoples from organizing against the legalized oppression they were experiencing. Section 141 of the Indian Act, introduced in the 1920s in response to an increase in Indigenous political organizing, made it illegal for Indigenous Peoples to hire lawyers, essentially barring Indigenous Peoples from pursuing justice via Canada's legal system until the 1951 Indian Act amendments. As I will demonstrate in the next section, a noticeable shift in Indigenous-state relations took place in the 1960s, with Indigenous Peoples gaining the right to vote in 1961, the beginning of the Indian Brotherhood movement, and increased public awareness of the plight of Indigenous Peoples in Canada, which influenced the making of several key federal reports and policy shifts, the most notable of which is the 1969 White Paper.

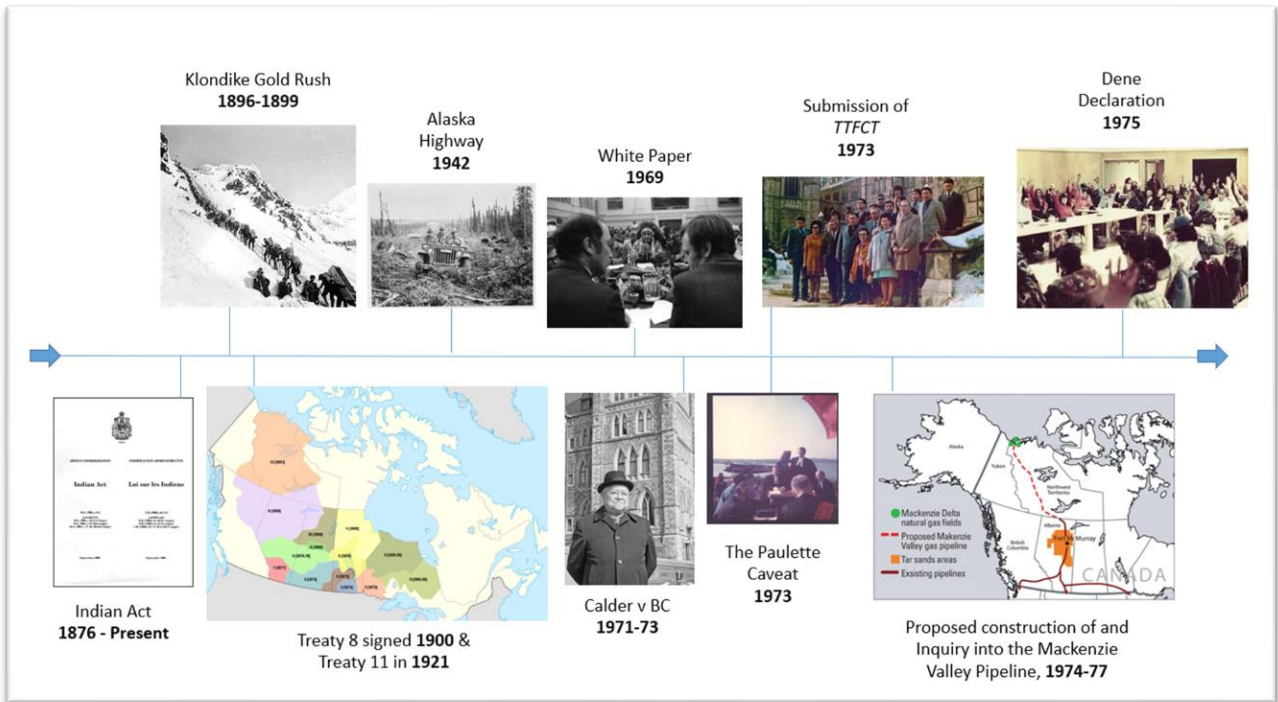


Figure 5: Timeline of key events in 20th century Yukon Politics

Lead-up to the submission of *Together Today*

In this section, I outline the historical context for the emergence of Canada's modern treaty process in the 1970s. At the time, Yukon First Nations were driven by a desire for a "fair and just" relationship with Canada. Their call for a settlement took place intentionally amidst social unease because of residential schooling and detrimental Indian Act policies that were greatly affecting the intimacies of Indigenous life. The 1970s were also the height of a national Indigenous rights movement (Manuel and Posluns 1974/2019; Cardinal 1968/1999; Newhouse and Belanger 2020; Turner 2006). Indigenous peoples in Canada were mobilizing against the state's attempt to eradicate their inherent rights and unique status within Canadian law via the 1969 White Paper, which sought the elimination of the Indian Act and Indian status within a five-year period (Nickel 2019). *Together Today*, written by the "Yukon Indian People" in 1973, sheds light on the political climate of the time and their expectations of a settlement, as noted in the epigraph of this chapter. This section builds on the previous one, which centers Judy's and Shirley's insights and the pervasive and oppressive nature of the Indian Act, by showing how

Yukon First Nations pursued a settlement in an attempt to redress their circumstances. At the same time, they were responding to a national movement at grassroots level and against mounting state pressure and interest in resource extraction in the territorial north of Canada.

Yukon First Nations' organizing in 1960s and 1970s centered on access to and control of land, protection of animals and hunting rights, and having a say in development in the territory (Nadasdy 2003, 2017a, 2017b). In Canada, the post-war period brought to light human rights campaigns on a global scale, and Canadians were beginning to take notice of the plight of Indigenous Peoples in the country and the unprecedented socio-economic barriers they faced. In response to increased public pressure to address Indigenous Peoples' living conditions and socioeconomic disadvantages, the federal government commissioned anthropologist Harry B. Hawthorn to investigate the social, educational, and economic conditions of Indigenous Peoples in Canada (1966). *The Hawthorn Report*, in conjunction with the 1969 White Paper, a federal policy proposal, would ignite national Indigenous mobilization and become the counterpoint of a dramatic shift in the federal government's approach to Native rights claims. Following the Supreme Court of Canada's *Calder* (1973) decision, the Yukon Native Brotherhood, which formed on the heels of the 1969 White Paper, began drafting *Together Today* with the Yukon Indigenous community. They submitted the document to Prime Minister Pierre Elliott Trudeau (Justin Trudeau's father) in 1973. This sequence of events marked the beginning of land claims negotiations in the Yukon, which would continue for the next 20 years.

"In 1964," writes Hawthorn, "the Minister of the Department of Citizenship and Immigration asked that a study be undertaken of the contemporary situation of the Indians of Canada with a view to understanding the difficulties they faced in overcoming some pressing problems and their many ramifications" (Indian and Northern Affairs Canada 1967). Two volumes were published in 1966 and 1967, respectively. Hawthorn's *A Survey of the Contemporary Indians of Canada* put forward 150 recommendations directed at the government to address the material well-being, health, and dignity of Indigenous Peoples and provide a practical guide to shift Indigenous Peoples from "citizens minus" to "citizens plus":

A further part of the basic and general goal of the Report is to review the arguments establishing the right of Indians to be citizens plus, and to spell out some of the ways in

which this status can be given practical meaning. The argument presents facts and legal and political decisions leading to the conclusion that the right derives from promises made to them, from expectations they were encouraged to hold, and from the simple fact that they once occupied and used a country to which others came to gain enormous wealth in which the Indians have shared little. We discuss the possible conflict between the status of citizens plus and the egalitarian attitudes both Whites and Indians hold. On the other hand, the reverse status Indians have held, as citizens minus, which is equally repugnant to a strongly egalitarian society has been tolerated for a long time, perhaps because it was out of sight, and so out of mind of most people. (ibid., 6)

Canadian political scientist, Alan Cairns (2000), whose work elaborates on the language of “citizens plus” put forward by Hawthorn, notes that the Hawthorn Report “stressed the virtues of common citizenship as well as a reinforcement of differences” (8).

Based on the findings of the Hawthorn Report, Prime Minister Pierre Elliott Trudeau and Jean Chrétien, Minister of Indian Affairs, set out to amend the Indian Act, flagging it as the main source disadvantaging Indigenous Peoples. In a series of national consultation meetings with Indigenous Nations across the country, many communities expressed topics addressed in the Hawthorn Report like treaty rights and title, access to education, and health care. Chrétien, marking the Indian Act as the source of Indigenous peril, subsequently proposed a series of federal revisions to the Indian Act. The notion of “citizens plus”, put forward by Hawthorn, “...was ignored, or to be blunt, repudiated by the federal government in its 1969 White Paper, which proposed an accelerated policy of assimilation” (Cairns 2000, 12). Chrétien presented the proposed changes to a delegation of Indigenous leaders from across the country, who learned then that their perspectives had been completely ignored in the *Statement of the Government of Canada on Indian Policy*, more commonly known as the 1969 White Paper. “To ensure indigenous peoples benefitted equally under Canadian law,” writes Indigenous historian Sarah Nickel (2020), “the paper recommended abolishing the Indian Act, phasing out the treaties, and transferring the responsibility for Indigenous peoples from the federal government to the provinces.” This included the elimination of the Indian Act and Indian status within a five-year period, fast-tracking “full, free and non-discriminatory participation of the Indian people in Canadian society” (Government of Canada 1969) by dissolving the Department of Indian Affairs and transferring reserve lands (held in trust by the Crown) to private property to be owned by

Indian Act Bands. Furthermore, it proposed the termination of all treaties. In short, it “expressly stated that Ottawa no longer intended to recognize native land rights” (Dacks 1981).

The 1969 White Paper was immediately and soundly rejected by Indigenous Nations across the country; it ignited national Indigenous political mobilization and empowered national Indigenous groups in Canada (Turner 2006). “The Trudeau-Chrétien Policy of June 1969,” writes Manuel and Posluns (2019), “brought the Indian leadership across Canada to complete unanimity in declaring that it was a return to the Mackenzie King policy⁹...When the previous administration of the National Indian Brotherhood¹⁰ described the policy as a statement of ‘cultural genocide,’ nobody disagreed” (126). The Indian Association of Alberta, under the leadership of Harold Cardinal (1969), drafted a document titled *Citizens Plus* (1970), in which it too rejected the White Paper: “To us who are Treaty Indians there is nothing more important than our Treaties, our lands and the wellbeing of our future generation. We have carefully studied the contents of the Government White Paper on Indians and we have concluded that it offers despair instead of hope” (Indian Chiefs of Alberta 1970). The Union of British Columbia Indian Chiefs, which emerged in response to the White Paper, wrote *A Declaration of Indian Rights: The B.C. Indian Position Paper*, or “Brown Paper,” in 1970 and asserted that Indigenous Peoples continued to hold Aboriginal title. The Trudeau government formally retracted the White Paper on March 17, 1971.

Indigenous political theorist Dale Turner (2006) proposes a White Paper liberalism in *This is Not a Peace Pipe: Towards a Critical Indigenous Philosophy* claiming that that “the White Paper, although for Indians it was an exemplar of colonialism, launched a new phase in the political relationship between Aboriginal Peoples and the Canadian state” (13). According to Turner, the White Paper failed to do four things:

address the legacy of colonialism; consider that indigenous rights are a sui generis form of group rights and not merely a class of minority rights; question of legitimacy of the

⁹ William Lyon Mackenzie King was Prime Minister of Canada for three non-consecutive terms in the early 20th century. Under his leadership, the Indian Act became more restrictive. Policy changes under his leadership included the 1927 Indian Act amendment that prohibited the raising of money or hiring lawyers to pursue land claims (until 1951).

¹⁰ The National Indian Brotherhood was a Canada-wide representation of Indigenous Peoples that centered on representation through provincial and territorial organizations. It operated from the early 20th century to 1982 when it became the Assembly of First Nations (AFN), which continues to represent Indigenous regions and restore chiefs’ voices at a national level.

initial formation of the Canadian state; and, acknowledge that any workable ‘theory’ of Aboriginal rights in Canada must include the participation of Aboriginal peoples. (2006, 15)

Although the federal government thought that it was taking practical and just steps in the direction of supporting Indigenous Peoples’ assimilation into Canadian society as equals, “The benefits to the settler state,” writes Nickels, “however, were clear; the *White Paper* would remove their federal government’s moral and material responsibility for Indigenous peoples” (2020, 225). As the quotes from various political organizations noted above indicate, Indigenous leaders of the time were outraged over their treatment and continued marginalization. Although one key response to the White Paper that would shape Indigenous rights-based politics hereafter was the increased presence of Indigenous organizations in Canadian politics (Turner 2006), Nickels views 1969 and the *White Paper* less as a breakpoint moment for Indigenous people and politics and more as one of many components of the movement that had longer and deeper roots” (2020, 227). While Nickels draws attention to the political organizing that took place prior to Trudeau and Chretien’s presentation of the White Paper, it is renowned for how it spearheaded a national movement. This national movement was playing out on the ground in the Yukon.

Shirley was in the audience of a public gathering in the Whitehorse Elementary School gymnasium to watch a live broadcast of Jean Chrétien and Pierre Elliot Trudeau announce the White Paper in 1969:

The actual White Paper consultation was between the Minister of Indian Affairs and the Indian Chiefs and Councils only. So, [I was] observing things, because...you know, it wasn’t a big impact on me then, I wasn’t a status Indian anyways. But it began to really galvanize people. People were really beginning to talk about what it meant, and what the heck is going on, right? (Adamson 2019)

For Judy, 1969 marked the beginning of her career in politics:

Back in 1969, that’s when I really...first started. I was just home, minding my business being a mother—had a little baby boy, and I think he was probably nine months old then, and I was approached by John Hoyt [then Director of the Skookum Jim Friendship Centre in Whitehorse, Yukon]. He was working with Elijah [Smith] down at the old Indian village, the Whitehorse Indian Band, and they were also forming this organization, Yukon Native Brotherhood, a lot of this organization got formed through the Skookum Jim [Friendship] Centre—so they were probably working out of there at that time, and they formed this organization, Yukon Native Brotherhood...You’ve got people like John Hoyt, right, Al Luke, and this guy from Ottawa...[Lloyd Barber]...But I guess

they figured, you know, it's good to have an organization, so all the communities were part of that organization. So, they keep bringing us together, bringing us into town and keep organizing, and working with us, and to work on this grievance document [*Together Today for Our Children Tomorrow*]. (Gingell 2019)

The Indigenous organizing that erupted on a national level in response to the White Paper also involved “A new generation of young people,” as observed by George Manuel, then President of the National Indian Brotherhood, “...young people whose energies had not been sapped by disease, depression, and political disabilities” (Manuel and Posluns, 2019, 126). Shirley observed this trend in the Yukon as well, and noted it as more of a shift away from traditional practices:

But one of the things that happened in the Native Brotherhood is we began to see...the rise of the youth, or the younger movement as well. And at the time, that was really captured at least in my mind when [later, a new young leader]...took over from Elijah [Smith]. He won the election. There was a lot of talk amongst the young professionals...at the time that the old Chiefs just weren't doing what they...thought needed to be done and they needed to get that young energy in there. That is something that I remember, even though I wasn't a part of the Yukon Native Brotherhood. I remember that happening and...spending a lot of time thinking about it, because Elijah, you know, certainly is part of my family. So, in addition to being that and an Elder to me, it really struck me as odd that this would happen, that this youth group, this youth movement, would come in and displace an Elder Chief. So, that's why it stuck in my mind, because I, you know, I grew up at a time when we didn't...see that kind of activity taking place. I grew up with Elders, like, old Elders...where protocol was critical. Leadership was still in the hands of women and Elders. There was no one Chief. There was the collective leadership and usually coordinated by the matriarch of the community who decided...who was going to address certain issues...But I can only speak about my own family, my own experiences. So, yeah. That really struck me...You know, it was a telling moment for me. I think that change was something more than I thought it was. And it was going to be led by the youth... (Adamson 2019)

By the late 1960s, the Yukon Native Brotherhood (YNB) was established in Whitehorse and was bringing community members together to develop a grievance document (*Together Today*) that captured their dissatisfaction with what they were experiencing and witnessing around them. Ignited by the national Indigenous response to the 1969 White Paper, Yukon First Nations began to politically organize initially under the leadership of Elijah Smith of the Yukon Indian Brotherhood (YNB), and then later, as Shirley notes, under younger Indigenous leaders. While YNB represented only status Indians, efforts were made by leadership and the like to ensure that the movement continued to be collective, guided by Elders, and inclusive of all Yukon First

Nations. Judy recalls the presence of Elders at various YNB proceedings. Yet, as Shirley notes, a larger shift was taking place, and young Yukon Indigenous folks would later take up the helm.

Yukon First Nations, informed by a settlement agreement in Alaska (1971) and networking with Dene leadership in the Northwest Territories, which I address below, initiated what would be the first land claims settlement process accepted by Canada (Nadasdy 2017a). The *Calder* decision came down just a few months before the Yukon Native Brotherhood had delivered *Together Today* to Trudeau in Ottawa. “Although the Nisga’a lost the case on a technicality,” writes Nadasdy, “six out of seven justices agreed that Aboriginal title existed in law and continued to exist until explicitly extinguished by the Crown” (2003, 53–54). This judgement forced the federal government to “reverse” its “fifty-two-year policy of refusing to address Native land grievances where questions surrounding the existence of Aboriginal title remained open” (Coulthard 2014, 58).

The Yukon Native Brotherhood was prepared for such a shift, especially considering the outcome of the Alaska Natives land claims (1971), which “completely extinguished all aboriginal land claims in Alaska by granting Native Alaskans shares of corporate stock in state-authorized Alaska Native Corporations (ANCs)” (Thornburg and Roberts 2012, 204). Representatives of Yukon First Nations travelled to Alaska to learn more about their settlement agreement (Jack 2019). According to Thornburg and Roberts, “the Alaska Native Claims Settlement Act (ANCSA) was not well understood by the Alaska Natives, nor were they ever in an equal bargaining position with the United States government” (ibid., 204). The settlement context was “motivated by the commercial oil industry’s desire to construct a pipeline from the north slope of Alaska to the southern port of Valdez” (ibid., 204). The outcome, they argue, benefited the US government and industry:

In the end, ANCSA created 13 regional for-profit corporations and over 200 village corporations, capitalized with almost a billion dollars in cash and approximately 40 million acres of land (Anders and Anders 1986). By enrolling indigenous Alaskans into these newly created, state-licensed for-profit corporations, ANCSA completely extinguished all aboriginal land claims in Alaska. (ibid., 204)

Yukon First Nations, aware of the 1971 Alaska Native settlement, were motivated to secure a better agreement, and they were paying close attention to the *Calder* case (1969-1973). After the *Calder* judgment and the submission of *Together Today*, the federal government

released its first policy on land claims: *Statement on Claims of Indian and Inuit People* (1973). The policy included a category for “comprehensive” claims, which “stipulates that land claims may be negotiated with Aboriginal groups in areas where claims to Aboriginal title have not been addressed by treaty or through other legal means” (Government of Canada 2016). The process would “facilitate the exchange of undefined Aboriginal rights for a set of specific treaty rights” (Alcantara 2015, 14). Yukon First Nations were prepared for this: “It is stated in Government policy to settle outstanding Indian claims and grievances,” they write in *Together Today*, “and this is the objective of this Settlement” (25).

Shirley and Judy reflect on the shifts and networking taking place at the grassroots level in anticipation of negotiations and given the significant changes taking place federally:

[O]nce the grievance document was presented to the Prime Minister he said, “Yes, I’m going to negotiate with you.” Then, again, we kept bringing people back from the Yukon, and we had to amalgamate with Yukon Indian Brotherhood, YANSI [Yukon Association of Non-Status Indians], to form CYI [Council of Yukon Indians], because CYI was going to be the main body for our people here in the Yukon, for these negotiations, and again, it was, it’s always bringing the people together. We never left any First Nation out...And we always made sure our Elders were there, and they played a very key role. They were always consulted. (Gingell 2019)

In 1973, the Calder case—that’s Frank Calder. Actually, he’d spent a lot of time up here and a lot of people don’t know that, but, you know, it really was a very, a very interesting and a very effective network that was going on, and I remember Frank Calder coming here and talking about...the court cases and really the subsequent decision that happened with that case and the Nisga’a that went to the Supreme Court of Canada. (Adamson 2019)

Judy and Shirley speak to the lively nature of the grassroots organizing taking place in the Yukon in the 1970s. Informed by the land claims settlement in Alaska and the outcome for the Nisga’a via *Calder*, the Council for Yukon Indians (CYI), the body that would represent all Yukon First Nations in the negotiation phase was poised for settlement discussions.

The Crown was motivated to engage in a comprehensive land claim with CYI because of several key factors unique to the territorial north: the vast geography, the sparse population, and the fact that the federal government was the only “senior” government in the territory (Doerr 1997). Furthermore, according to Alcantara (2015), the federal government was highly motivated to engage in negotiations with the Yukon First Nations for two main reasons:

First, throughout the 1970s, the federal government was very interested in developing the rich, largely untapped resources of the Canadian North; settling the Yukon claims was an important first step for developing the Yukon Territory. Second, the Yukon First Nations showed significant promise in terms of their likelihood of completing the agreement quickly and in accordance with the preferences of the federal government. (81)

The development of the northern resources would take the form of major pipeline projects that would connect Alaskan and northern Canadian gas to markets in the South. Reflecting on the growing interest in these kinds of projects, the authors of *Together Today* noted:

Now in 1973, the only village to escape the Whiteman's rush to get rich at the expense of Indians is Old Crow, and this is changing every day. The people of Old Crow are scared of changes the pipeline will bring. They don't want to see the same things happening to them as happened to the other Yukon Indian Villages. The Oil Companies and the Government give out pay-cheques for meaningless jobs which will all disappear when the pipeline is finished. (1973, 12)

In the 1970s, the Canadian government was fielding interest from several American and Canadian companies proposing a few different pipeline routes through the territorial north. The McKenzie Valley Pipeline project proposed the transportation of natural gas from the Beaufort Sea through the Northwest Territories, which ignited Dene mobilization and political action and the Berger Inquiry (1974), addressed in more detail below. Two routes were proposed in the Yukon: a northern route included in the Mackenzie Valley Pipeline proposal and a southern route that would link up Prudhoe Bay in northern Alaska to the southern states via the Alaska Highway through the Yukon, British Columbia, and Alberta. Interest in pipeline development in the Yukon spurred the Lysyk Inquiry (1977). As the quote from *Together Today* illustrates, Yukon First Nations were eager to have a say in the development of these projects to ensure the protection of their lands. Here, I provide an overview of the resource development interests in the North in the 1970s and demonstrate their link to land claims by pivoting momentarily towards Indigenous mobilization in the Northwest Territories, Yukon's neighbor to the east.

The 1970s were a politically tumultuous time for the Dene Nation in the Northwest Territories (NWT), and YFNs were following their circumstances closely. Coulthard (2019) identifies two pivotal moments in Dene political organizing: first, the filing of the Paulette Caveat and, second, the Berger Inquiry. In 1973, sixteen NWT chiefs filed a caveat at the land titles office in Yellowknife to gain legal interest in 1,000,000 square kilometers of land to

prevent the construction of the then-proposed Mackenzie Valley Gas Pipeline, slated to extend right through Dene territory. The caveat spurred a question about Aboriginal title that Canada assumed was addressed by historical treaty: Treaty 8 (1900) and Treaty 11 (1921).

The lands office referred the caveat to the Supreme Court of the Northwest Territories. Presiding Judge William Morrow held a six-week hearing in communities throughout the affected areas to determine if the signatories had fully understood the meaning of the treaties. Many witnesses testified that signatories did not believe that Treaty 8 and 11 extinguished Aboriginal title to the land. While the caveat was overturned, Judge Morrow's findings were upheld, consequently reopening an Aboriginal title issue along the route of the proposed pipeline. The Paulette Caveat, also known as the Morrow Decision, coupled with *Calder*, initiated the Dene/Métis comprehensive land claims process and the Berger Inquiry:

Beginning in the summer of 1975, the commission traveled across Canada and the North, recording the statements, opinions and concerns of hundreds of expert witnesses and nearly a thousand individuals who would likely be affected by the proposed project, both Native and non-Native. After listening to twenty-one months of testimony, Berger released his two-volume report, *Northern Frontier, Northern Homeland*, which recommended that no pipeline ever be built along the north slope of the Yukon between Prudhoe Bay and the Mackenzie Delta, and that a ten-year moratorium be placed on the construction of the Mackenzie Valley project itself, which would ideally allow time for environmental and Native claim issues to be resolved. (Coulthard 2014, 59)

Coulthard notes, "By the mid-1970s the Dene had developed a radical analysis of colonial development and effectively utilized both the Indian Brotherhood of NWT and Berger Inquiry to voice their position" (Coulthard 2014, 59). While experiencing similar pressures, the Yukon First Nations and the Dene Nation have taken different routes. The Dene mobilized around the threat of a pipeline and an infringement on Treaty 11, whereas the Yukon First Nations did not have a historical treaty in place and the pipeline pressure was a fraction of what the Dene were experiencing and received less national attention.¹¹

The Lysyk Inquiry (1977), led by Ken Lysyk, a University of British Columbia law professor, set out to study the socio-economic impacts of a proposed Yukon pipeline. Lysyk held

¹¹ Future research might reveal a more complex network between Yukon First Nations and the Dene Nation in the 1970s. I asked Glen Coulthard if he has come across any evidence of YFN/Dene networking or collaboration; he has not. He mentioned, like the YFNs, the Dene were aware of the Alaska Settlement; the Dene also held it up as an example of "what not to do" (personal correspondence, 2021).

hearings in 17 Yukon communities in 51 days starting in May 1977. Joe Copper Jack, a young Indigenous leader, was contracted by the Council of Yukon Indians to travel ahead of the Lysyk Inquiry in 1977. He noted that he and his colleague “were instrumental in people getting up and saying, ‘No pipeline until land claims’” (Jack 2019). Just a couple of weeks after Lysyk’s report was submitted to the federal government, Prime Minister Pierre Elliott Trudeau was in Whitehorse on vacation. A similar sentiment is evident in a transcript of a meeting between Trudeau and Yukon First Nations leaders in August 1977. Trudeau is interested in catering to American interest in pipeline development in the North, despite land claims just getting underway. The Yukon First Nations representatives at the table wanted Trudeau to wait for land claims to be settled. They ask for seven to ten years. Trudeau interprets this as an all-or-nothing stance and responds with:

If we go the Americans and say look not before 7 to 10 years then ok fine, if they don’t want that, then we will go the El Paso route. The we have chosen the no development route...I say I respect your choice but you can’t [have] your cake and eat it too -- you can’t say we want development but we want to be ready for it. (1978, 6)

The transcript gives voice to trying times. Yukon First Nations, even after and Trudeau accepted *Together Today*, had to continue to fend off international and federal interest in their land. Intermittent negotiations happened throughout the 1970s, but among a large national and growing international interest in resources in the North.

Berger’s Inquiry in NWT would result in a 10-year moratorium on pipeline projects in the North, during which time the hope was that First Nations could complete their land claims and have a formal say in development projects in their territories. In 1979, the Council for Yukon Indians became the formal representation of the 14 Yukon First Nations at the negotiation tables, bringing together the Yukon Native Brotherhood, the Yukon Association of Non-status Indians, and the Council for Yukon Indians (CYI).

Yukon First Nations’ concerns about the land claims process emerged early in the negotiations in light of persistent socio-economic struggles within Indigenous communities and the continuation of the federal assimilative practices. Coates (1991) wrote that underlying the “remarkable internal changes...were signs of serious, even desperate struggle” for Native communities (147). He outlines an array of social issues that depicted “another side to the

modern North,” like rampant unemployment, substance abuse, health problems, and declining language and cultural practices (147)—legacies of the Indian Act and residential schooling. Although modern treaties were a new approach to finding permanent solutions to Aboriginal economic and social problems, especially for communities in the North (Saku 2002), their negotiation and ultimate implementation would raise even more questions for Yukon First Nations after decades of struggle. In the second half of this chapter, I analyze recognition theory, as critiqued by resurgence scholars like Coulthard, for what it reveals about the limits and possibilities of meeting the needs of Yukon First Nations as laid out in *Together Today*.

Mechanics of Recognition Politics: Theory

This section has the following objectives: first, to briefly trace the emergence of recognition theory as the dominant framework for Indigenous/state relations in Canada. Foundational to recognition theory is Hegel’s “master/slave dialectic” presented in *Phenomenology of Spirit* in the early 19th-century; his notion of “mutual recognition” is the cornerstone of recognition politics today. Since the mid-20th century Hegel’s theory of mutual recognition has undergone a series of evaluations as scholars test it for its liberatory potential. Recognition has attributes that give it “some critical emancipatory purchase” (Bhandar 2011, 242). It is seen as “virtuous” and “transcendent” (Simpson 2014, 20), capable of supporting the state to address previous injustices, thus righting itself despite past mis- or nonrecognition (Taylor 1992) and moving all toward a greater good (Povinelli 1998, 2002). Yet, viewing the “regimes of recognition” (Simpson 2014, 20) within a settler colonial context reveals a fundamental tension between recognition as a necessity (Taylor 1992) and recognition as a tool of the settler colonial state to maintain the status quo (Coulthard 2014; Simpson 2014; Byrd 2011). The second objective of this section, then, is to analyze Indigenous scholars’ critiques of recognition politics that are rooted in a resurgence theory and praxis and premised on the continuation of settler colonialism (Wolfe 1999, 2006; Veracini 2010; Tuck and Yang 2012). Indigenous scholars are working with (and against) Hegel’s dialectic in ways that extend the recognition paradigm toward a decolonial praxis of “self-recognition” (Coulthard 2014, 48).

Hegel's idea that beings are formed or come into existence through recognition underscores political theorist Charles Taylor's (1992) "politics of recognition." Taylor maintains that our identities are shaped by recognition or its absence and calls this "misrecognition" (1992, 25). Like the Slave in Hegel's dialectic, "a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves" (1992, 25). As such, according to Taylor, "Due recognition is not just a courtesy we owe people. It is a vital human need" (1992, 26). Central to his argument is the Hegelian idea that we form our identities through struggle. This translates to a form of recognition politics that is hinged on groups struggling to come into existence through a dialogic relationship with a significant other (the state), from whom they seek to be seen as they see themselves. "Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being" (Taylor 1992, 25). To overcome the damage of misrecognition—not being seen as one sees themselves—one must engage in a recognition process. Taylor applies this logic to Quebecois recognition struggles in Canada, claiming that recognition is a process always in pursuit of a "good life" and that justice can be served within the politics of recognition (Taylor 1992; Honneth 2003). This ideological framework, as parsed by Taylor, is useful for understanding the Yukon First Nations context as they prepared to engage the state within a recognition process in the 1970s.

Canadian political theorist and Taylor's contemporary James Tully considers Hegel and Taylor's politics of recognition in terms of their emancipatory potential for Indigenous peoples in Canada. According to Tully, "Recognition brings decolonization and freedom to Aboriginal peoples and to all Canadians, who long to free themselves and their children of any further complicity in a democratic society that contains a regime of inequality within" (Tully 1999, 420). Building on some of the points put forward by Taylor, Tully argues that for Canada to engage in respectful and responsible relations with Aboriginal Peoples, they must engage in mutual recognition, which "means that Aboriginal peoples and Canadians recognize and relate to each other as equal, coexisting, and self-governing peoples throughout their many relations together" (1999, 417). This, he claims, "is not only just, but also preserves and enhances the values of liberal democracy in a manner appropriate to a culturally diverse and post-colonial age" (Tully 1999, 439). For Tully, "recognition is never definitive" (1995, 26); rather, it requires renewal in

the form of continuous, respectful engagement and the understanding that Canada and Aboriginal people have a shared co-existence (1999).

In *Strange Multiplicity* (1995), Tully extends Taylor's application of Hegel to demonstrate how, if applied responsibly, the recognition framework is capable of "accommodating" Indigenous alterity. Using Haida artist Bill Reid's *The Spirit of Haida Gwaii* as a metaphor for Indigenous alterity, Tully writes, "Approaching *The Spirit of Haida Gwaii* in the right spirit does not consist in recognizing it as something already familiar to us and in terms drawn from our own traditions and forms of thought. This imperial attitude is to be abjured. Rather, recognition involves acknowledging it on its own terms and traditions, as it wants to be and as it speaks to us" (Tully 1995, 23). To be seen on one's own terms, as Tully describes, requires continued dialogue, and demands a new kind of relationship between Canada and Aboriginal people built on mutual recognition; this is exactly what Yukon First Nations outlined in *Together Today*.

YFNs in pursuit of "Mutual Recognition": 1970s-1990s

When Yukon First Nations entered formal negotiations with the federal government, they were entering into a Hegelian dialectic, a process of mutual recognition with the state. For the state, according to Alcantara (2015, comprehensive land claims agreements are important for "establishing certainty" because they replace ambiguity surrounding Aboriginal rights with defined treaty rights and title (3). Anthropologist Paul Nadasdy (2003) writes that negotiations began as a way "to develop processes that more fully and fairly incorporate Aboriginal peoples, as distinct peoples, into the Canadian state" (1). He continues:

These efforts, which include the negotiation of land-claims and self-government agreements and the cooperative management (co-management) of local resources (especially wildlife), are intended to improve the position of First Nations peoples by granting them a significant role in their own governance and say in the management of local land and resources. (1)

Audrey Doerr (1997) contends that comprehensive land claims policy provided "a vehicle whereby a holistic approach could be taken in addressing issues of aboriginal rights, land and resources, financial compensation [for significant land-transfers] and institutions of self-

government,” could be carried out in the Yukon (282). However, coming to an agreement would not be easy.

Alongside the Yukon First Nations’ journey through comprehensive land claims, the settler population was actively building and seeking recognition of a territorial government, with varying degrees of success and in direct opposition and public “back lash” to Native rights claims (Sabin 2014, 390). According to Sabin, “non-Indigenous settlers worked both outside and within territorial institutions to undermine, delegitimize, and marginalize Indigenous peoples and their claims for self-determination” (2016, 223). A settler responsible government in the Yukon was achieved on October 9, 1979, alongside and in direct competition with an Indigenous rights movement. Later that year, the territorial government joined the negotiation tables: “While the federal government maintained control of territorial Crown lands,” Sabin argues that, “responsible government was a setback to land claims negotiations and settler-Indigenous relations” (2014, 391). Negotiations would continue between the three parties: CYI, Yukon Government, and Canada.

Historian Ken Coates (1991) exemplifies the “tough, often acrimonious” negotiations, by highlighting two instances where the Council of Yukon Indians had reached a draft accord (in 1976 and then again in 1984), only to have it rejected by the community (179). The 1984 Agreement-in-Principle was rejected by the Yukon First Nation community because of the inclusion of “blanket extinguishment”, which would see Aboriginal title removed from all traditional territories, and the absence of a self-government component (Alcantara 2009; Coates 1991). Don Cozzetto (1990) asked whether the Yukon’s proposed “one” government model, which would later be fixed within the Umbrella Final Agreement, would eventually result in assimilation (50). At a time when the narrative surrounding the land claims negotiations focused on “the unique cultural and environmental dimensions” that allowed for land claims negotiations to persist in the Yukon and “the quantification of actual entitlements in the form of cash and land transfers” that were being debated, Cozzetto was raising real concerns about post-claim governance and its implementation. He noted that “Native people...feel that the plethora of government agencies involved in the negotiation of claims are attempting to manipulate them by extinguishing their aboriginal entitlements, establishing a native version of existing organizations, and then legally carrying on with the status quo” (43). He also warned that

Unless more attention is devoted to establishing models of governance that are compatible with the culture and lifestyle of the indigenous population, unless adequate provisions are made for ongoing funding, and unless training is provided on a massive scale, aboriginal peoples all across Canada will face insurmountable problems in their efforts at attaining self-determination under native government. (50)

Cozzetto's warnings came on the heels of the signing of the first agreement in principle in 1989 (Cozzetto 1990; Government of Yukon Land Claims Secretariat 1988). At the negotiation tables, however, the process continued, despite underlying concerns about future implementation as posited by Cozzetto.

The Umbrella Final Agreement was reached in 1988. It would provide \$232 million over 15 years, 25,900 sq. km. of land, a buyout of tax exemption at \$25.3 million to Yukon First Nations that signed the UFA; plus a requirement to repay the \$35 million bill to Ottawa, who had loaned the money to CYI for negotiations (this requirement has since been lifted). This agreement was finalized in 1990 and signed in 1993, bringing to end twenty years of negotiations. The UFA serves as the template for individual Yukon First Nations to negotiate individual land claims agreements. Under the UFA, Yukon First Nations obtained formalized access to recognized title to land, financial compensation, and management and self-government rights (Duerden 1996). Between 1993 and 2006, 11 of the 14 First Nations signed individual final agreements under the UFA.¹²

Political scientist Chris Alcantara (2015) aims to figure out why some First Nations (e.g., Kwanlin Dün First Nation) were able to complete comprehensive land claims under the UFA and others (e.g., Kaska Nation) were not. While the answer to this question varies because of a multitude of variables, Alcantara's work reveals that "the institutional framework of the modern treaty process privileges the government actors over the Aboriginal ones. As a result, Aboriginal participants who want to complete treaties must somehow convince the Crown that a complete treaty is a preferable outcome" (14). By engaging the state in its recognition paradigm, Yukon First Nations had to play by the Federal government's rules and meet its terms. These are just a few examples of the problem of recognition.

¹² Champagne and Aishihik First Nations (1993); First Nation of Na-Cho Nyäk Dun (1993); Teslin Tlingit Council (1993); Vuntut Gwitchin First Nation (1993); Little Salmon/Carmacks First Nation (1997); Selkirk First Nation (1997); Tr'ondëk Hwëch'in (1998); Ta'an Kwäch'än Council (2002); Kluane First Nation (2003); Kwanlin Dün First Nation (2005); Carcross/Tagish First Nation (2006).

The Problem of Recognition—Implementation: 1993-present

The proliferation of theoretical debates about the limitations and potential of recognition politics coincides with the degree to which oppressed and marginalized groups are utilizing the model in pursuit of justice (Taylor 1992; Tully 1999, 2004; Markell 2003; Bhandar 2007; Povinelli 2002). While these works vary in their position on the emancipatory potential of recognition politics, their work is important for trying to understand how best to address continued Indigenous oppression and state domination. However, Indigenous/State relations today are not necessarily just about subordination and state domination. The underlying issue of Indigenous/State relations in settler colonial contexts is land. While the recognition framework may support marginalized and oppressed groups to achieve justice, it perhaps is only capable of attending to a certain kind of injustice—one that stem from misrecognition of identity and economic status, as Fraser argues. But what happens when the injustice a People strives to overcome is rooted, literally, in the land that we stand on?

The results of signing final agreements have played out differently for each Yukon First Nation, and scholarship reflects this. Coates (1991) maintains that “the Canadian North still has little control over its destiny” (180). Despite the final agreement, “The federal government controls the North’s constitutional agenda and finances” (180). Other post-claims and implementation issues have also emerged: despite having created institutions that reflect traditional values and having achieved “credible levels of accountability,” First Nations have few jurisdictional responsibilities, which, according to Dacks (2004), weakens inherence-based governments.

Paul Nadasdy’s work looks specifically at how Euro-Canadian concepts of property embedded within the notion of Aboriginal title compel First Nations to accept in practice, if not in theory, a host of Euro-American assumptions about power and governance (2002, 2005, 2012). Nadasdy (2012) demonstrates that, after 20 years of existence, the land claims process in the Yukon requires “First Nation people to adopt Euro-Canadian forms of governance...[that] [serve] to extend the colonial project even as the agreements grant newly emerging First Nation polities a measure of power within the state context” (529). In *Hunters and Bureaucrats*, Nadasdy (2003) argues that

land claims and co-management are something of a mixed blessing for First Nations peoples. For, while such processes do indeed provide them with the real tools for protecting their lands and do give them at least some control over their own lives, the very act of participating in these processes has had an enormous impact on their way of life. (1–2)

His work looks at some challenges that have emerged out of the implementation phase and how power is managed and disseminated but still largely maintained by the state. Post-treaty First Nations' governments "now resemble miniature versions of federal and provincial/territorial bureaucracies" (2). Arguably, "bureaucratization must be recognized for what it is: an essential aspect of the new structure of Aboriginal-state relations in Canada" (2). "First Nations peoples," he argues, "have also had to completely restructure their societies by developing their own bureaucratic infrastructure modelled on and linked to those of the governments with which they must deal" (2). As such, bureaucracies have become "an essential aspect of the new structure of Aboriginal-state relations in Canada" (2).

Scholars are addressing very real concerns with the limits of self-governance and the level of protection contained within land-claims policies. Some have honed on resource management and land-use plans, which are provisions under the UFA, and address the nuts and bolts of governance in action under a modern treaty (Nadasdy 1999, 2005; Dacks 2005; Easton 2008; Usher 1992; White 2002). Duerden (1996) writes that "comprehensive land claims agreements, the emergence of Native self-government, and the acceptance by Federal agencies of the reality that resource management in the north cannot be effectively facilitated without Native involvement have been factors leading to increased First Nations involvement in land-planning processes" (106). When co-resource management came into play in the Yukon, as a provision under the UFA, it was heralded as "an emergent intellectual tradition to guide the stewardship of natural resource" (Natcher, Davis, and Hickey 2005, 240). However, numerous challenges with the co-management model have emerged, and scholarship indicates that they take root in Indigenous Peoples' and government's or industry's irreconcilable understandings and relationships with the land and the two parties' power-laden interrelationship.

Natcher et al.'s work (2007, 2009) with Little Salmon/Carmacks First Nation, for example, demonstrates that conflicts arise when "culturally diverse groups, with fundamentally different value systems and colonial histories, enter into a coordinated management practice" (241). Their

research reveals that decision-making bodies have morphed from local, place-based models that relied on joint authority into complex decision-making and policy-making bureaucracies that effectively exclude, in this case, Little Salmon/Carmacks First Nation's cultural understandings of the land. Others have also addressed the competing discourses that came to be during the implementation phase of the UFA (Cruikshank 2007; Easton 2008; Nadasdy 1999, 2005; White 2002).

The UFA as brought in several mechanisms to ensure Yukon First Nations have “a seat at the table”. Under the UFA, a boards and committee structure was put in place. Yukon Environmental and Assessment Act/Board, for example, can put forward recommendations to the Premier, who can make the final decision. Graham White's (2020) analysis of the land claims board reveals that the system does serve to “empower” Indigenous peoples. Although emergent political institutions in Canada, claims boards, he argues, have resulted in increased representation of Indigenous Peoples on boards and the incorporation of “traditional knowledge” into recommendations that go to the provincial or territorial governments that make the final decisions. While White offers an impressively detailed analysis of claims boards in the territorial north, his work raises further questions about how settler colonialism operates within the emerging modern treaty regime. Analyzing Indigenous influence on boards, for example, must take into consideration Indigenous communities' continued battle with poverty, substance abuse, domestic and gender-based violence, racism, and a myriad of challenges navigating the education and health systems, all of which are symptoms of settler colonialism. In addition, many of the Indigenous nations within the territorial North practiced other forms of governance, like place-specific, matrilineal and matriarchal systems prior to the imposition of the Indian Act. Yet, as White notes, women—Indigenous women specifically—have very low representation on claims boards (2020). Women both hold and enact Indigenous governance values and are part and parcel to traditional governance systems, but first the Indian Act and now, arguably, modern treaty processes erode their centrality.

Research on the difficulties that have emerged out of the implementation phase of the UFA, like mandated co-management schemes, reveals how land issues have been repackaged and that First Nations continue to battle to protect their land and their ways of being in relation to

it, but now through legalized mechanisms. Anthropologist Paul Nadasdy in “Imposing Territoriality: First Nations Land Claims and the Transformation of the Human-Environment Relations in the Yukon,” summarizes the current tensions within UFA co-management mechanisms well:

...they grant Yukon First Nations significant powers to govern their peoples and resources. Those powers, however, come in the currency of territorial sovereignty, and to wield them Yukon Indian people have had to alter their forms of social and political organization in dramatic and often unforeseen ways. One of the most important dimensions of this territorializing process has been the rise of First Nation resource management bureaucracies, which compel Indian people—bureaucrats and citizens alike—to relate to the land and animals in new ways (though not always in the ways resource managers intend). The fact that the agreements are having such a transformative effect on human-animal-land relations is significant because the preservation of hunting practices, and the social relations they entail, was one of the principal goals motivating Indian people to enter into land claim negotiations in the first place. There is, then, a certain political ambiguity in the territorially ordered political system currently emerging in the Yukon. (Nadasdy 2017b, 365)

All of this continues even though one of the overarching goals of the UFA is to “recognize and protect a way of life that is based on an economic and spiritual relationship between Yukon Indian People and the land” (Easton 2008). This, after all, was the main impetus behind the Yukon First Nation leaders in the 1970s pursuing land claims.

Stephanie Irlbacher-Fox’s *Finding Dahshaa* (2009) is one of the few ethnographic case studies of self-government agreement implementation in the North; it is interesting to consider here. Drawing upon a Dene example in the Northwest Territories, Irlbacher-Fox demonstrates how self-government negotiations are just another form of colonization and forced dependence, and they do little to meet the needs or aspirations of Indigenous Peoples or to address structural injustice and continued “social suffering” (5). While self-government is often framed (and celebrated) as a form of “self-determination,” Irlbacher-Fox’s work shows how First Nations’ decision-making power is still determined by and derived from within the Canadian constitutional framework: “self-government is something that exists because Canada exists” (7). In short, self-government negotiations and agreements force First Nations to collude in their own disempowerment: “The purpose of negotiation is to legitimize state sovereignty — by securing surrenders and releases of Indigenous peoples’ rights” (Irlbacher-Fox, 2009, 161). Rauna Kuokkanen contends that, as such, “The contemporary reality is that existing Indigenous self-

government structures and models are largely grounded on principles of global capitalism, such as economic development based on large-scale resource extraction and privatization and commodification of the land” (Kuokkanen 2011, 275). She notes:

Recent standoffs and Indigenous nationhood movements have thrown the limitations of the current formulations and structures of Indigenous self-government into sharp relief. They have demonstrated how Indigenous self-government institutions fail to protect us, whether the logic and violence of settler colonialism or interpersonal sexual and physical violence and coercion.” (Kuokkanen 2019, 3)

This notion of “surrendering” rights via self-government agreements and comprehensive lands claims is addressed in Jennifer Dalton’s work (2006). She writes that “federal policies of blanket and partial extinguishment of Aboriginal title have been sources of significant contention for Aboriginal peoples, since such extinguishment represents a fundamental loss of identity” (31). For modern-day treaties, this is referred to as the “cede, release, and surrender” provision or the “extinguishment clause” (Alcantara 2015). Both lead to the same outcome, that is, “land transactions to ensure legal certainty and facilitate economic development” (Papillon 2008 quoted in Alcantara 2015, 123) and fulfill the Crown’s position on certainty and finality. For Dalton, it is a “moral imperative” that federal policies of extinguishment of Aboriginal title and related rights be removed from future agreements should Canada wish to mend current relations between Aboriginal peoples and the Canadian state (31). Considering that “extinguishment” of Aboriginal rights to provide certainty is the impetus behind the Crown entering negotiations, the likelihood of the clause being removed is slim. As such, Alcantara maintains that, should Aboriginal groups want to complete treaties, they will have to “modify their goals as they relate to certainty so that they are compatible with those of governments. Failure to do so will result in non-settlement” (123).

In 1991, Coates wrote that “only time will tell if the North and Canada have the political will, financial resources and cultural openness to deal with the problems and create a more harmonious, inter-racial society in the Yukon” (181). The issues addressed here and those that were raised during negotiation, and now during implementation, reveal that “the problems” persist. How to address concerns about co-management, bureaucratization, post-extinguishment clauses, and various other issues with implementation of the agreements has spurred numerous suggestions on how to move forward, along with possible alternatives. While some, like

Alcantara (2008), argue for the abandonment of the comprehensive land claims process in favor of three policy instruments that emerged outside the treaty process: self-government agreements, bilateral agreements, and the First Nations Land Management Act; others argue for a decolonial praxis that is directed away from the assimilative lure of the statist politics of recognition (Coulthard 2014), which will be addressed in more detail below.

Resurgence and Indigenous Aesthetic Practice—an alternative pathway

This Settlement is for our children, and our children's children, for many generations to come. All our programs and the guarantees we seek in our Settlement are to protect them from a repeat of today's problems in the future. You cannot talk to us about the 'bright new tomorrow', when so many of our people are cold, hungry and unemployed. A 'bright new tomorrow' is what we feel we can build when we get a fair and just Settlement. Such a Settlement must be made between people of peace. There must be a 'will-to-peace' by all the people concerned. We feel we have shown this 'will-to-peace' for the last hundred years. If you feel the same, it should be easy for us to agree on a Settlement that will be considered 'fair and just' to all.

— Yukon Indian People, *Together Today for our Children Tomorrow*

Together Today for our Children Tomorrow was an aspiration document. The Yukon Indian People, who drafted the document astutely, articulated a past and present influenced negatively by the incursion of the settler state. Poised to claim an alternate future after the *Calder* decision came down, they offered to engage the state in a Settlement, and the state complied. The next twenty years would be characterized by a hope for mutual recognition, but with limits. Firmly bound within the recognition paradigm and subject to all of its entailments, Yukon First Nations and the state persisted. I argue that the state achieved its end goal: certainty, cloaked within its rendering of a political order. Yukon First Nations that signed agreements under the UFA, in contrast, have not received what *TTFCT* aspired to. The past described by the YNB in the excerpt of *TTFCT* that opens this chapter persists in the present. Yukon First Nations are trying to implement their agreements amidst continued colonial trauma as a result of residential schooling, ideological violences, poverty, and pervasive substance use illnesses. Indigenous women in the Yukon experience high rates of gendered violence and intimate violence, children in care, and incarceration. This is exacerbated by the legacy of the Indian Act's patriarchal and violent impacts on Indigenous women and families, as noted by Shirley and Judy, and by the prevalence of the resource extraction industry in the Yukon (CCSG et al. 2021). Engaging the state in recognition politics did not shield Yukon First Nations from the violences of continued

settler colonialism. The future in this regard is uncertain. Rauna Kuokkanen (2019) argues that “...Indigenous women’s concerns and views have been subsumed through the establishment of discursive fault lines between social (or community) issues on one hand, and self-determination (or sovereignty) issues on the other.” She contends that “existing models and structures of Indigenous self-government are a form of structural violence in the exclusion of Indigenous women and their conceptions of self-determination, which includes addressing gender-based violence” (Kuokkanen 2019, 21). The place of Indigenous women in the work of self-determination as rematriation, then, gets taken up in this dissertation in various ways that draw upon the traditional practices of Northern Tutchone women.

Resurgence offers an alternative to recognition and a pathway for rematriation. As a theory and praxis, it offers what the authors of *Together Today* were seeking at the time: to secure their relationship with the land and each other into an Indigenous future. In the next section, I look to emergent Indigenous scholarship that tackles this question and offer alternatives which, after careful theoretical consideration, call for a turning away from the recognition paradigm.

There is a thread within resurgence scholarship that “...reconciliation, whether applied to a truth and reconciliation commission or a land claims negotiation, may promise a renewed relationship with the state. However, in practice it has been used to further colonize Indigenous nations and legitimate the presence of states and other shape-shifting colonial actors on Indigenous homelands.” (Corntassel 2012, 91). Together, Indigenous scholars have generated a body of literature that calls into question the legitimacy of the state. They offer several resistance strategies that aim to effect change and induce collective movement toward self-determination couched within the theory and praxis of resurgence. Two recent works by Indigenous scholars are extending resurgence theory in direct opposition to the recognition paradigm articulated in the previous section: Glen Coulthard’s *Red Skin, White Masks* (2014) and Audra Simpson’s *Mohawk Interruptus* (2014). Their arguments stand in striking contrast to the theoretical debates addressed above for several reasons that I will address here.

“As Indigenous Peoples,” writes Corntassel (2012), “we need to avoid directing our energies to state-centered forums and processes...regarding how to define self-determination.

This only distracts us from our real priorities. After all, self-determination is asserted, not negotiated” (93). The idea that self-determination is something that is practiced is reiterated in recent scholarship generated by several Indigenous scholars: Glen Coulthard (2014), Audra Simpson (2014), and Leanne Simpson (2011). They claim that for self-determination to be practiced, energy needs to be shifted away from engaging in the “illusion of inclusion” (Corntassel 2012, 92), which leads to “pseudo-sovereignty” (Goodyear-Ka’ōpua 2011).

Most importantly, these scholars root their analyses in the fact that colonialism survives and continues today as settler colonialism (Tuck and Yang 2012; Simpson 2014; Wolfe 2006). As such, the end goal for Indigenous Peoples is not a vague notion of “justice” that co-exists within the current settler colonial context; rather, it is to create a radical alternative in which Indigenous land and sovereignty is rematriated or repatriated so that Indigenous “being and staying” can flourish (Simpson 2014, 25). Settler colonialism is a concept, theory, ideology, and practice. Settler colonialism is different than other forms of colonialism. For internal and/or external colonialism, colonists are either outnumbered by an Indigenous population or the intention is to extract goods from the colonies for the benefit and economic gain of the colonial power. Settler colonialism is different, in that settlers “come to stay” and make native land their home (Tuck and Yang 2012; Wolfe 2006, 388). To date, Patrick Wolfe has given settler colonialism the most robust theoretical attention (1999, 2006). He argues that settler colonialism, in its pursuit of more (and more) land, “tends” to destroy in order to replace (2006, 387). Indigenous peoples obstruct settlers’ access to land: “the primary motive for elimination is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory. Territoriality is settler colonialism’s specific, irreducible element” (388). As such, settler colonialism creates a particular relationship between native/settler and time/space. For the former, according to Wolfe, it is a “complex social formation....whereby the native repressed continues to structure the settler-colonial society” (390). For the latter relationship—between time and space—settler colonialism requires constant expression to maintain itself. According to Tuck and Yang (2012): “Everything within a settler colonial society strains to destroy or assimilate the Native in order to disappear them from the land” (9). This results in “a profound epistemic, ontological, cosmological violence” that is reasserted each day of occupation (Tuck and Yang 2012). This is why Wolfe defines settler colonial invasion as a “structure rather than an event” (2006, 390).

Central to Coulthard's analysis in *Red Skin, White Masks* is the claim that recognition is a form of continued and persistent settler colonialism. He reworks Marx's theory of primitive accumulation and argues that it is dispossession of land and not proletarianization of Indigenous peoples that has been the "dominant background structure shaping the character of the historical relationship between Indigenous peoples and the Canadian state" (2014, 13). He draws attention to the power relations embedded within in settler-colonial contexts, stating that Indigenous peoples are up against a "constellation of power relations that sustain colonial behaviors, structures and relationships" (14). Drawing upon the works of Frantz Fanon, Coulthard demonstrates how systems of power have transitioned from more violent and coercive means (as posited by both Marx and Fanon) to those that are reproduced through "the asymmetrical exchange of mediated forms of state recognition and accommodation" and concealed as "a mode of colonial governmentality" (15).

Coulthard claims that "Fanon offers a ground-breaking critical analysis [in *Black Skin, White Masks*] of the affirmative relationship drawn between recognition and freedom in the master/slave dialectic of Hegel's *Phenomenology of Spirit*—a critique [Coulthard] claim[s] is equally applicable to contemporary liberal recognition-based approaches to Indigenous self-determination in Canada" (16). Coulthard's work develops Fanon's use and definition of recognition, which "is not posited as a source of freedom and dignity for the colonized, but rather as the field of power through which colonial relations are produced and maintained" (Coulthard's emphasis, 17). He builds upon Fanon's reading of Hegel to challenge Charles Taylor's position on a number of points, but mainly that mutual recognition is possible and a means towards justice for Indigenous Peoples. Even though recognition politics is informed by settler colonial logics and holds up colonial structures, Coulthard maintains that Indigenous Peoples must continue to engage the state in the language of recognition. "Settler-colonialism," he writes, "has rendered us a radical minority in our own homelands, and this necessitates that we continue to engage with the state's legal and political systems" (179) even as those systems and structures recognize that they do not hold the source of Indigenous liberation.

Coulthard concludes *Red Skin, White Masks* with this:

What our present condition does demand, however, is that we begin to approach our engagements with the settler-state legal apparatus with a degree of critical self-reflection,

skepticism, and caution that to date has been largely absent in our efforts. It also demands that we begin to shift our attention away from the largely rights-bound/recognition orientation that has emerged as hegemonic over the last four decades, to a resurgent politics of recognition that sees to practice decolonial, gender-emancipatory, and economically nonexploitative alternative structures of law and sovereignty authority grounded on a critical refashioning of the best of Indigenous legal and political traditions. (179)

Coulthard is calling for a more nuanced and critical understanding of Canadian recognition politics and amplifying the need for a resurgent politics of recognition that centers Indigenous Creation-based governance systems and practices.

For Audra Simpson in *Mohawk Interruptus: Political Life Across the Borders of Settler States* (2014), the alternative to a politics of recognition is “refusal.” To refuse is

a political and ethical stance that stands in stark contrast to the desire to have one’s distinctiveness as a culture, as a people, recognized. Refusal comes with the requirement of having one’s political sovereignty acknowledged and upheld, and raises the question of legitimacy for those who are usually in the position of recognizing: What is their authority to do so? Where does it come from? Who are they to do so? (Simpson 2014, 11)

Unlike recognition, which, according to Simpson, deploys the “trick of toleration” of Indigenous “difference,” the politics of refusal acknowledges that Indigenous alterity is not what needs or seeks acknowledgement or recognition from the state, but the very thing that creates and accounts for Indigenous sovereignty (20). According to Simpson (2014), Indigenous sovereignty exists and continues despite the settler state’s claim to sovereignty. Simpson’s work calls attention to the “different political authorities [that] find themselves in a ‘nested’ form of sovereignty and in a politics of refusal” (Simpson 2014, 12). These nested sovereignties are refusals: “a willful distancing from state-driven forms of recognition and sociability in favor of others” (Simpson 2014, 16). “The practices and techniques of institutional ‘recognition’, of bringing peoples presumed alterity into the ambit of the state through the devices of treaty, of contract, later of citizenship itself, the mechanisms of rights appear to offer fairness, protection a form of justice.” (A. Simpson 2017, 29) But this is a ruse (A. Simpson 2017).

Markell argues that, ultimately, we are bound by recognition. But Coulthard, Simpson, and others have identified ways that we might break free of its bind. As Williams (in Eisenberg et al. 2014) puts it:

Just as Hegel's slave discovers his freedom (and ultimately gains recognition) by turning away from the master and carrying on his work, so an emancipatory politics of recognition may depend on the moments in which subaltern groups reorient their activity towards the work of (re)constituting themselves (6).

This condition of possibility and others like it that resurgence offers inform my approach in the coming chapters as I identify how to support the consciousness-raising needed to “refuse” and “turn away.” Given the allure and promise of recognition politics and the fact that it continues to bind us within its false promises, how is it that we create a collective and conscious deprioritizing of our engagement with the state in the language of recognition? I claim that Indigenous aesthetic practice holds some of the answers.

Vignette: Moose Work

Lianne Gertie

I worked alone that night collaging the final layer of the UFA on the moose. This stands out in a collective project, where a lot of the work was shared or delegated and done in small groups. I wasn't alone in the room, though; I was working with three other women, late at night, in a big garage, behind Yukon University that backs onto the bush. I remember how quiet it was. I don't remember anyone being particularly chatty that night. We were just doing our work. I was attentive to how I was placing the text on the moose. I had to stand up close to him; at times his whole body would fill my line of sight. Hot pink. Up close, it's possible to read the text of the UFA, but take five steps back and the black 12-point Courier font disappears.

[As I write this, I remember how his body felt under my hand. I glide my hand through the air as if I'm running it along his back from shoulder to hip. Moose memories.]

After almost four hours of work, we begin to pack up. Gwen sweeps, Kacey picks up Styrofoam shavings, Abby gently packs away

When we got back there [Big Salmon Village] in wintertime, the women made skins from the moose people killed. (I forgot to mention that when people killed moose they would bring all the dry skins back). After that, it's getting to be fall time and the men go out hunting for fur. That's when the women smoke the skin, soak the skin, keep doing that until the skin turns soft. When the skins turn soft, they have the poles already up in the bush to tan the skin. My mother asked me, "Could you come with me so we can tan a skin?" So I went there to the bush and we tanned a skin. Down below where we stayed at the house there was no wood for an open fire so we tanned the skin in the bush.

When we got up there, we stay all day long.

While we are tanning the skin we would keep the fire going all the time and keep turning the skin and working it. I was helping her to tan the skin. I kept the fire going for her by putting in wood.

By the time it started to get dark the skin was dry and my mother took it down from the

the Styrofoam moose cheeks, now symmetrical and sanded smooth. Abby will take the moose face home for safe keeping. We push the moose up against the wall on the far side of the garage and begin a familiar struggle that marks the end of the night: covering the moose with a protective tarp. It's 10:45pm. Tomorrow is a workday for us all.

pole and we started back and arrived home.

After that she cut around the edge and she sewed it up to get it ready for final smoking.

When it's smoked you can make moccasins

and mitts for men going out to hunt in

wintertime. We never really thought of selling

it, we just make it for our own kids.

Èkeyi: Gyò Cho Chù / My Country: Big

Salmon River (1987) by Gertie Tom, 36-37.

CHAPTER 3

The (Pink) Moose: Indigenous Governance in the Making

We are makers; we sustain the world that sustains us through action. Our actions are, in turn, guided by the responsibilities we carry to our original instructions and natural laws: knowledges, languages, and protocols that govern our societies and locate us within continually renewed cycles of existence. Indigenous creativity is thus animated in such cycles, composed and performed through ceremonial and cultural practices that renew our commitments and fulfill our responsibilities to all creation.
—Jarrett Martineau, “Creative Combat: Indigenous Art, Resurgence, and Decolonization”

Introduction

The literature reviewed in Chapter Two demonstrates how the recognition paradigm centers the state and facilitates erosion of Indigenous authority. Despite the limits of the paradigm, Yukon First Nations (YFNs) saw the land claims process as an opportunity to assert greater self-determination and to gain remedies for the damage caused by the Indian Act. Spurred by a national Indigenous response to the 1969 White Paper, the Yukon First Nations entered comprehensive land claims committed to retaining as much control over their land and families as they could; the future of their people and lands was on the line. The Indian Act was oppressive and marginalizing, and the comprehensive land claims process held out hope for improving the quality of life for status and non-status peoples; however, YFNs would come to learn that the opportunities implied in the process were an illusion. The Umbrella Final Agreement resulted in a tripartite commitment to a new relationship, the creation of a host of boards and committees, and the extension of control over a series of social programs from the federal government to Yukon First Nation self-governments. While celebrated for securing the protection of parts of YFNs’ traditional territories and participation in co-management structures (colloquially referred to as “a seat at the table”), post-treaty Yukon is characterized by YFNs having to govern in ways that require them to mimic, if not adhere to, Euro-Canadian bureaucratic systems (Nadasdy 2003, 2017a).

The previous chapter demonstrated how the State continues to shape Indigenous Peoples’ governance systems and lives by imposing colonial political systems via modern treaty and self-government agreements upon Indigenous nations. The Indian Act overtly contained and conformed Indigenous authority through paternalistic policies and forced Indigenous nations into

positions of dependency (RCAP 1996). Sadly, for those nations that participated with hope in the modern treaty process, they would learn that self-determination was a trap intended to wrest even more lands from First Nations and close the bureaucratic loops on land claims. With the modern treaty process, the Crown secured certainty in their rights to land and First Nations were left wondering what happened.

As I also note in Chapter 2, resurgence theory and practice offer an alternative pathway to self-determination, a pathway founded upon the ethics, values, and ontologies of Indigenous Peoples. While resurgence holds out a different kind of hope for Yukon First Nations and other Indigenous peoples, its origin in the academy means it is largely inaccessible to general publics, particularly to Yukon First Nations presently immersed within an emergent modern treaty regime. Given the limits of the recognition paradigm and the state-centric, dependent governance systems it creates, how can Indigenous Peoples operationalize resurgence principles to re-center Creation within their governance practices and regain self-sufficiency? What role do Indigenous aesthetic practices have in facilitating this? How do Indigenous aesthetic practices support the reconstitution of Creation-based governance systems at different scales?

Throughout Yukon, Indigenous Peoples are living with and learning about their final agreements, whilst simultaneously implementing them. They are interfacing daily with the state-centric political institutions as community members and First Nations citizens of self-governments while confronting many forms of contemporary colonialism that reinforce dependency models and paternalistic relationships reminiscent of the Indian Act. If Indigenous peoples are to engage in the work of renewing individual and communal self-sufficiency that, as our Elders and ancestors show us, is inherently linked to Creation, then Indigenous Peoples need to find ways to re-center Creation within our governance practices. This requires being attentive to the values and practices that shape traditional Indigenous governance systems; knowing how, when, and where to enact them individually and collectively; and understanding the Euro-Canadian bureaucratic and colonial systems and practices that First Nations have inherited through modern treaty to know how to thrive despite them.

Such intentionality positions Indigenous Peoples to intervene in and alongside dominant governance systems and renew their connection to Creation through incremental, purposeful changes to the systems in which they operate or by creating systems anew. I argue that

Indigenous aesthetic practices make this possible at an intimate, interpersonal scale by providing the space to learn and apply Creation-based practices within interpersonal relationships. This inquiry treats the interpersonal level as a key part of governance systems. Intervention at this level necessitates understanding how governance systems work and renewing Indigenous relationships with each other rooted in the values and practices that shaped Indigenous Creation-based ancestral lifeways. Indigenous aesthetic practices provide the space to do this. Scale is key here. I demonstrate that Indigenous Creation-based values can be enacted collectively within interpersonal, familial governance systems and then scaled up. I argue that the familial governance system stands in stark contrast to the Euro-Canadian bureaucratic governance structures Yukon First Nations have inherited through self-government agreements. Indeed, Indigenous aesthetic practices can facilitate the renewal and scaling up of these values and facilitate the reclaiming of Creation-based governance systems.

This chapter describes the making of a life-sized hot pink papier mâché bull moose and a paper moose hide.¹³ I led a small group of Indigenous Peoples and settlers through the fabrication process and, when complete, the installation toured at art galleries in the Yukon and British Columbia. For six weeks, we worked closely together to make the hot pink moose and paper hide. Now, having completed the project, interviewed the participants, presented at several galleries, and analyzed our processes and experiences, I have come to see our moose-making project as an arts-based governance system, one that was created and sustained at an intimate, interpersonal level. This case study extends resurgence theory as presented by Leanne Simpson (2017) and Glen Coulthard (2014) in that it exemplifies pragmatic elements of the theory in practice: Indigenous decolonial healing; building and sustaining responsibility-based kinship connections; facilitating settler allyship and an ethic of reciprocity; creating safe, consensual modes of mentorship; and building creative, Indigenous-centric learning environments that focus on harm reduction.

As an Indigenous woman who is reconnecting with my family and learning our cultural laws, ethics, and values as Northern Tutchone people, I've been told that our ways are guided by

¹³ The installation has three pieces: the moose, the hide, and a baby belt. The first two were made collectively using the governance model outlined here, while the third piece was made by me. The moose and hide are the focus of this chapter, and the baby belt is the focus of chapter 4 and 5.

doòli. Doòli includes four main pillars: caring, sharing, teaching, and respect. According to Viola Mullett:

Originally, our Doòli were the unwritten laws that covered every aspect of life...and every thought and interaction with the plants, animals and the world around us. Our ancestors were given these gifts of knowledge and teaching by their parents and Elders so that each and every one of us could have the opportunity to live a good life. Our Doòli helped us take care of each other, the land and water, the fish and wildlife and the rest of the world around us. (“DOÒLI DÄN K’I HATS’ADÄN – Revitalization Northern Tutchone Teachings for Future Generations, mappingtheway.ca)

But most of my generation is severed from a pre-residential school expression of doòli; we are in a process of healing and rebuilding this core element of our Peoplehood. For both pragmatic and “felt” reasons (Million 2009, 2014), I make a connection between how I think my Northern Tutchone grandparents’ generation, which grew up before residential schools were established in the Yukon, actioned “caring, sharing, teaching, and respect” and the practice of resurgence outlined above. Indigenous aesthetic practices, as exemplified by the moose-making project, gave me and the other participants the space to enact another way—informed by doòli—with each other; as such, it is a resurgence project.

Further, I have come to see our art project as having multiple and overlapping layers of political significance. First, the materials used for the art project are items with political importance in Yukon Indigenous politics. The outer layer of papier mâché on the hot pink bull moose, for example, is a collage of the Umbrella Final Agreement, a 308-page legal document that frames out modern treaty-making in the Yukon. The paper moose hide, the second art piece described in this chapter, is a collage of the 11 Yukon First Nation land claims maps. These pieces are the material manifestation of the Crown’s certainty that all claims regarding the land are settled. Second, we were enacting a Creation-based governance system within a larger context of a post-agreement world where YFNs are navigating the uncertainty of the UFA and implementing their agreements. The Umbrella Final Agreement was ratified in 1993; along with this, a host of modern treaty institutions, governing practices, and a mix of emerging and imposed political and social norms, assumptions, beliefs, and behaviors have come into play. All signatories and their citizenry—Indigenous and settler alike—are simultaneously learning, implementing, and negotiating the agreements at different scales: intimate, organizational,

territorial, and national. For people living in the Yukon, there are resounding questions in the air: what does it mean to be modern treaty nations and how does modern treaty shape our relationships with each other and the land? Third and finally, modern treaty is not only shaping how governments relate, but it also informs how individuals within a modern treaty society are living, working, and being together. As such, this art project reflects the larger microcosm of sociality in the Yukon. The art project is very much *of* its time and place. The process of visioning and fabricating this art installation, which has relevance to Yukon politics and the future of Indigenous/settler, Indigenous/state, and Indigenous/Creation relations, is the basis of this chapter.

Why a Pink Moose and Paper Moose Hide? Art Project Overview

In the summer of 2017, I was invited by artist and curator Valerie Salez to join her and three other Yukon-based artists to participate in a project she titled *To Talk with Others*. Valerie invited us artists to respond to a 1977 transcript of a meeting between Prime Minister Pierre Elliott Trudeau and Yukon First Nations leaders. The meeting took place in Whitehorse while the Prime Minister was on holiday in the territory. Valerie had found the transcript while working in the heritage department for the Tr'ondëk Hwëch'in (TH) Government in Dawson City, Yukon. She gained permission from TH to develop an art project based on the transcript. She secured funding and selected artists. The collection of our work was showcased in Whitehorse, December 2018 to February 2019; Dawson City, June to September 2019; Victoria, BC, November 2019 to January 2020; Penticton, BC, July to September 2020.

After reading the 1977 transcript, which I reference in Chapter 2, I was struck by the thematic similarities between Indigenous/state relations then and today. The meeting took place just four years after a delegate of Yukon First Nation leaders presented Prime Minister Trudeau with *Together Today for Our Children Tomorrow*. Most striking to me was Pierre Elliott Trudeau's fixation upon gaining approval for an American pipeline to go through the Yukon Territory and his blatant dismissal of Yukon First Nations' request for settled land claims first. The transcript illuminates a meeting of people from different worlds: the state, represented by Trudeau, and Indigenous peoples, represented by the YFN leaders. In the transcript I saw the

beginning of a narrative that continues today—the state’s desire for unfettered access to Indigenous lands—and, given that, I chose to work with the themes of resource extraction and present-day Indigenous governance in my art collection. However, I was hesitant to engage these themes publicly as a Northern Tutchone woman who was born in the Yukon but raised and schooled away. At the time of the project (and this writing), I was navigating a reconnection with my homelands and home communities. I wanted to be bold and provocative, *and* I wanted to be respectful of the Yukon/Indigenous political and cultural climate that I was in the process of learning. As such, I approached the *To Talk with Others* art project humbly and set out to use whatever I created to help me ask questions that I had been mulling over for quite some time, mostly questions about land and the material and ontological impact of the state’s extinguishment clause.

I cannot pinpoint the exact moment that I thought of making a life-size hot pink papier mâché bull moose out of the Umbrella Final Agreement, but I do remember a late summer evening conversation with my friend, Siku Allolloo, in 2018 where I said to her out-loud that this is what I wanted to make. I also shared a story with her about a conversation I had with my Auntie in Carmacks. I had just given my Auntie a copy of a digital art piece that I made that includes a quote from *Together Today for our Children Tomorrow* and an excerpt of the certainty clause from the Umbrella Final Agreement.¹⁴ In short, the certainty clause within comprehensive land claims agreements is the means through which the state extinguishes Aboriginal title and converts land ownership to the Crown, thereby effectively subsuming Indigenous land under the jurisdiction of the state. The image I created (below) includes the excerpt the certainty clause alongside an Indigenous woman twisting a moose hide, a stage in the moose hide tanning process. My Auntie had not heard of the certainty clause, and she asked me what it was. I explained how it works and noted its prioritization in the comprehensive land claims process and the UFA. She responded with: “Why would we sign something that said that?” (personal comm., 2018). I was shocked, but not surprised, that she had not heard of the certainty clause. While a benchmark of the state’s comprehensive land claims process, the certainty clause is cloaked in Euro-Canadian (colonial) legalese, which makes it effectively

¹⁴ I discuss and analyze the certainty clause in greater detail in Chapter 4 and 5.

inaccessible to laypeople, not to mention people like my Auntie, who move through life informed by a Northern Tutchone ontological framework that has been fractured by a residential school “education”.



Figure 6: “We Still Think of the Yukon as our Land”, 2016. Artwork by author.

I learned then that the work I wanted to do for *To Talk with Others* would aim to confront gaps in our collective understanding of the comprehensive land claims process, the settler state's desires, and Indigenous futurities. Further to this, I had been ruminating on the role of Indigenous women in Northern Tutchone traditional governance systems. Shirley Adamson's teachings have been very influential on my thinking since meeting her shortly after returning to the Yukon. As a Southern Tutchone language speaker and descendant of matriarchs, she has noted numerous times in our conversations the role of Indigenous women in the Tutchone clan governance system. Not only are Tutchone peoples matrilineal, i.e., clan lineage is passed along the mother's line, Tutchone peoples are matriarchal, meaning that women hold authority within a family and kinship network. As exemplified in Chapter 2, Shirley notes the devastating impact the Indian Act and residential schools have had on Indigenous women and Tutchone matriarchal practices.

To counter this, I aimed to make Indigenous women's knowledge and work central to this project. Looking to Northern Tutchone people's relationship with moose has guided this revitalization. Northern Tutchone people have a dialectical relationship with moose, which are integral to our traditional governance systems. More specifically, Northern Tutchone women have a key role in processing the moose meat and hide once the moose has been hunted. In making a paper moose, I wanted to explore these relational roles further and attune myself to the ways that constructing a paper moose mimics deconstructing a real moose, especially informed by Northern Tutchone laws, values, ethics. Hence the making of the second art piece discussed in this chapter: a paper hide. The paper hide depicts a stage in the moose hide tanning process: the point at which the hair and epidermis are removed from the skin. Historically this has been women's work.¹⁵ Again, I cannot recall the moment that this art piece idea came to me. We had constructed the moose first, then I had made the baby belt on my own, which I speak to more in the coming chapters. A week before the pieces were due in early December 2018, the core group of moose-makers introduced later in this chapter and I made the paper hide in a day. It was a last-

¹⁵ It is not my intension to be essentializing by acknowledging the traditional role of Northern Tutchone women in the moose hide tanning process. With the resurgence of moose hide tanning in the territorial north, it's important to note the emergent inclusivity of the practice. Anyone can tan a hide. I have learned from Elders and moose hide tanners that it's most important that the next generation learn and do the work, there's little emphasis put on "traditional" or gendered roles.

minute add-on and something that, at the time, I hoped we would have time for. Quite simply, it was the missing piece. We had the moose and an item made from the moose's hide (the baby belt), but we didn't have the hide, so we made one.

As the art project case study demonstrates, a return to land starts with a return to each other. When I started this project, I did not anticipate we would confront intergenerational and on-going effects of colonialism and the legacies of state policies that have purposefully fragmented our families and our connection to ourselves as Indigenous peoples, each other, and the land. Each of us brought these elements of our collective, historical, and contemporary life experiences into the folds of the project. Returning to, remembering, creating, and living lives that center our ancestral values; rebuilding relationships; renewing trust in each other; learning to help, care for, and support one another; meeting each other where we are at; mentoring; and befriending starts with creating a space for Indigenous Peoples to return to each other in safe, loving, and caring ways; and for settlers to rekindle respectful, responsible relations with Indigenous Peoples. The work of rematriating Northern Tutchone familial governance systems—and, certainly, scaling up this work—requires being cognizant of and attentive to the intimacies of Indigenous governance and the gender dynamics at play.

Rematriation of Northern Tutchone Familial Governance Practices

Key to the arts-based governance system that emerged from our collaborative art project is the fact that it facilitated a way of working and being together that is reminiscent of a Northern Tutchone ancestral governance system, one that is rooted in Creation and self-sufficient family network groups. Before diving into the art project case study, I offer a description of a Northern Tutchone family governance model, as gleaned from stories by Gertie Tom, a Northern Tutchone Elder and language speaker, in *Èkeyi: Gyò Cho Chù / My country: Big Salmon River* (1987).¹⁶

¹⁶ I am incredibly grateful for the work of Northern Tutchone Elder and language speaker Gertie Tom, who published a book of first-person stories about her life growing up around Big Salmon River in the 1940s, where my grandfather lived. *Èkeyi: Gyò Cho Chù / My country: Big Salmon River* (1987) is a place-names project in which Gertie's stories are central. Gertie's stories were told in Northern Tutchone and translated into English. The book is a rich collection of Northern Tutchone stories of life on the land around the 1940s from the perspective of a woman and mediated through a non-Indigenous translator and encumbered by English. I engaged with Gertie's work in English, as I cannot speak Northern Tutchone because of the intergenerational effects of residential school. My dad

Gertie's stories illustrate how such a system is rooted in a deep, reciprocal relationship with Creation, particularly moose, and is contingent on a cohesive, skilled family group. Gertie's stories demonstrate how this Northern Tutchone lifeway is self-sufficient, which makes it fundamentally different than the governance systems Yukon First Nations have inherited from the state. By way of contrast, as outlined in Chapter Two, the Euro-Canadian bureaucratic governance system that Yukon First Nations have inherited from the state via self-government agreements foster dependency and assimilation (Nadasdy 2003; Irlbacher-Fox 2009).

Conversely, Euro-Canadian, bureaucratic governance systems aim to dehumanize systems by removing human elements—emotion, subjectivity, relationship (Weber 2013). The Northern Tutchone familial system is rooted in life (human and non-human) and intimate relationships.

The intimacies of Indigenous governance are the minutia of daily interactions, small decisions, choices made together in service of the whole, and emotive individual and shared experiences. I focus on this intimate scale throughout the case study. Here, it is evident that the journey back to each other and toward family-like, self-sufficient, skilled groups as the basis of decolonial governance systems means holding time and space for each other in ways reminiscent of the Northern Tutchone family group as described by Gertie. Sarah Hunt and Cindy Holmes (2015) describe this relational time/space as “intimate geographies” (157). Often unacknowledged, such daily actions taken by individuals, families and communities can be decolonial sites of resistance, critical dialogue, and support (Hunt and Holmes 2015). Hunt and Holmes refer to this as the “everydayness of decolonization” (157) and “quiet, relational processes of change” (158). For the Indigenous participants in the project, these “intimate geographies” shaped our experience. The art project was the catalyst for this learning and relationship-building; it brought us together into a shared, co-created, intimate space. As such, we became entwined within each other's lives and stepped into new roles and responsibilities that supported each other's mental and emotional self-sufficiency.

I have analyzed Gertie's stories in *Èkeyi: Gyò Cho Chù* for what they reveal about Northern Tutchone governance practices. To understand the significance of our arts-based governance practices, I turn briefly to Gertie's stories. There are similarities between how

grew up speaking Northern Tutchone, but he was forced to speak English at Lower Post Residential School. I am likely missing many layers of nuance by engaging with Gertie's work in English.

Gertie's family worked and how we worked on the art project, both of which center the moose. This is a key parallel to note as Indigenous Peoples embark on the journey of re-centering Creation in their governance systems: while the imposition of Euro-Canadian bureaucratic systems has removed the human, non-human, and Creation from its processes, Northern Tutchone traditional governance systems, like Indigenous aesthetic practices, necessitate them. Gertie's family did not need the state. They were largely independent. They collectively had everything they needed to survive and live a good life. What does a journey back to this level of self-sufficiency look like? How can Indigenous aesthetic practice facilitate this? Gertie's stories show us how self-sufficiency requires a whole host of physical skills, knowledge sets and a healthy, strong kinship network in which women play integral roles.

The vignette that precedes this chapter aligns two moments of moose work—one from our moose-making project and the other from Gertie's book—in which women are the main participants. In Gertie's story, she recalls working hides with her mom. In the following excerpts, it is women preparing and drying meat¹⁷. Women within a Northern Tutchone familial governance model have specific roles that they carry out in service of the whole. As Shirley mentioned in the previous chapter, Tutchone peoples also practiced matrilineality and women held powerful roles as matriarchs of family and kin networks. The core moose-making group mirrored this gendered dynamic, although not intentionally. The core group of moose-makers—myself, Kacey, Rosie, Gwen, Abby and Sam—identify as women with some gender variances within that. Sam, for example, identifies as a “tomboy” and, given her age, was more likely to use “girl” instead of “woman”. Men, like my partner Michael, helped throughout the moose-making project, but it was women who worked on the paper hide. The art project was an inclusive project but a matriarchal one in that it was led by Indigenous women. This gender dynamic both of Gertie's family governance system and of our arts-based one contributes to the conversation about the rematriation of Indigenous governance in the Yukon. Both familial governance systems serve as a corrective to the male dominance of the field and patriarchal

¹⁷ Drying meat is a traditional way of curing moose and caribou meat. It involves cutting meat into long thin portions through a precise cutting technique that unfurls the meat along the grain line. The long, thin portions are then hung by an open fire or on a rack above a wood stove to cure in the dry air.

tendencies Yukon First Nations have inherited from the Indian Act and generations of residential schooling.

In *Èkeyi: Gyò Cho Chù*, the moose (being/relation) is present in almost all of Gertie's stories. At various times throughout the year, Gertie's family was hunting, processing moose, and tanning moose hide. The following excerpt provides insight into how Gertie's family worked, moved across the land, and sustained a subsistence lifestyle in small family collectives or kinship groups. These kinship groups are not heterosexual nuclear family units. Rather, they are a grouping of relatives bound together by birth, marriage, clan, and responsibility. When I use the term family or kinship group from this point on, I am referring to this configuration of a group of people.

If governance is, quite simply, *how* we make decisions in pursuit of a desired outcome, then Gertie's stories show how governance, in the case of her family group, is intimate and inexplicably linked to Creation (land, animals, seasons, etc.), most notably moose. To illustrate this, I offer two excerpts from Gertie's book. While reading them, note the relationship between the members of the family, their different roles, gender, and especially how Creation (land, water, land formations, seasons, migration patterns, animals, etc.) shapes decision-making.

Gertie and her family were living and hunting around Gyò Cho Chù | Big Salmon River around the 1940s. They were likely hunting moose all summer long and into the early fall. The days would be long but getting shorter at that time of year. While the days might still be warm, late summer is characterized by colder nights. The landscape in this part of Northern Tutchone territory abounds with tree covered rolling hills and rounded, expansive mountains. Gertie's main family camp would have been where the Gyò Cho Chù enters the Tagé Cho | Yukon River, what is presently referred to as Big Salmon Village, but they moved camp often throughout the summer depending on the moose. Along the rivers' edges, especially in areas where the rivers move slowly, there are marshlands and sloughs. A slough is a side channel of a river making an island between the side channel and the main flow of the river. The bush is dense with lodgepole pines, bear brush, and willow thicket, and occasionally opens to a muskeg, a bog or low-lying

marsh ecosystem common in boreal forests. It is likely Gertie's family moved along game trails, ridges, and trail systems they carved out themselves through use over generations.



Figure 7: The Yukon River at the mouth of the Big Salmon River. Taken from shore of Big Salmon Village, 2016. Photograph by author.

Then we got ready to go out for meat. We unloaded the boat and packed it all up to the storage cabin. When we finished putting it all inside we planned to go up Big Salmon River. My dad came up from Tacho to go with us. He had been cutting wood in exchange for food and he picked up the food and brought it with him.

Then we headed out for meat. We went up Big Salmon River. We put the food in dog packs and we took what we need to survive – like a tent and axe and things you need in the bush. The dogs packed food for us and we each carried our own blanket.

When we went on to the place they call Chu K'óa (Little Cold Water). We camped right there. In the morning we started going again and kept walking and walking.

A foot trail goes up the hillside from a place they called Shā (Fishtrap). In the old days people used to set a fishtrap there for salmon so they named it Shā in Indian language. The trail leads to the place they call Ekín from there and we went there. It used to be really

nice along that trail. The ground was really hard and there was pine and red spruce mixed together, and lots of grouse. We killed grouse while we were walking along.

We stopped close to Ekín where there's a big creek running out. The water was too deep for us to cross so we put down our packs and my dad cut down a bunch of trees to make a bridge. So we worked there for a while. We made poles and then built a bridge and then we went across it and camped on the other side.

From there, the men went out hunting. They were hunting over the mountains. My dad and my mother camped there and my dad's sister camped with us too. My oldest sister Rena and her husband camped with us there, and also another sister (Mary) and her husband. Altogether there were four camps there.

From there the men went out hunting and they killed a bunch of moose. Then they built a cache and drying rack to dry the meat.

That's when men packed the meat in and people cooked the guts up for themselves. After they filled up, they went to sleep. In the morning they packed up their supplies and put them in the dog packs and then they tied the packs on the dogs and they went for the meat. Everyone went out – each camp went out for the meat. (Tom 1987, 24-26)

In the excerpt above we see an intergenerational family group made up of 8-10 individuals living together in small bush camps, sharing tents, duties and responsibilities. All moments and movements are interconnected, shared, and collectivized. There is a clear link between daily life and Creation. The family group is routinely stalking various kinds of animal life for sustenance. Watson and Huntington (2008) have noted that hunting reflects a deep, epistemic relationship with the animal itself: “Hunting is the practice of an ethical relationship with the nonhuman” (257). There exists an attunement between hunter and hunted; they are in relationship. This relationship and attunement extend to the collective, who must work together to process whatever is hunted. I call this a Northern Tutchone work ethic. This is exemplified by the flow of responsibilities, the varied skillsets contributed by all, and a practice of sharing all the labor of daily life in the bush. Everyone is contributing the skills and knowledge that they have to the survival and betterment of the whole. The work ethic is gendered and intimately connected to Creation, in that the moose (and other animals), the terrain, the seasons, the waterways, are co-determining how Gertie and her family make decisions. This is further illustrated by the following segment from *Èkeyi: Gyò Cho Chú*:

When we stayed at Big Salmon a long time ago, we never used to think anything of travelling a long way. We travelled from Big Salmon village and walked up the river to Big Bend. That's the bend on the North Fork of Big Salmon River which is halfway between Quiet Lake and Northern Lake. On the way up we would just camp and kill moose and dry meat, freighting ahead with the dogs and following behind them. We would keep on doing that until we had enough meat to last us all winter long.

We would save hides so that we could make a moose skin boat to go back to Big Salmon. To make a moose skin boat, the ladies sew three moose skins together. Then they double the seams over and sew them again. They sew with sinew, and they have to make the sinew strong enough to hold the hide. They sew it and then they double it and sew it again, so it is double sewing.

When they finish the sewing, the men go hunting for the frame to make the boat. They make a frame for the moosehide boat just like a regular boat frame.

When they put the hide over the frame, they don't tie it down too tightly. When the moose skin boat dries up a little bit, it tightens up, so you have to keep the hide loose. They then put it in the water to test it out. If there is any water coming through, they take the boat out again and then go out and get pitch. They collect lots of pitch and put it in the fire so that it melts down like honey. Then they glue the boat at the places where it is leaking and that makes it waterproof.

After it dries a bit, they're ready to go. We would load up the boat and go down to Big Salmon. There were eight of us in our family and we would all go into the boat. It holds lots of meat too. When you travel in a moose skin boat, you can see right through the bottom of the boat. You can see the rocks in the bottom of the river as you travel down.

When we reached Big Salmon, we would unload the boat and then take the hide off the frame because we want to save the hide for tanning. Then my mother would soak it and flesh it and thin it down and make it ready to tan for a moose skin. People didn't waste anything. They used it all. The hide is a little dirty, but when you smoke it, it is ok. (Tom 1987, 7-8)

The governance system evident in Gertie's stories is the result of a deep, reciprocal, and intentional relationship with moose. The moose necessitates a community of people with a variety of skillsets and informs Gertie's family's every move; it requires them to work hard, and it guides them to work with each other in an intimate way.

As Gertie's stories demonstrate, the ways in which Creation and relationships unify in a life on the land are the governance system. The imposition of colonial governance practices, first through the Indian Act, and now via modern treaty and self-government agreements, disconnects

Indigenous Peoples from our ancestral values and lifeways and the ways that Creation and relationship deeply inform our ways of being and governance systems. Renewing such practices, given our current political and social context, means being intentional with how we work together in pursuit of our shared visions. Gertie's family stories illustrate how this looked when we lived land-based, subsistence lifestyles.

Gertie's story also describes how women in the family unit were skilled at utilizing all aspects of the moose. A single moose hide was used in several different ways depending on the needs of the family. While moose hide tanning was the final stage in processing the moose, the hide was flexible and durable enough to also serve as the outer skin of the boat. As processed and tanned hide, it is also possible to sew it into numerous garments. Sewing is traditionally women's work as well. The moose provides almost everything a kinship group—like Gertie's family—needs.

In the next section, I link our arts-based governance system to Gertie's Northern Tutchone familial governance system. In doing so, I further my claim that Indigenous aesthetic practice can transform systems and serve as an intervention and a generative creative activity that can intervene within dominant systems and facilitate a process of creative and cultural renewal. The case study begins with a collection of vignettes that illustrate the process of returning to each other between four Indigenous participants in the art project, and the everydayness of our interactions and work. It is followed by a section that addresses settler involvement and responsibilities in decolonial projects that are Indigenous woman-led and that center Indigenous care and comfort. Within the minutia of our inter/actions and work (the intimacies of Indigenous governance), care, intention, and responsibility begin to shape the outcome and move us towards our desired goals and visions. In our case, our goal was to make a papier mâché moose and stretched paper hide, but scaled up, this creative, intimate, and interpersonal Indigenous-led process is the foundation for systemic transformation. In the context of Yukon modern treaty, Indigenous aesthetic practices, as exemplified by this art project, facilitate a return to each other and a return to Creation, the living, beating heart of our traditional governance systems.

The Moose-making Kinship Group

The art project, like the Northern Tutchone governance system existing in Gertie's stories, revolves around a small collective's relationship with a moose, albeit one we were constructing ourselves. Both governance systems—Gertie's family system and our arts-based system—center Creation: land, water, seasons, and the non-human world(s), *and* the act of making or creating (L. Simpson 2017). As such, the moose—living and constructed—is an allegory for Indigenous governance. Unlike the Euro-Canadian bureaucratic systems we have inherited through self-government agreements that seek objectivity and depersonalization, our arts-based governance system was reliant upon our subjectivity, humanness, and relationality.

Here, I share a collage of vignettes of our moose-making experience to illustrate our governance model. The stories are snippets of our time spent together moose-making. Under the collage methodology applied in this dissertation, the stories are parts, pieces, fragments of our time together. In selecting these pieces, I aim to create a storied collage of our shared time together in and around the art project. Each piece tells a standalone story, one of dis/connection, dis/comfort, vulnerability, or care. When read against or alongside the other stories, a larger storied collage comes into view: our return to each other and the intimacies of co-creating a family-like, self-sufficient governance group that lead to healing and building trust. The collage method accommodates the messiness of relationships and the kind of decolonial journeying that accompanies it. Collage allows all of this to exist at once, much like it does in the banality of everyday life.

Yes, we were making an art project together, but, ultimately, it was our relationships and how we spent our time together that informed the governance system that was emerging from our actions, behavior and decisions. The stories are from when we were working on the art project, but they don't always focus on the art project. They highlight moments of connection, discord, and vulnerability. What happens when we put people who don't know each other very well into relationship with each other, and hold space for them to be who they are, bring what they have, take what they need, and contribute where they can? Like in a bush camp setting, as illustrated by the excerpts of Gertie's stories, it is Creation or the act of creating that shapes how time is spent. The Indian Act and Euro-Canadian bureaucratic institutions fracture and deny our humanness; they objectify and subjugate elements of our very being as Indigenous Peoples and

create systems that entrench these foreign ways into our everyday way of being to the point that we misinterpret them as normal. In a self-government context, Yukon First Nations and citizens are turning to paper-based processes to tell them how to relate to one another. Our experience moose-making is offered here as a reminder of another way, where care for one another as relations comes first. The work of decolonization will require us to re-familiarize ourselves with ways of being that center care, connection, and responsibility, to the point that they become systemic.

Lianne, Kacey, Sam, Rosie, Abby and Gwen: Hide-making Night

I find kneeling on this concrete floor so uncomfortable. I must be getting old. I crawl to the corner of the canvas that doesn't have map pieces glued to it yet and think to myself: "When this project is over, I'm going to start doing yoga." I sit cross-legged and begin gluing down the pieces. "Hey, where's LFN's map?!" Rosie is ten feet away from me unrolling all the land claims maps. She says this loudly and to no one in particular. She's holding one of the big maps open, arms stretched out wide, like a tourist. "Why doesn't Liard First Nation have a map?" "The Liard First Nation hasn't signed a land claims agreement, so they don't have a land claims map," I say. "Oh, yeaah. Gee, they don't got no map. I was like, 'why doesn't my nation have a map?' I want a map." She laughs. Rosie rips the map she's holding into large strips and adds them to the growing pile beside her. Sam is kneeling over a corner of the canvas across from me. It's clear her youthful knees don't hurt. She's smoothing down a map piece with one hand. The other is reaching into her jacket pocket for her phone. She reads the screen and stands up. "Grrrr, this floor is so dirty." She brushes sawdust off her pants and heads for the backdoor of the garage for a smoke break. "Don't wear black then," Kacey taunts after her. Sam looks back and smiles. Rosie laughs and chimes in: "Yeah, right! Don't wear black then." We all laugh.

"Lianne, is there any more glue?" Kacey asks. "Yes, but I think I left it in the car," I reply. I get up. It takes a few seconds of patting the outside of every pocket of my overalls to find the one with the car keys. I head out to get the jug of glue. I can hear laughter as I come back in. I open the door, and Kacey is standing on the edge of the 9 x 9-foot canvas, gluing down the map pieces in the middle using a paintbrush Kacey has fastened to the end of broomsticks. It's genius! Kacey looks up at me with a huge smile. "Figured out how to get glue to the center," she announces. She exaggerates her movements as she demonstrates how to use the six-foot-long paint brush. She casually dips the brush in a tray of glue eight feet away from her like she's dunking a cookie in milk, and she continues brushing the center of the canvas. Kacey can't hold a straight face any longer, and she bursts out with an infectious loud chuckle. Sam, back from a smoke break and now leaning against a workbench texting, cracks a smile. She glances at Kacey with a look halfway between embarrassment for her and awe. It's the kind of look only a teenager can pull off. She's not going to give Kacey the full benefit of knowing that she thinks she's funny.

"I finished ripping all the maps. Now what?" Rosie asks. "You can help us glue them down," I say, "or you can start tearing the straight edges off the colored paper." "Okay." She pulls out her phone and starts scrolling through Facebook and shares, "My auntie in Watson got medivacked to Whitehorse General Hospital last night. There's something wrong with her liver. When I saw her today, she was in so much pain. Her sisters haven't even gone to see her yet. Am I doing this right?" She holds up a sheet of paper with the edges meticulously peeled off. "Yeah, that's great. Thanks," I respond. "You want me to do all these?" she asks, pointing at a three-inch stack of brightly colored paper. "Yep." "Holy, this is going to take forever." Kacey joins her and starts tearing the paper.

Sam and I finish covering the canvas with the first layer of collaged land claims maps. "OK, for this next part," I say, just to Sam, "I want to collage a landscape on the top half of the canvas using the bits of colored paper. I was thinking mountains, the sky, the sun, maybe a river." "Ah, OK," she responds, glancing at her phone. "What do you think?" I ask. "Um, yeah. Sure. Sounds good," she shrugs. "We could put the sun there in the middle," she offers. I pull out my phone and show everyone a picture I took of an IKEA dry towel I have with a stylized blocky image of a mountain and river. "I was thinking we could make an image proportioned kind of like this. If we run the mountains across the center of the canvas, then we could do a big sky and then have the river run down the center. I can do the mountain outlines. Sam, you want to start the sky?" "Mkay," she replies.

Kacey points out that we need a platform to sit on so that we can reach the center of the canvas. She looks around the garage and spots a ladder, then carries it to the canvas. Kacey then rummages through some scrap wood piled in the corner and finds a couple of two-by-fours. We all help lay out the wood and run the ladder across the canvas. "There," Kacey says "That should work. Oh, wait." She walks back to the pile of wood and returns with a perfect piece of plywood. She lays it on the ladder, then grabs one of the fleece travel-blankets we've been using as cushioning for our knees and lays it on the plywood. "There we go." She smiles. "Nice one, sis," I say as I crawl out on the makeshift platform and begin collaging the mountains.

Rosie plunks herself down at the top of the canvas. She is fiddling with the scraps of paper Sam has piled nearby. She scrolls through her phone and starts telling a story about Dwight, her baby. She adds a small piece of yellow paper thoughtlessly to the center of the canvas. "So, you're thinking the sun could go here?" she asks the room. When I look up to answer, I see she's looking at her phone again. Sam is off to the side of the canvas, where she's tearing yellow, orange, and coral sheets of paper into different size pieces and placing them in piles. "Yeah, I think it would be neat to swirl the paper around the center, like the sun, and then have other colors radiate out." "Ah, OK." Rosie adds another little piece of yellow paper to the canvas, then takes a sip of her pop and asks: "So we're gonna order Chinese food for dinner?" I look up again and it registers that Rosie is sitting in line with the spot where Sam wants to put the sun. Sam can't reach the spot from where she's

sitting. She's leaning in and clearly ready to collage with all her paper bits, but Rosie's in the way. Sam glances at Rosie but doesn't say anything. She pulls out her phone and waits. I finish the mountains, get off the platform, and look up Lucky Stars' menu on my phone. "OK, what do people want to eat?"

I take everyone's order and call Lucky Stars. I try explaining the directions to the person who answers the phone: "We're behind the University. Tell the driver to turn right toward the Arts Centre, drive past the Arts Centre toward the back of the University. We're in a big, garage-like building with a chain-link fence around it. It's next to a brand-new building with corrugated iron siding." She tells me she's written it down for the delivery person but asks if he can just call me when he's close. I tell her that's a great idea. When I get off the phone, Abby walks in the side door. She's bundled up in her down coat and scarf. I had texted her earlier in the day to say we were starting work at the garage around 4:00 p.m. It's 4:10 p.m.

Kacey, Sam, Rosie, and I have actually been here since 2:00 p.m. Abby says hello to everyone. I tell her I just ordered Chinese food and that it'll be here in about an hour. She makes her way over to the moose, which is across the garage, from where we've set up the canvas. Kacey takes a break from collaging the landscape scene and goes over to the moose to help Abby take the tarp off and move him away from the wall he's up against so that Abby can access his face easily. I go over to my box of supplies and dig out a Ziploc bag full of paints I brought from home. I pulled together a little collection of all the shades of pink that I had. Abby's going to try to match the paint to the hot pink paper. The plan tonight is for her to paint the white molding clay she used to form the eye socket and eyelid. She's also going to add pink UFA paper to the face, which is still white Styrofoam. It's the last part of the moose that needs pink UFA paper. We joke that maybe tonight's the night the whole thing will be finished. We've been saying this for the last few nights now, but something always comes up and drags out the process. "Maybe tonight's the night," Abby says. "Maybe," I smile back at her.

Gwen arrives shortly after Abby. She had texted earlier and asked if we needed anything. Sam wanted smokes and an iced tea, and I needed more white glue. Gwen puts the glue on the shop workbench and hands Sam a plastic bag with her items. I had texted Gwen earlier to say that we were going to start work around 2pm, but awkwardly mentioned that Sam could sometimes be "uncomfortable" around "new" people. I asked her to come a little later. After taking off her coat and saying hello to everyone, she asks how she can help. Kacey sets her up at the collage. She sets up next to Sam and starts adding paper to the sky. Sam is on her knees, shoulders hunched and tucked into herself. She pauses collaging every few minutes to check her phone. The work of adding tiny pieces of bright paper to the map collage is hard on everyone's body. The cement floor below us is relentlessly hard.

I don't hear what Gwen says to Sam, but I see Sam smile back at her and glance up below the brim of her hat. Rosie gets seconds of food. Kacey helps Abby with the moose face. And we continue our night of work until the hide is complete.



Figure 8: Paper hide making night, November 2018.
Photograph by author.

The Moose-makers

Many people helped with the moose, but a core group of people were consistently present from beginning to end. Without them, this project would not have happened. Meet the family:

Kacey is my sister. She and I grew up in Victoria, B.C. away from our Northern Tutchone father's family and community in the Yukon. Kacey moved to Whitehorse in the summer of 2017 after being away, like me, for upwards of twenty-five years. At the time of this project, she worked for a local First Nation's youth recreation department, where she was

confronted daily with the challenges of First Nation community life. The favorite part of her job was meal planning and feeding the youth; she shows deep care for others by feeding them. She's very resourceful and thinks five steps ahead. She has a boisterous personality, which gets displayed through lively stories and witty, well-timed jokes that even youth find funny. She makes a point of staying attuned to the latest music so she can relate to youth and surprise them by belting out the chorus of the latest chart-topper.

Sam is 19 years old. I met her through Kacey. Sam occasionally attended some of the programming Kacey offered in McIntyre, a subdivision a few kilometers outside of downtown Whitehorse and part of Kwanlin Dün First Nation's (KDFN) settlement land. Sam was born and raised in Whitehorse. Her family is Tlingit from Teslin and Tr'ondëk Hwëch'in from Dawson, two small communities in the Yukon. She lives with her dad and sister in a house owned by KDFN. She dropped out of school in grade nine and loves making art. When we started creating art projects together, she was six months sober from alcohol. She is wise beyond her years; yet, when she's vulnerable, her adolescence shines through. A friend and I ran into Sam downtown once, and after our brief interaction, my friend commented that Sam is the most stylish dresser she's seen in Whitehorse. She dresses like an edgy Justin Bieber circa 2016; such fashion aesthetics stand out in the North, even if dated by standards down south. Sam avoids using bathrooms downtown because she is tired of strange women telling her that she is in the wrong one. Sam presents as gender non-binary. Not only does Sam's fashion mark her as out of place in the North, but her gender ambiguity has also caused Sam to restrict her movement when downtown.

Rosie is in her early thirties. She is Kaska Dena and was born in a small town in southern Yukon. She lives in McIntyre as well, with her young kids and her partner. Rosie is good at visiting. She can talk to anyone about anything. She loves to tell stories about her life and her kids. She has her finger on the pulse of McIntyre. She always knows what's happening and who's doing what, with whom, and where. To bring in some extra cash to supplement social assistance, Rosie picks up odd jobs here and there, like cleaning, helping at potlatches or other community events, and making small beading projects to sell to tourists.

Gwen is from a large Irish family from Ontario. She grew up in South Africa, went to high school in Australia, and university in New York. Although worldly, she maneuvers

effortlessly between urban and rural; simultaneously embodying a cosmopolitan and small-town vibe. She and her partner moved to the Yukon in 2016. She works for the Yukon public service as an educator and facilitator. She's intentionally not on social media, and she has a knack for finding beautiful wool sweaters in thrift stores. A few months after we completed the moose, Gwen was working with me and Sam on another project at my house. She drove Sam home afterwards; it was the first time she had been to McIntyre, despite the subdivision being less than half a mile (one kilometer) from her house.

Abby is an architect. At the time of the project, Abby had been living in Whitehorse for five years; she is originally from Alberta. Abby is witty and quick to make a joke, sometimes about herself. She and her partner like to socialize and host casual cocktail parties. They travel extensively. Their bright, newly built condo is filled with curios from the many countries they have visited. They moved to the East Coast of Canada in spring 2019 for a job advancement opportunity that Abby could not turn down.

Within our family unit, Sam and Rosie represent Indigenous Peoples writ large in the Yukon. They are two young women living in a tightknit, arguably segregated, Indigenous subdivision in Whitehorse. They, like many others in their community, come into contact and deal with the dynamisms of contemporary colonialism daily. They have not finished high school, they are living in poverty, they are unemployed, and they confront the effects of various colonial violences, trauma, and substance use disorders in their community every day. They are on the frontlines of what it is to be Indigenous in the Yukon. Kacey and I represent another dimension of Indigeneity in Canada. Our white settler mother moved us away from the Yukon when we were quite young. The social and financial mobility this afforded us provided us with educational opportunities not offered in the North. Additionally, growing up away from the community also meant we were buffered from but not completely untouched by the impacts intergenerational colonial traumas related to residential schooling and persistent racism. Together, however, Sam, Rosie, Kacey and I are part of a future generation that will inherit the responsibility of Yukon First Nation land claims agreements and governance in our communities. We are but a small reflection of Indigenous life in the territory, but our experiences are shared by many.

Within this case study, Gwen and Abby represent settler society within the territory. They are both middle class young white women with a high amount of social mobility. They are in

healthy, long-term relationships (dual income), and have access to healthy families, communities, and a plenitude of resources. Both are in the Yukon for career opportunities and have capitalized on the lucrative and stable job market because of their education and willingness to live in the North. They are legal residents of the Yukon, vote in territorial elections, and claim the Yukon as their home. They both have differing levels of contact with and understandings of the everyday experiences of colonialism experienced by Indigenous People in the Yukon and the colonial systems they uphold willingly or implicitly.

Co-creating Intimate Spaces: Indigenous Kinship

When I asked Sam if I could interview her about her moose-making experience, she shied away from being recorded; instead, she chose to answer the interview questions in writing. One of the questions I asked her was: “Why did you keep coming back to help with the project?” This is how she answered: “I was in my early months of being sober and wasn’t too sure at the time what the moose was for so I really wanted to help to see what it was like when the whole project was done!” (pers. comm., August 2019). A few months later, when she was over at my house, I read her one of the stories I wrote about her (shared below), and she replied: “Yeah, that sounds about right. Write down how it was the moose that helped me get away from all that.” (pers. comm., October 2019). Sam’s home and community life are challenging. The relentlessness of “McIntyre life” comes through in the stories that follow. For Rosie and Sam, the art project became a kind of refuge.

Lianne and Sam: Driving

I park in front of Sam’s house and Facebook message her: “I’m here.” From where I’m parked, I can see the top of the front door over the snow collecting on the roof of one of the old broken-down trucks slumped in the driveway. I glance up from my phone and see the door open and close. Sam walks out between the trucks. She’s wearing black skinny jeans and a men’s black tracksuit jacket; it hangs off her shoulders like it’s on a hanger. She’s wearing a black ball cap. It’s pulled down low on her brow. She just needs to tilt her head down a few degrees and her whole face disappears behind the brim. She gets in the car. When she closes the door, an invisible cloud of cigarette smoke overcomes me. “Hi,” I say, handing her the Tim Horton’s Double-Double coffee I picked up for her along the way. “Hey,” she mumbles. “Thanks.” I rack my brain for what to say next. Her long legs stretch out in front of her. Her black high tops are undone. I feel massive next to her and

ridiculously overdressed in my knee-length down coat. How is she warm in a short jacket and skinny jeans? "Fuck, my sister is so fucking annoying!" Sam yells. "She had all these people over last night, drinking. We got in a fight. She was getting in my face and mouthing me off. She slapped me." "What?" I ask, shocked. "Really? Holy, that's intense." "Yeah," Sam responds, casually. "I shoved her back. I hate when she brings all those people over. I didn't get to sleep 'til, like, three." "Man, that's a lot to deal with," I pause, and then offer, "If you ever want somewhere to stay when stuff like that's going down, you can stay with me. We have a spare room downstairs." "Naw, it's alright. I'm used to it," she says as she stares out the window. I take a sip of my coffee, place it back in the cup holder, and gear down to make the left turn off the highway toward the University.

Sam breaks the silence with a story. "I went to the Dollar Store yesterday. I was standing outside, and snow slid off the roof and fell right down the back of my jacket." She starts talking faster and a little louder, rushing to the punchline. It's a funny story and she seems excited to share it with me. "Straight down my neck hole. Snow! From the roof!" she says. I laugh with her and say something lame that someone in their late thirties would say, like: "That's so lame." We pull up to the garage at the University. It's been warm the past few days, but it's cold now. The snow on the garage roof has melted and froze again; it's hanging off the gutters by about three feet. It looks like a riverbank that's been severely undercut by high waters: unstable. I notice a huge piece hanging right above the door. I point it out to Sam. She looks up from her phone: "Oh, shit." She turns to me, wide-eyed, and then smirks: "I hope that doesn't fall on you." "I hope it doesn't fall on you," I throw back.

Lianne and Rosie: Waiting

I stop the truck at the gate outside the garage on the University campus; we've been working on the moose here for the past couple weeks. Rosie is in the passenger seat. She pauses the story she's telling me about a death in the community as I undo my seatbelt and go to get out of the car. I glance back at her and mumble, "Be right back." She looks small sitting there.

Part of Rosie's daily hustle includes walking all over town from social service to NGO, and from community center to government building. She visits and rounds up vouchers, free formula, and free diapers from various charities, and grocery items from the food bank. Her tiny body, buried deep inside a large hoodie and loose exercise pants, makes me think of a diet culture adage I've heard one too many times: if you want to lose weight, burn more calories than you consume.

I hop out of the truck and then remember that there's ice under the fresh dusting of snow, so I walk cautiously. Ice below snow is a recipe for a broken wrist, and that is the last thing I need. I pull my glove off, grab the lock with my right hand, and fish out the gate keys with my left. Every second that I fumble to get the key in the lock I feel as a burning sensation in my right hand. I think to myself that it would suck to die by freezing. I finally

get the gate unlocked and go to push it open. There's a trick to the amount I can push; I've learned this from opening the gate countless times in the last few weeks. If I push too hard, the gate will bounce back and I'll have to walk it open, which is totally annoying in this temperature and with this much ice underfoot. I push it just right and it stays open. I smile to myself. It's a small victory.

I get back in the truck. Rosie is texting. Her screen is cracked. I looked up the mouth of the Yukon River on Google Maps once; it splits off into a whole bunch of tiny waterways a few miles from the ocean. The aerial view of the river mouth looks like a cauliflower or coral or Rosie's broken phone screen.

Lianne and Sam: Gallery

I set up Sam with the wallpaper paste, some rubber gloves and a couple pages from the Umbrella Final Agreement (UFA). She's going to collage over an open seam where the moose's legs attach to its body. Sam moves through her task with a quiet confidence. She's done this many, many times before, but today, the setting of the work has changed dramatically.

The curator walks into the gallery. Her hair, a pageboy cut that is usually styled just so, is unwashed and askew. It's been a busy few days of installation. I introduce her to Sam and tell her that Sam has been working on the project from the beginning. "Oh, how lovely!" the curator says, as she clasps her hands together and brings them to her chest. "So nice to meet you, Sam." Sam is standing at the moose's hind legs. She glances over in the curator's general direction, taking her eyes off her work for a split second, then returns to collaging. The curator turns back to me with a huge smile still plastered to her face. "Well, I'll leave you to it," she says. "I'll be in there if you need anything," and she heads back into her office.

I ask Sam if she can finish collaging the seam by the ears where the rack connects to the head while I work on installing the paper hide. "Sure," she says. A few minutes later, I see her sitting on top of a ladder taking a selfie. "Hey," she yells across the gallery, "will you take a picture of me up here?" "OK," I respond. I put down my things, walk over to her, and take her photo.



Figure 9: Sam at the Yukon Arts Centre, 2019. Photograph by Author.

She comes down the ladder and starts checking out the other pieces in the exhibit. “What’s that one about?” She points at Joseph Tisiga’s piece. It’s an imposing 8 x 8-foot cube made of plywood sheets. Wallpapered on the outside of it is an enlarged black and white photograph of a typical Yukon landscape of treeless mountains. Each side of the cube has three four-inch circular openings drilled into it at waist height. I would hear Joseph speak

powerfully about this piece at an artist talk three days later; at this time, though, I know second-hand that the drilled openings are glory holes.

“What are those?” Sam asks, pointing at the openings. “They’re glory holes,” I reply. “Fffft, what?!” She looks at me, then looks away. “Why?! What?! What does that mean?” I don’t know how to answer. I cautiously hand the question back to her: “What do you think it means?” Her eyes follow the lines of the mountains. She takes in the size of the cube. She looks back at the holes, then to me: “I don’t know,” she admits.

I hesitate before attempting to fill the silence building between me, her, and the cube. Let’s just leave it at that, I think to myself. Then I finally get the courage to say: “Maybe it means that the land is being fucked.” I direct my explanation at the cube and not at her to protect her from what I’m saying. My words feel crass. I feel weird for saying “fucked” in front of her like that and a heaviness for naming the violence the piece depicts—the violence our People and our land experience. I share none of this with her. She shrugs and mumbles, “Maybe,” seemingly unfazed. We walk together across the gallery to check out the other artists’ work.

There’s something about these three vignettes that capture the essence of the project for me. I wrote these early in the research process and they have changed very little since, save some minor edits. My friendship with Sam is such a huge outcome of all of this for me and, I think, for her. Because of this project, we have gotten the chance to travel together. She accompanied me to Victoria, BC when *To Talk with Others* was at the Art Gallery of Greater Victoria. We then went to Hawai’i together to attend the American Studies Association conference where I presented on the project. This required getting Sam a passport, as she’d never left the country before. When I look back at these vignettes, they remind me of how our relationship started and how special this project was for bringing people together and prompting positive changes in peoples’ lives.

The collage of stories shared above provide a glimpse into intimate moments between people who were just getting to know each other. While not of moose-making directly, these vignettes illustrate how the moose brought us into a relationship with each other. These moments with Sam and Rosie reveal the challenges of everyday Indigenous life in the Yukon for women and gender non-conforming folks. There are several metaphors that help convey this story. Rosie and Sam’s bodies are both small and buried beneath layers of clothing to shield them from “the constant pressure of a settler colonial environment around them” (Goeman 2017, 119). We’re all

affected by the overbearing and ever-present threat of winter, which could be read as colonialism. We all differ in our preparedness for the burden of colonialism/winter—Sam with her tracksuit jacket, Rosie with her exercise pants, me with my down jacket. My car becomes a refuge from the cold/colonialism; Sam and Rosie, both of whom do not have cars (Sam doesn't have a license), are transported from their lives in McIntyre and then through the portal that is my car to the moose-making venue, another refuge.

Uncertainty is present in both Sam and Rosie's life. Rosie needs to go from one state agency to another to support her family; there's uncertainty of where the next meal will come from for her and for her children. Sam's home life is unstable because of substance use, parties, and poverty; she's uncertain about what each night will bring, even in her own home. I, conversely, have a spare room that's not being used in a neighborhood across town. My struggles are different than theirs—the analogy, here, is the gate and the ice underfoot. I too must brave the cold/colonialism, but my experience is different: removed, abstract. We all navigate uncertainty at an embodied level. I fear a broken wrist from slipping on the ice, while Sam and Rosie can't count on their next meal or being safe in their own home. The substance use, poverty and anxiety are symptoms of the intergenerational trauma from residential schools and changes in the socio-economic structure of the community. The vignettes convey how colonialism is implicit and explicit in our daily lives.

Across the two vignettes of Sam, it is possible to see her confidence increasing. By the time we set up the moose up in the gallery, Sam had been working on the project for a month. She had learned a lot about modern treaty, worked with several different people, and helped build a moose. Her moose-making experience had brought her to new places: Victoria, Hawai'i and the art gallery. Yet, even in a position of knowledge, she is infantilized by the curator. Sam uses the moose to shield herself from the curator, who represents heteronormativity, elitism, and whiteness. Then later, free of the curator's gaze, she climbs the ladder, takes a selfie, and yells across the gallery; instantly reclaiming and stepping into her power. This continues into the conversation about the glory holes, but then is arbitrarily capped. We both confront a limit to our ability to process our colonial circumstances, both individually and together. Counter this with the interaction with the curator and perhaps with the first car ride, and we get to see how Sam and my relationship has shifted and holds elements of trust and care.

Joking also plays a role in how we navigate our burgeoning relationship and our colonial context. During my interview with Kacey, she describes how she used check-ins and jokes as a way of looking out for Sam and Rosie and showing them that she cares.

My concern for Sam and Rosie were there the whole entire time, wanting them to...be...enjoying themselves and feeling good about being there, and so, I would often notice myself... gravitating to chit-chatting with Sam, and maybe not so much with...our friends who were there. And...you [Lianne]...were very good at that too, in terms of managing the amount of time people were coming and when they were coming, so that, you know, there was a smaller core group that...could contribute in a particular way, or for a longer period of time, or were more relaxed, or, you know, those sort of things.

And then, even, you would notice that...what we spoke about changed, depending upon who was there. Or other people's interactions were very limited with Sam and Rosie...I wanted it still to be fun and light and enjoyable, and so, when I would notice that, like, things were getting quiet or Sam and Rosie weren't talking anymore, I would try and...go over there and...shoot the shit with them, so that [I] could [make] it light again...

When I place the stories above about what life is like for Sam and Rosie with this desire to create a space that is fun, light, and enjoyable, what emerges is this idea that aspects of their lives are not fun, light, or enjoyable. For Sam, life is not fun—she's trying to remain sober while her sister and her friends are partying until the early morning. For Rosie, the hustle to secure resources to keep the family fed is not fun; it's grueling work. The weight of their survival strategies is like the weight of wet thick heavy snow sliding from a roof and landing on our shoulders.

In Chapter Two, the Yukon Native Brotherhood described a world in which Indigenous peoples were struggling with the paternalist Indian Act and expansion of settler colonialism in intimate ways; they were offered comprehensive land claims as a way of achieving justice and a better future for their Peoples. While the UFA has improved some aspects of life, for many it continues to be hard. Living a dependent life was hard; living a self-sufficient life on the land is also hard but it is of a different kind with very different emotional and psychological consequences.

But together, as the four Indigenous participants in the project, we started to create a shared space of our own. This is evident in the “Hide-making Night” vignette. Telling stories,

sharing jokes, and trying to make one another laugh were ways of connecting and comforting ourselves from what was happening outside in McIntyre and back at Rosie and Sam's homes and Kacey's job. It is possible to witness me and Kacey maneuvering with an awareness of Sam's and Rosie's realities and actively working to create a space where they feel comfortable. This is a process of decolonial healing and co-creating intimate spaces where relationships, as the foundation of governance systems, can take root.

Unsettling Whiteness & Turning Towards Intimacy: Indigenous/Settler Relations

There were several settler participants in the project and their involvement sparks some interesting theoretical and practical considerations when considered within governance projects. While resurgence theory has Indigenous peoples and practices at its core, Indigenous scholars are also keen to note that the work of decolonization and the restoration of Indigenous lands, worlds, and futures requires engagement with settler allies (Aikau and Gonzalez 2019). This project extends resurgence theory by taking seriously what creation-based governance looks like in a present that includes Indigenous and settlers in harm-free relationships with each other. Settler participants, for example, had integral roles and responsibilities in the production of the art project and played a key role in shaping our shared space and supporting the completion of the project.

In this section, I analyze the moments in which we all confronted vulnerability in the shared work we were doing. In these moments of vulnerability and reckoning, each of us responded in different ways—we lean in, or shy away. I claim here that re-building Indigenous governance systems with settlers as collaborators requires confronting vulnerability and working together to address it. These are the intimacies of Indigenous governance. This kind of interpersonal labour facilitates the creation of healthy Indigenous/settler relations. When scaled up, it sets the foundation for “new configurations of relationship that are informed by Indigenous laws and understandings of responsibility and accountability” (Starblanket 2020, 32). I learned from this experience that Northern Tutchone laws of “caring, sharing, teaching, and respect” take effort and intention to enact, yet are foundational to co-creating alternative governance systems—ways of being together and making decision and serve the betterment of the whole.

Throughout the moose-making experience, several instances occurred where people confronted vulnerability. When interviewed, Kacey, Gwen, and Abby spoke of navigating discomfort of their own or that they perceived in others. Kacey was quite astute in picking up when a social dynamic or the energy in the room shifted, as noted in her quote above. She was quick to acknowledge it and respond. As her sister, I see this as a characteristic of her personality and also a commitment to ensuring that the Indigenous-centered space her and I were trying to build and sustain could do just that. While she never spoke of being uncomfortable herself, she did notice other people's discomfort—Sam and Rosie, as noted above, and Abby. She recounts moments throughout the project when the dynamic would shift based on who was present:

I definitely noticed when it was, like, you [Lianne], me, Rosie, Sam, and Abby...Abby would just be up on...the stool or the ladder working on the face, and...the four of us would just be chatting, and she wouldn't be part of that conversation for whatever reason...[S]he was either concentrating fully on what she was doing and maybe wasn't able to...engage in conversation at the same time as what she was doing, or that the conversation wasn't...something that she was either interested in or could contribute to...like, [what] we were talking about wasn't something that she ever either experienced or has any, you know, knowledge or idea of it, like talking about community life or McIntyre life...she just doesn't know what that is and, you know, maybe it was all new to her, and she...either couldn't contribute or didn't know how...

Like Kacey, I started to notice that Sam, more so than Rosie, would start to shut down when Abby arrived. This was a challenging dynamic for me to navigate. On the one hand, I wanted to create a space for Sam that she was comfortable in and would stay. Sam had shared, and Kacey could corroborate, that she was quick to anger and had stormed out of many places when provoked or made uneasy. When I started to notice that Sam would shut down, I felt a tension inside. Abby, an architect, was contributing a unique set of professional skills to the project. She was very skillfully carving a realist moose face out of Styrofoam. Her skills were incredible, and I needed her. The amount of time she ended up spending on the moose face was equal to the amount of time we spent on the rest of the moose's body. At the time, I was worried about setting both Abby and Sam off. But I did not know how to address it.

The night we made the moose hide—the vignette is shared earlier in this chapter—I made arrangements for Abby and Gwen to come later. I texted Gwen that sometimes Sam feels uncomfortable around “new” people and asked if she wouldn't mind coming later. She

responded with ease and understanding. Instead of doing the same with Abby, I told her we were starting work at 4pm, when really, we were starting at 2pm. At the time, I did not know how to tell Abby, a white woman, that Sam, a gender non-conforming Indigenous teen, who has experienced copious amounts of racism and prejudice, has developed a prejudice towards white people. And because of that, I want to protect them both by managing how and when they interact. So, I decided to not say anything.

In an interview with Abby a month after the completion of the project, she spoke about her own discomfort and the dynamic of the project group:

“I was, like, I don’t know what the dynamic is, or, like, who everybody is and what everyone is doing, and it was oftentimes just, like, you and Kacey and Rosie and Sam, and me and Gwen...I know [Gwen] from before so she was way easier to talk to and chat to. So, yeah, it’s hard to...come in and do...a super specific thing that...takes...full concentration basically, but then also be, like, ‘Oh, I should be...talking to these people but that’s not why I’m here,’ right?...[I]t’s not, like, a book club or something, it’s, like, ‘Okay, I have this job,’ so sometimes it felt like I should have been doing more...I should have reached out more or something, but I don’t know if I would...have gotten my work done, so...[I]t wasn’t necessarily bad, like, it was just...what it was. And I didn’t...really know what to say or what to do, and I was, like, I don’t know. [laughs]

And I’ve never been in that situation, like, normally if I do...a project by myself, I’m by myself or whatever...I don’t have other people hanging out...[B]ut if I’d been in that circle, I know that that conversation wouldn’t have been the same. And then just knowing that is, like, well, then you shouldn’t be in that conversation...I understand...the moose-making was trying to bring people together and different people together and that’s...very admirable because it’s so easy to just say “we’re not going to do that” because it avoids all the awkwardness and not knowing what to say and who to say [things] to and not offend...anybody or any of that...I’ve also had, like, ten years of experience in [addressing gender dynamics at work] so now I can navigate it, whereas these experiences are, like, I don’t know what to do and I don’t want to say anything to anybody...

Rosie’s, like, super chatty and, so, I was, like, ‘Okay, this is easier, I’ll just let you tell stories about things’...But Sam. I was, like, ‘I don’t know,’...she could be 30, she could be 13...I have no idea how old she is, or if she even wants to be a she...but then how do you bring that up to someone who you’re just, like, gluing pink pieces of paper on something together[?]....so I’m just going to dive right in...and I’m not super comfortable, and I’m not the kind of person like Gwen is...but it’s also nice to be put in those situations because that’s the real world and you work with different people and you get to see different things...

Abby is trying to make sense of the new surroundings and race dynamics that she was part of throughout the project. She finds ease in talking with Gwen and Rosie, but not with Sam. I can see that she's trying to make sense of the situation but does not have the language to address her own whiteness, nor Sam, Rosie, Kacey or my Indigeneity. In the interview, I did not name it either. Although cognizant of how power, privilege, and whiteness operate, in our shared space, my focus was on Sam, Rosie, their comfort and leading the project. I did not give the settler participants in the project the same kind of attention. It wasn't until the interview with Abby and Gwen, months after finishing the project that we talked about their experience. In my interview with Abby, I learned more about her experience as she named the times that she felt awkward and navigated some uncertainty with Sam. I got emotional in the interview. Reflecting on it now, I think I felt bad for not doing something different to balance out the dynamic of the group and attend to her and her discomfort differently. It emerged as a missed opportunity. But even now, I am hesitant to take responsibility for the missed opportunity.

Gwen conveyed similar regret in her interview:

...I regret actually not going deeper with Abby about that... We were consistently... the two white people there.... I wanted to ask her more questions: 'Can we talk about what this means for us? Can we talk about what... this tells us? Like, living here... you having a child here... Can we... sit with this for a minute?' I speak about... the need to do that and I didn't do that with her... so, yeah... I'm regretful. (Gwen 2019)

Gwen identified a missed opportunity to educate and converse about their experiences as "white people". Together, she and Abby could have supported each other's learning about power, privilege, whiteness and working in Indigenous-centric spaces. She continues:

self-educating with each other... before just... expecting to be told or asking... 'Oh, tell me about what I don't know'... 'Give me more knowledge'... I think it's sometimes more responsible to do that alone.... Abby and I were sitting on the periphery, but in different spaces, and we could have also had a moment where we connected. (Gwen 2019)

One of the things I learned from this experience, after talking with Abby and Gwen about theirs, is that not everyone knows how to be in Indigenous-centered spaces, let alone how to create and sustain them. "What is an accomplice's role in holding the space for the center but also not being part of the center?" asks Gwen, "[and] taking up that work with your folks?"

(Gwen 2019). Hunt and Holmes (2015), reflecting on allyship and the responsibility to confront issues of power, take a closer look at roles individuals can play in intersectional friendships:

allyship within friendships does not always require reciprocity on the part of the individual who is socially marginalized. Instead, we suggest that allyship requires accountability on the part of members of the dominant group and is not predicated on reciprocity by those who are marginalized” (161-162).

Gwen and I encountered this dynamic identified by Hunt and Holmes (2015) but did not actualize it real time. Reflecting on the experience now, I, too, was learning how to navigate whiteness within our familial governance group. My aim was to create an Indigenous-centric space and attended to the needs of Kacey, Sam, and Rosie. However, this also requires attending to whiteness in the sense that whiteness is so engrained in dominate social dynamics that it is mistaken as the norm. In moments when I was uncomfortable, it was because I was focusing on the Indigenous members of the group at the expense of the white folks and I felt guilty, like I was doing something wrong or that I was being rude. I think these feelings were the ones that motivated me not to text Abby the truth about the evening, because I was circumventing white fragility. I didn’t want to tell her because I didn’t want to hurt her feelings. I was also navigating the fact that there are very few places and instances where white folks are told not to come. My desire was to attend to the Indigenous center in the project, but with that came the task of attending to whiteness as well.

Kanaka Maoli educator, Julie Kaomea (2009), after observing non-native participants in ‘Ōlelo Hawai‘i (Hawaiian language) immersion classes, outlines ways for settler folks to reflect on their responsibilities when entering Indigenous-centered spaces. She argues that this requires being attentive to how their presence changes the dynamic of the learning environment, tempering individual rights with an openness to communal values, and, finally, contributing to the community they are entering. Kaomea notes that this is aided by simply by asking oneself: “What is my place in this setting? What is my role or kuleana [responsibility] here? And, is this the time and place for me to step forward...to step back...or to step out?” (95). Based on the experience we had moose-making, I believe there is more to this. Knowing when to step forward, step back, or step out requires a level of awareness and self-reflexivity that some settlers and

white people might not possess, like Abby, for example. She felt it, but could not name it, and largely did not change her behavior.

Gwen came into the moose-making project with more experience in diverse work and learning environments and with a background in working with and alongside racialized folks. This informed how she carried herself through the moose-making project. Kacey reflecting on Gwen, noted some key traits in how she carried herself:

And then...our friends...like, Gwen. [She]'s very outgoing and very personable and very kind and compassionate...I...noticed that there were times when she would just get a little quiet, but...in my mind with her...I thought that she was allowing that space for whatever we were talking about to continue. Not that she didn't want to be part of it, it's that she was just giving us, or allowing that space to continue, like, not interrupting or not intervening, which felt different to me than the way that maybe Abby was being part of it. (interview 2019)

But this requires a level of awareness and intimacy that might not coming easily to some folks.

Indigenous aesthetic practices create a space where participants can be guided by these questions, but also, if co-created and consented to at the outset, can also be a place where participants can support each other to see these moments. I think of the settler-to-settler responsibility that Gwen named in her interview. Or Kacey, sensing a shift in energy and demeanor and stepped in in a protective way. The next layer of action, then is to follow up and talk out what happened, name the action or the behavior and enter conversations about power, privilege and whiteness. In the low stake setting of our art project, this is a matter of building and sustaining healthy relationships. For Gertie's family, however, interpersonal relations are matters of life and death—the health, well-being, and the physical, emotional, and mental safety of the kin group was integral to its survival in the bush. Misalignment—like, inappropriate behavior or actions outside Northern Tutchone ethics—was quickly addressed.

Conclusion

This chapter is rooted in the stories that Gertie shared about her life growing up around Big Salmon village. As readers of her book, we get a glimpse into life on the land, guided by Northern Tutchone values, and within intimate relations with Creation. After completing the

paper moose, and reading Gertie's stories, I realized how much our familial groups were both guided by moose. While Gertie's family was hunting and processing moose, we were making one and its hide out of paper. However, as this chapter has demonstrated, there were parallels between the work that we were doing and how we did it. Drawing upon work by Leanne Simpson, in which she articulates how Indigenous Peoples build and sustain their creation-based lifeways through making and creating, I set out to analyze our moose making experience. What I discovered were the nuances of governance—what I call the intimacies of Indigenous governance in this dissertation. At the level of the family, interpersonal relationships influence and determine how decisions are made and are the cornerstone of governance at that level. Further, I learned that our group dynamics were heavily influenced by everyday colonialism and whiteness. I illustrated the intimacies of Indigenous governance and the intimacies of co-creating governance systems collectively through a series of vignettes.

This chapter locates opportunities for allyship, settler responsibilities, and “reciprocity and accountability across axes of difference” (Hunt and Holmes 2015, 161). Hunt and Holmes (2015) address the messy quality of decolonial projects and relationships; according to them, it is part of the process of “unsettling dominant power dynamics and colonial ideologies” (161). Our moose-making experience made these sometime awkward or missed opportunities visible. It also demonstrated how interpersonal relationships, and the challenges that come with them, are at the heart of small-scale governance. The reality today is that our communities are diverse, and our governance structures need to attend to diversity with attention to how power operates and can be unsettled.

While a main tenant of resurgence theory is to facilitate Indigenous Peoples return to the land (and the land returned to Indigenous Peoples), this process is complex and not as straightforward as some resurgence theorists prescribe. Indigenous aesthetic practices facilitate building and sustaining decolonial governance systems by making the transformative role of relationships very clear. Building and sustaining responsibility-based kinship connections, as a basis of treaty relations, means attending to everyday colonialism, healing, and whiteness. Indigenous futures include settlers. How they are brought into the folds of decolonization and how they take up their self-education and learning largely falls to them. On the journey to

building decolonial governance systems, Indigenous Peoples will turn inwards, towards each other, creating a center. Settlers have a responsibility to care for that center. There is a place for settler folks in co-creating Indigenous futures; it requires that settler folks learn to be attentive to Indigenous desires, funnel their skills and resources towards Indigenous needs; and de-center their needs and ideas of comfort.

Vignette: Kill Zone

When they kill one moose they divide it up; whoever kills the moose used to do that, the old time people. Then people went out to the place where they killed the moose. When a man kills a moose he cuts it up and gets the whole thing ready (i.e. cuts it into pieces the right size for packing, before he invites people to come). When people go up there, they made tea and they cooked the meat on a cooking stick stuck in the ground by the fire. Meat is really delicious when it's cooked that way.

After people cooked themselves a nice lunch—tea and meat—they loaded up the dog packs. They cut up the meat in pieces and took out the bones, and people packed the bones. After people loaded up the dogs (and balanced the packs and tied them on) they went back. Sometimes when they kill a moose too far from the camp, people move the camp there. If it's close by, they bring it back to camp.

My mother and my aunt were sitting in camp. They unpacked the dogs. They had already cut willows to put the meat on. They cooked for us before we went back and then we ate too. Then they turned around and started working on the meat. They took the meat out of the

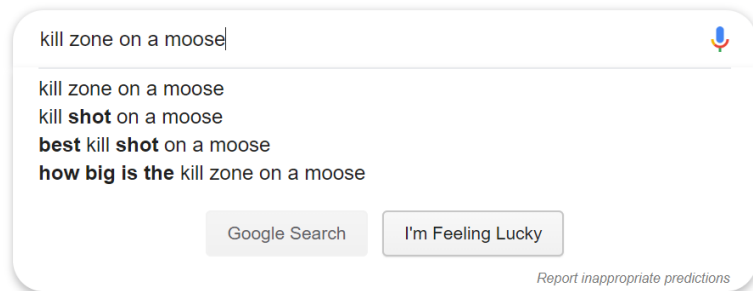


Figure 10. Google Search

We're all working in the garage on the University campus. It is early evening. The core group is present—Abby's working on the moose face; Kacey, Sam, and I are putting papier mâché on the moose's body; Rosie is sitting by the moose working on her own beading project. A young First Nations man walks in the backdoor of the garage. He walks straight across the concrete floor toward us, like he's been here before and knows this place better than we do. Kacey and I make quick eye-contact as if to ask each other: You know this guy? "How's it going?" I say to him. "Oh, good. What are you guys doing?" he asks. "We're making a pink moose!" I say, extra cheery because it's kind of funny to state the obvious, "The outer layer will be made of the Umbrella Final Agreement." I look at him after saying this part to see if there's a nod of recognition or a blank stare, which is usually an indication that folks don't know what I'm talking about and that I'll need to say more. "Oh, yeah," he says as he walks around the moose, then steps back to take it all in. Kacey and I exchange glances again: Who is this guy? our eyes say to each other. "What are those there for?" He points at the three screws that are in the moose's upper left shoulder area. "They mark holes where arrows will go into the moose once we've completed the papier mâché," I reply, "The arrows will go into the kill zone." I say this part with a slight smile in anticipation of him being shocked about the arrows, like others have been. He replies, "That's not the kill zone." I snap my head around, look at him, and question what he just said: "Really?" "Yeah," he replies, as he causally walks up to the side of the moose, "If you want to kill a moose, you need to aim here for the diaphragm or up here at the heart. "There," he says,

dogs [sic] packs and put it on the willows. Then they cut the meat up. My mother cut it up and we put it on poles to dry.

We stayed at the bottom of Ddhäla (Little Mountain) for a long time.

Gertie Tom, *Èkeyi: Gyò Cho Chù / My Country: Big Salmon River*

pointing at the screws, “you’re just injuring him.” It takes me a second to process what he’s telling me. I’ve been hunting with my cousins twice; we didn’t see a moose both times. I had to google “kill zone on a moose” to figure out where to put the holes for the arrows. I do know that injuring a moose is not a good thing. The moose can bolt, and you might never find him. He might survive the injury, or he might die a slow and agonizing death, which is cruel and incredibly wasteful. I had preplanned the placement of the holes and drilled them into the Styrofoam weeks ago. They can probably be moved, but it’ll be a risky process; drilling new holes blindly into hardened papier mâché could wreck the whole thing. I stare blankly at the three screws. “I can’t believe that’s not the kill zone,” I mumble to myself, but loud enough that the guy hears. “Yeah,” he smiles and shrugs, “Well, cool project.” Then he turns and leaves out the door he came through.

CHAPTER 4

Un/certainty: Indigenous Aesthetic Practice and Yukon's Modern Treaty Regime

These treaties are implemented through legislation and remain the most comprehensive way of addressing Aboriginal rights and title. Achieving more treaties remains a critical piece in achieving lasting certainty and true reconciliation. This includes certainty about the ownership, use and management of land and resources for all parties.

—Government of Canada, Comprehensive Claims

The long view of history, that in settler colonial contexts is actually always short, invokes a fundamental hegemony of interpretation such as viewing the 'signing' of agreements as full and robust consent, and consent as justice. In such political configurations, there are no further matters to be discussed. Time starts anew; the matter is done. We know with the analytic of settler colonialism that matters are not done, that oppressive structures survive agreements.

—A. Simpson, "The Ruse of Consent and the Anatomy of 'Refusal': Cases from Indigenous North America and Australia."

Introduction

Creation—land, water, human and non-human life—is fundamental to Indigenous ontologies, languages, lifeways, and governance systems. Caring for and ensuring the continuation of Creation has been Indigenous Peoples' responsibility since time immemorial. This was the impetus behind Yukon First Nations' pursuit of land claims in the 1970s. Yet, as the previous chapters have demonstrated, the state's modern treaty mechanisms are not designed to accommodate Indigenous desires, and the responsibilities that stem from them. Indigenous life and the state's colonial desires are fundamentally at odds: irreconcilable. The land claims process is a contractual (Nichols 2014), legal transaction in which Indigenous peoples must exchange land for money, contained jurisdiction, and recognition of limited rights. In receipt for extending limited powers to Indigenous nations, the state gains legal certainty about land ownership and access to Indigenous land through the containment, if not extinguishment, of Aboriginal title.

Pursuant to the certainty clause—Chapter 2, Section 2.5.0 of the Umbrella Final Agreement—Yukon First Nations:

...cede, release and surrender to Her Majesty the Queen in Right of Canada, all their aboriginal claims, rights, titles, and interests...neither that Yukon First Nation nor any person eligible to be a Yukon Indian Person it represents, their heirs, descendants and

successors, shall, after the Effective Date of that Yukon First Nation's Final Agreement, assert any cause of action, action for declaration, claim or demand of whatever kind or nature, which they ever had, now have, or may hereafter have against Her Majesty the Queen in Right of Canada, the Government of any Territory or Province, or any person based on, any aboriginal claim, right, title or interest ceded, released or surrendered.

According to the state, all matters of Yukon First Nations rights and title are made certain and finalized, in perpetuity, through the signing and ratification of modern treaties (also known as Comprehensive Land Claims or final agreements).

Given these contemporary conditions, how do Indigenous Peoples enact ancestral values with the natural world while being constrained by agreements with the Crown? In chapter two, I provided a historical overview of the land claims process in the Yukon and situated the emergence of modern treaty in the Yukon within the literature. Chapter 3 posits Indigenous aesthetic practice as a fulcrum for the creation of alternative governance systems and a way of countering the depersonalization of Euro-Canadian bureaucratic governance systems and returning to Creation. This return requires the re-centering of Indigenous Peoples' ancestral practices and values within their governance systems. Through emphasizing an interpersonal and familial level of governance, Chapter 3 offers a one example of how Indigenous aesthetic practices can support re-centering Creation in Indigenous governance systems and how this can be scaled up and practiced within larger community and nation-level contexts. However, several ontological tensions remain. The state uses its comprehensive land claims process and "extinguishment" or the certainty clause to secure access to Indigenous land. Yukon First Nations signed modern treaties with the desire to protect their lands, ancestral ways of life, and retain jurisdiction. This chapter focuses on the meaning ascribed to the art and how art opens conversations and illuminate aspects of the political that are hidden by bureaucracy such as certainty. Specifically, the papier mâché technique when combined with collage brings into stark relief that process by which the UFA created certainty for the state and at the same time creates an illusion of certainty for Yukon First Nations. How can Indigenous aesthetic practices make Yukon settler colonial politics more tangible, visible, refutable, and, ultimately, uncertain?

This chapter returns to the life size hot pink papier-mâché bull moose, the paper stretched moose hide on a frame and the paper baby belt to argue against the layers of certainty assumed and presumed in modern treaty. Just as the pink moose appears to be whole, final, fixed, it is a fabrication—the action or process of manufacturing or inventing something; an invention; a lie—that appears certain. So too is the state’s certainty clause that “cedes, releases, and surrenders” Aboriginal title to large tracts of land to the Crown in perpetuity. While certainty is agreed to on paper by individuals signing contract-like agreements on behalf of nations and future generations, the state’s paper-based consent process is precarious. The fact that Indigenous people remain, refuse, and re-member is evidence of the uncertainty embedded within modern treaty and the threat Indigenous Peoples pose to the settler state, settler futurities, and settler forms of consent (A. Simpson 2017). While resurgence points out theoretical tensions within recognition politics (Coulthard 2014; A. Simpson 2014, 2016; L. Simpson 2017), I claim that Indigenous aesthetic practices make these tensions visible by giving them a physicality and materiality; thus, making the nuances of modern treaty accessible, understandable, and refutable in the everyday (Corntassel 2012; Corntassel and Scow 2017; Hunt and Holmes 2015).

The three political art pieces at the center of this study are analyzed here for what they reveal about the uncertainty of modern treaty. The art pieces are made with paper-based materials of political significance in the Yukon, for example, the Umbrella Final Agreement, land claims maps, and the Placer Mining Act. I treat paper as an epistemic object, the foundation upon which the state’s modern treaty governance model is built, and I hone it to illuminate its precarity. I do this by metaphorizing the paper material used to make the art pieces. The art pieces have been constructed; they are fabrications. The idea that they that can be de- or re-constructed, quite simply because they are made of paper, is theorized as a resurgent aesthetic praxis and an act of refusal (Simpson 2014). As such, the art pieces address present settler colonial circumstances in which Yukon First Nations maneuver, whilst simultaneously depicting an Indigenous future that beckons an ancestral past.

A living moose, a tanned moosehide, and a baby belt made from moose hide are items of cultural significance to Northern Tutchone Peoples. In Northern Tutchone ancestral governance systems, the moose (living/relation) is principal. This point was made clear in Chapter 3 through

Gertie Tom's stories. Furthermore, even as art pieces, the moose, moosehide, and baby belt are recognizable to Northern Tutchone Peoples. Not only are they known and understood culturally, the moose, for example, is also a living, active partner in our relationship to Creation. The art pieces affirm who we are as Dän, Northern Tutchone Peoples; they mirror back to us our living relationship to Creation and our knowledge systems. The art pieces serve as a tangible intervention into modern treaty politics and make visible the colonial worlds in which Indigenous Peoples maneuver, whilst simultaneously reminding us that we are living, breathing, relational beings. As such the pieces reveal that the Indigenous present is everything but certain because it is alive.

The Art Pieces

The art pieces were displayed in four art galleries (Yukon Arts Centre, 2018-19; Klondike Institute of Arts and Culture, 2019; Greater Victoria Art Gallery, 2019; Penticton Art Gallery, 2020) as part of the exhibit "To Talk with Others" (Valerie Salez, curator). I presented the work and gave several artists talks at three of the galleries. Throughout this chapter, I draw upon comments and conversations I had with guests at the galleries: some were students, most were members of the public to demonstrate the accessibility of the complex theory and legal discourses the pieces employ. I describe the art pieces as if you, the reader, are viewing them as they were installed at the galleries.

What follows is an analysis of the art pieces to reveal the settler colonial aspects of modern treaty. I flesh out the following themes: certainty, consent, jurisdiction, territoriality, and resource extraction—pillars of Yukon's modern treaty regime. To demonstrate the uncertainty of modern treaty I use paper as a metaphor. Compared to home-tan moose hide (moose hide that has been processed using traditional methods), paper is precarious. Paper serves as the main material used to make the pink moose, the stretched hide, and the baby belt. As I addressed in Chapter One, paper undergirds settler governance and authority over Indigenous Peoples and lands. Yet, as a source of Indigenous jurisdiction and self-determination, I claim that paper is inappropriate and insufficient to sustain Indigenous life in the present and into the futures. The source of Indigenous self-determination is Creation and Indigenous connections to it; the source

of life is life itself. I close by briefly storying the art pieces from the perspective of a Northern Tutchone person and demonstrate how the pieces encapsulate Northern Tutchone knowledge systems and lifeways—an argument that I personalize and take up in more depth in the next chapter.



Figure 11: “Bull’s Eye”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.



Figure 12: “Part of the Land: Stretched Hide”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.



Figure 13: “Part of the Water: Baby Belt”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.

A Pink Moose: Treaty & Certainty

Two partition walls direct you towards the center of the gallery where you encounter a life size hot pink papier-mâché bull moose. Its bright color and the gentle curve of his face draw you in for a closer look. It's not possible to stand close to a bull moose in a wild. But here, under his gaze, you are right next to him, totally in awe of his stature—magisterial. Only up close does the text all over his hide become legible. The gallery lights have been arranged to make his clear marble eyes and gold rack sparkle. It feels natural to reach out and touch him. His hide is smooth. A few light pats on his rump fill the gallery space momentarily with the sound of a hand drum. He's hollow. It's not possible to see the arrows in his left side from the entrance of the gallery. As you walk around him, the arrows are a jarring discovery and seem to contradict his robust physique and the peaceful look on his face. But there they are: three gold arrows going straight into his upper left shoulder. Unlike the text that is fragmented and collaged all over his body, the arrows pierce his side but do not disturb the text. The section is titled “CERTAINTY”; there are no rips or tears. Your eyes scan the text hide, and bolded terms from the Umbrella Final Agreement pop out: Taxation of Settlement Land, Heritage, Transboundary Agreements, Settlement Land Amount, Boards, Yukon First Nation Management Powers, Deregistration, Waterfront Right-of-Way.

The coupling of a pink moose and the Umbrella Final Agreement (UFA), the framework that guides modern treaty-making in the Yukon, brings together, quite literally, a Euro-Canadian statist understanding of treaty (the UFA) and Indigenous ontologies and governance systems in which a moose, at least for Northern Tutchone people, is central. Leanne Simpson has documented the depth and complexities of Nishnaabeg pre-contact diplomatic and treaty relationships (2008, 2011). Like the Nishnaabeg, who were engaging in “‘treaty processes’...grounded in the worldviews, language, knowledge systems, and political cultures of the nations involved and...governed by the common Indigenous ethics of justice, peace, respect, reciprocity, and accountability,” Northern Tutchone people engaged in reciprocal relationships that created interconnected kin networks (human and non-human) in which the values of sharing and respect were paramount. As I demonstrated in Chapter 3, the moose is an active participant in Northern Tutchone governance systems. While Northern Tutchone peoples do not speak of treaty relations with moose, treaties within Indigenous contexts are about “relationships with and between all elements of creation” (Starblanket 2020, 13). As such, the reciprocal, respectful, autonomous relationship that Northern Tutchone have with moose could be considered a treaty in the ways that Simpson and Starblanket describe.

Canada understands treaty in a dramatically different way (Miller 2009; Starblanket 2020; Stark 2010; A. Simpson 2017). The treaty is the mechanism that the state uses to achieve consent: “treaties are central to contractual thinking in Native history and politics,” writes Mohawk scholar Audra Simpson (2017), “...they represent legal forms of incontrovertible rights to land, to resources and to jurisdiction” (27). A key element to treaty-making, in the settler sense, is that the treaty is a “contract” whereby “two parties knowingly abstract themselves out of their own context to enter into an agreement” (A. Simpson 2017, 26; Nichols 2014). Simpson maintains, “Regardless of intent, regardless of interpretation, [treaties] represent agreement and recognition; they are forms of covenant-making that bind.” (2017, 26). As such, treaty-making as determined by the state traps Indigenous peoples and the state with a “double bind”, in which the state’s sovereignty is bound with the nullification of Indigenous sovereignty; it’s a dialectic game in which the existence of state sovereignty is made possible through the non/existence of Indigenous sovereignty (Stark 2010). Thus, the limits of state treaty-making as a form of recognition politics are made visible; the game is up.

Audra Simpson describes the statist understanding of treaty and its link to the recognition paradigm:

The practices and techniques of institutional ‘recognition’, of bringing peoples presumed alterity into the ambit of the state through the devices of treaty, of contract, later of citizenship itself, the mechanisms of rights appear to offer fairness, protection a form of justice. All of these techniques also require concession to the authority of foreign and dispossessing political will but also serve to diminish the authority and sovereignty (even when recognised, ever so slightly), of robust Indigenous political orders.” (A. Simpson 2017, 29)

At first glance, settler forms of treaty-making seem to offer justice. As noted in Chapter Two, Yukon First Nations went into treaty-making seeking a “fair and just” relationship with Canada and, in the end, it has afforded them some protection and limited agency. Yet, upon closer inspection, as Simpson maintains, the price is that Indigenous authority and self-determination via land claims is always within the ambit of the state. It is a trick, a deception. Gina Starblanket in “Crisis of Relationship: The Role of Treaties in Contemporary Indigenous-Settler Relations,” attributes this to a narrow and colonial interpretation of treaty as “static, fixed-term land transactions through which Indigenous peoples cede and surrender our rights to the

land and to political jurisdiction” (2020, 14). Recall, as you walked into the gallery and saw the pink moose, how inviting it looked, how it drew you in. You were in awe of its strength, and you wanted to see more. Then you walked around him and saw the arrows, the mess of legalese across his hide, and you read the finality of the certainty clause. That moment of confusion, as you try to make sense of the pink, the words, the arrows, this is reminiscent of filmmaker Alanis Obomsawin’s question: “trick or treaty?” (2014). The moose is both: trick and treaty.

These elements of the treaty relations—both the statist understandings as contract and transaction, and the Northern Tutchone understanding as agreement to a consensual, reciprocal, respectful relationship—are bound together in the pink moose art piece. The pink moose makes visible a host of colonial logics embedded within the comprehensive land claims process. The moose’s hide is fabricated with the 308-page Umbrella Final Agreement printed out in its entirety and collaged, in no particular order, on the whole moose. While not a legal document, it is considered a political agreement between the three parties that negotiated it: the federal government, the Yukon territorial government, and Yukon First Nations, as represented by the Council for Yukon Indians (now called the Council for Yukon First Nations). Eleven of the 14 Yukon First Nations have signed final agreements under the UFA; each of their final agreements contains all the provisions in the UFA, plus additional “specific provisions” that address items of specific concern to the individual First Nation, like location of settlement lands.

On the moose, it is possible to see the “sociospatial and legal production of state sovereignty” as segments of the chapter headings, subheadings, and clauses all over the moose (Pasternak 2017, 9). My intention behind printing the entirety of the UFA and collaging it on the moose was to make Eurocentric political ordering visible to everyday people. As one viewer commented, “I know of the UFA and I’ve seen the printed document, but I’ve never actually read it until now” (pers. comm., 2019). The chapter headings and subtitles reveal a colonial ordering and understanding of governance that can be illusive when read in its bureaucratic context, as noted in Chapter Two. I think the point the patron is making is evidence of why Indigenous political aesthetics is important and for what collage as practice makes visible: unless obliged, no one is going to read the UFA; however, when plastered on a moose, you find

yourself reading the text and asking questions. More will be said about the pedagogical aspects of the project in Chapter Six.

Key to the state's comprehensive land claims policy is the certainty clause (also known as the extinguishment clause). While Audra Simpson, Gina Starblanket, and Heidi Stark's work expands the theoretical landscape addressing Indigenous/state treaty relations, the pink moose invites the everyday viewer to engage in these complex theoretical landscapes. It was important to me to highlight the certainty clause on the moose because of its political significance for ordering life in the Yukon. The certainty clause is included in full upon the moose's left shoulder. The certainty clause, pages 15-17 of the 308-page, is the first substantive chapter in the UFA (Chapter One of the UFA lays out the terms and definitions used in the document). I make this point often when teaching alongside the moose or teaching about certainty. As the Canada Government quote in the epigraph stipulates, achieving certainty is the main function of comprehensive land claims, and this is the clause that does it.

Since returning to the Yukon and engaging in this art project, I have come to learn that the certainty clause, while central to land claims, is relatively unknown. If people aren't reading the UFA, then they are certainly not spending time reading the certainty clause and analyzing its implications. I wanted to make it visible, and in doing so, put it up for discussion. I made mention in Chapter 1 of the personal and political risks of addressing the certainty clause so blatantly. One patron said:

I feel like they [Yukon First Nation leaders of the 1970s] fought so hard that it...I want to honor the work that they did...they gave this up so that there would be certainty for their children and grandchildren, and without it they felt that they would not have that. It wasn't just certainty for the government and for development, it was certainty for them, the children of tomorrow. (workshop participant, 2019)

In Chapter Two I noted that the issue of extinguishment slowed down negotiations in the 1980s, and how, to date, the Kaska Nation (Ross River Dena Council, Liard First Nation) and the White River First Nation have not signed land claims agreements because of the extinguishment clause. Although contentious during the negotiation phase of the UFA (and presently for the Kaska Nation and White River First Nation), my generation and the others that follow were not present for such discussions, yet we have inherited the outcome.

2.5.0 Certainty

2.5.1

In consideration of the promises, terms, conditions and provisos in a Yukon First Nation's Final Agreement:

2.5.1.1

subject to 5.14.0, that Yukon First Nation and all persons who are eligible to be Yukon Indian People it represents, as of the Effective Date of that Yukon First Nation's Final Agreement, cede, release and surrender to Her Majesty the Queen in Right of Canada, all their aboriginal claims, rights, titles, and interests, in and to,

- a. Non-Settlement Land and all other land and water including the Mines and Minerals within the sovereignty or jurisdiction of Canada, except the Northwest Territories, British Columbia and Settlement Land,
- b. the Mines and Minerals within all Settlement Land, and
- c. Fee Simple Settlement Land;

2.5.1.2

that Yukon First Nation and all persons eligible to be Yukon Indian People it represents, as of the Effective Date of that Yukon First Nation's Final Agreement, cede, release and surrender to Her Majesty the Queen in Right of Canada all their aboriginal claims, rights, titles and interests in and to Category A and Category B Settlement Land and waters therein, to the extent that those claims, rights, titles and interests are inconsistent or in conflict with any provision of a Settlement Agreement;

2.5.1.3

that Yukon First Nation and all persons eligible to be Yukon Indian People it represents, as of the Effective Date of that Yukon First Nation's Final Agreement, cede, release and surrender to Her Majesty the Queen in Right of Canada any claims, rights or causes of action which they may ever have had, may now have or may have hereafter, under, or arising out of Treaty 11; and

2.5.1.4

neither that Yukon First Nation nor any person eligible to be a Yukon Indian Person it represents, their heirs, descendants and successors, shall, after the Effective Date of that Yukon First Nation's Final Agreement, assert any cause of action, action for declaration, claim or demand of whatever kind or nature, which they ever had, now have, or may hereafter have against Her Majesty the Queen in Right of Canada, the Government of any Territory or Province, or any person based on,

- a. any aboriginal claim, right, title or interest ceded, released or surrendered pursuant to 2.5.1.1 and 2.5.1.2,
- b. any aboriginal claim, right, title or interest in and to Settlement Land, lost or surrendered in the past, present or future, or
- c. any claim, right or cause of action described in 2.5.1.3

Figure 14: Certainty Clause, Umbrella Final Agreement, <https://www.cyfn.ca/ufo/>

The image above is the Certainty Clause, section 2.5.0 of the UFA. According to political scientist Chris Alcantara (2009), “Up until 1986, the federal government’s position on certainty, among other treaty issues, was to achieve the complete and absolute extinguishment of undefined Aboriginal rights in exchange for clearly defined rights as specified in a treaty” (328). Alcantara outlines how the federal government modified its extinguishment clause in response to Indigenous opposition to “blanket extinguishment” for a more flexible approach, which resulted in a variety of different extinguishment models, but all still within the federal government’s comprehensive claims objective. The Yukon First Nation model of extinguishment of rights applies to all the non-settlement land, fee simple land, and the mines and minerals within all

settlement land (2.5.1.1), and partial surrender for settlement land (2.5.1.2). Drawing upon interview data with negotiators, Alcantara notes that the government’s primary interest is to ensure “certainty and finality for the purpose of encouraging economic development” (2009, 332). So, if there’s agreement on a more “flexible” extinguishment model that still meets the government’s main objective, it is more likely the parties could come to an agreement. In other words, “the alternative certainty provisions,” as Alcantara describes them, still have the same outcome: extinguishment to gain clear and certain access to Indigenous land to facilitate economic development (335).



Figure 15: Certainty Clause and Arrows. “Bull’s Eye”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.

At the time, I thought I was placing the printout of the certainty clause in the kill zone of the moose (see “Kill Zone Vignette” that precedes this chapter), but learned later that a moose

would be injured, not necessarily killed, if shot in the shoulder. The gold arrows going into the moose's shoulder and, consequently, the certainty clause depicts a tension I wanted to highlight and analyze with my contemporaries: does the extinguishment clause equate to death? I noted in the vignette "Kill Zone" that the arrows don't go into the kill zone; they miss it. I was told that arrows into the shoulder would only injure the moose. If that is the case, does the extinguishment clause equate to an injury, something that can be survived? I used the moose, certainty clause and arrows to bring this condition of possibility into view and open it for discussion, especially for the generations, like mine, that will inherit responsibility for the final agreements. Is the state the hunter whose intention it is to kill the moose? If so, what does it mean that it 'missed'? Another layer of meaning is that the certainty clause is designed to kill/extinguish Indigenous relationships with Creation – it missed the mark, and those relationships persist if in radically different forms and degrees.

The fusing the certainty clause with the kill zone on the moose brings into stark relief the settler colonial "mythologies" of treaty-making (Starblanket 2020, 14). In that, treaties are transactional modes of forever securing jurisdiction over Indigenous lands and that the matter is complete. Yet, the moose installation projects alternate realities, making this narrow interpretation uncertain. The arrows miss the shot, and the life of the moose is held in limbo, it is made uncertain. Indigenous life – Northern Tutchone life -- is bound with the moose's life. If the moose can survive because the certainty clause is only an injury, then consent and perpetuity are made uncertain. While the state claims that the agreements, the signing of agreements is consent and is justice (A. Simpson 2017) and the matter is done, it's possible that the moose will survive. And what of the absent hunter? Are they the state or Northern Tutchone?

If the hunter is Northern Tutchone, perhaps the trick is that the treaty the Northern Tutchone have with Creation supersedes colonial myths. Within a Northern Tutchone worldview, it is understood that the animal is giving itself to you. In return, the agreement is that you continue *doòli* law, care for its habitat, and ensure the continuation of the species. This reciprocal arrangement is relational and ongoing: a practice of renewal. Starblanket contends that "Moving beyond a transactional approach towards a more relational interpretation of treaties gives rise to a much broader range of possibly ways of maintaining respectful relationships

among and between living beings” (2020, 15). The moose is reminding gallery patrons of these possibilities visible.

As an artist, I took liberties in collaging with the UFA, an allegory for statist understandings of treaty. I literally ripped it and re-ordered it on the moose to unsettle its presumed certainty. Stark writes that treaties in the eyes of the state are contractual events and not reflections of on-going relations, but rather fixed within time and place (2010). By ripping and reordering the UFA, I illuminated the precarity of recognition and the challenges associated with resurgence: how do we kill these paper beasts? And if not kill, how do we wrangle them into another relationship with Indigenous Peoples?

Hide Tanning: Territoriality, Jurisdiction and Critical Mapping

The paper hide leans against the gallery wall at a slight angle just a few steps behind the moose, almost as if it's its shadow. The copper pipe frame that holds the paper hide taut almost touches the ceiling. Bright yellow nylon rope secures the paper hide to the frame. A landscape collaged onto a paper hide demands your attention. Gold shreds of paper cycle around the top center of the hide making a sun held softly within burst of pinks, purples, and blues. The brightest pink pieces of paper match the moose. Below the sky are snow-capped mountain peaks, green meadows, and the Little Salmon River. From a distance, the bottom half of the hide looks blank and muted next to the vibrant mountain range, river, and sky image on top. But up close, it becomes clear that the muted grey and light blue background is a collage of ripped maps. Colonial mapping claims to bring order to the wild and make it known. But not these ones. Torn and illegible, the maps are rendered useless. Jagged strips of map bisect each other; lakes and mountain ranges are ripped in half; borders abruptly end; rivers flow across the maps and then rupture; itemized purple and red sites are scattered haphazardly across a light blue expansive sea of named, claimed, and surveyed land.

Using moose hide tanning as a referent (Irlbacher-Fox 2009), I demonstrate how the modern treaty political order facilitates a physical removal—a scaping off—of Indigenous authority over their lands. Just as hide tanning is a next step in the processing of the moose, as illustrated by Gertie's stories in Chapter Three, here the tanned hide is fabricated with the maps that make the UFA legible with the technologies of certainty – the map. I describe the moose hide tanning process to demonstrate how cartographic technologies, when combined with the UFA and certainty clause, work collectively to both distinguish and fragment Indigenous jurisdiction. The paper hide is a form of counter-mapping, in which “...data is used as a techné to create knowledge about the world, denounce dominant representations, shed light on

discrimination and injustice, and establish alternative and social categories” (Kidd 2019, 955). The land claims maps make the UFA material and depict state territoriality; the hide renders these procedures visible by using the maps and the tools and process of hide tanning. As an art installation that invites patrons to interact with the hide and maps, the mechanisms of territoriality are made explicit, and the violence of comprehensive lands claims are made visible. The explicitness of how Indigenous land is categorized, claimed, staked, and subsumed by the state when shown as a moose hide challenges popular understandings of how land claims operate in the Yukon. When viewing the installation, some patrons were shocked to learn that YFNs do not have as much land as they believed. I found that most patrons were familiar with Yukon First Nations traditional territory¹⁸ maps and were surprised to see the little amount of land that is categorized as Settlement land, explained in more detail below. The collage of maps simultaneously makes visible and upends a common misconception that First Nations own and have control of all their traditional territories. Comprehensive lands claims have converted most of Yukon First Nations’ land to Crown land. Since the hide is connected to the pink moose, in that it is *of* the moose, the link to the state’s desires – certainty – is even more explicit. Patrons are invited to engage with analytics offered by Pasternak’s (2017) and Nadasdy’s (2017b) that address settler territoriality and jurisdiction, yet through the practice of moose hide tanning.

As Gertie recalls from her experiences at bush camp with her relatives, the women in her family were responsible for the moose hide tanning process. Moose hide tanning is a traditional way of processing moose hide into a leather material, which then gets used to make clothing, garments (e.g. baby belts) and footwear (e.g. moccasins and mukluks). There are several ways to remove the flesh and hair from the moose skin to prep it for tanning. The hide can be draped over a log that has been anchored upright and then using a blade, one can remove the hair from the skin. Another technique is to create a square frame using wood, usually small trees, that’s bigger than the hide when it is fully stretched out. Then, after cutting small holes into the perimeter of

¹⁸ “The Agreements also establish First Nations’ Traditional Territories. First Nations don’t own their Traditional Territory, but they have a high level of input and involvement in the management of these lands. Many of the First Nations’ rights and benefits exist throughout their entire Traditional Territory. Some examples include hunting, fishing, economic development, and co-management of parks and cultural artifacts. First Nations Traditional Territories cover almost all the territory. Many First Nations Traditional Territories are overlapping. First Nations work together to decide how they will manage these overlap areas.” (“Settlement Land and Traditional Territory”, mappingtheway.ca)

the hide, the hide can be mounted to the frame using rope. The idea is to stretch the hide as tight as possible; the tighter it is, the less likely it can be punctured when one is fleshing it and the easier the hair and epidermis will come off. I helped with mounting and scraping a hide at a bush camp in the mountains in Kaska country, which is in southeast Yukon and extends over the south border into British Columbia, and east into Northwest Territories. After we mounted the hide to the frame, it was stretched so tight that it could easily hold Grady, a Kaska Elder from Ross River, as she sat on the hide and fleshed it.



Figure 16: Grady Sterriah, Dechenla, Dena Kēyeh/Kaska Country, July 2019. Photograph by author.

At this stage in the moose hide tanning process, the aim is to remove the fur (on one side) and the last of the flesh and epidermis (on the other) using a bladed tool. Blades can be made

from sharpening the moose's femur. Metal blades are often used as well, like an adze or ulu, a traditional Inuit tool. Grady is using an ulu in the photograph. An adze is a cutting tool like an axe, but the blade runs perpendicular to the handle rather than parallel. When using an adze to remove the epidermis, the moose hide is mounted upright, and the tanner uses a single-handed chopping motion to remove the flesh from the hide. Scraping a hide is labor-intensive and requires precision. Tanners work hard to not puncture the hide nor make it too thin. Once the epidermis and hair are removed, a multiday process of soaking, ringing, and softening the hide begins, followed by smoking to complete the process.

On the paper hide, the epidermis is depicted as a landscape made from a collage of colorful pieces of paper. At the top of the paper hide is a sun with radiating colors around it above a mountain range and rolling hills. Cutting through the center of the hide is a river. The bright peach-colored paper is meant to be salmon in the river. The paper hide below the brightly colored landscape collage is a collage of the 11 Yukon First Nations land claims maps. On the ground are pieces of blue and peach paper. This represents the pieces that have been scraped off by the adze. The adze is on a log next to the hide. It is carved out of Styrofoam and painted gold.



Figure 17: Gold Adze. “Part of the Land: Stretched Hide”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.

In “Imposing Territoriality,” Paul Nadasdy argues that the final agreements in the Yukon “impose upon Indigenous people ideas and practices of territoriality...” (2017b, 333-334). He explains:

These agreements are fundamentally territorial; that is, it is primarily (though not solely) by demarcating space and assigning control over the resulting territories to various governments that the agreements constitute First Nations’ authority in relation to other governments and their own citizens.” (Ibid, 334-335)

The act of scraping off the paper epidermis to reveal the maps below operationalizes Nadasdy’s point. The landscape collage, which represents Indigenous land and life (free of state interference and colonial logics), is being scraped off to reveal the maps below. Through the scraping of the hide, a settler political order is being revealed. Within this political order, a new system for

categorizing, understanding, and accessing the land and resources is created. Nadasdy (2017b) claims that the agreements are “boundary-making mechanism” (23). Whereas patrons believed that through land claims, YFNs retain control of and access to their traditional territories, the maps present a different reality.

There are two main categories of land under the UFA: settlement land and non-settlement land. Settlement land has three subcategories:

- Category A is land where the surface and subsurface rights are held by the First Nation.
- Category B is land where Aboriginal title remains on the surface and the subsurface or mineral rights are held by the Crown.
- Category C is fee simple land, private property owned by the First Nation.

Eleven Yukon First Nations have signed land claims under the UFA. All their Settlement land combined is equal to 8.5% of the Yukon territory. Non-settlement land is Crown land, where Aboriginal title has been extinguished and Aboriginal rights have been negotiated and defined within the treaty. The paper hide makes all this visible. Each of the land claims maps includes an outline of the First Nation’s traditional territory. The red plots are Category A land, the purple plots are Category B land, and the white plots are Category C land. The remaining portion of the maps, with the light blue background color, is Non-settlement land—Crown land. First Nations have law-making abilities under their final and self-government agreements; they apply to their citizenry and can be applied to their Settlement lands only. On the image below, it’s possible to see plots of red and purple (Settlement A and B land).



Figure 18: Close up of maps. “Part of the Land: Stretched Hide”. Yukon Arts Centre, Whitehorse, Yukon, Canada. 2019. Photograph by author.

In *Grounded Authority*, Pasternak claims that “jurisdiction” is “an analytic for understanding settler colonialism”, this, she argues, “brings perspicuity to state policy on Indigenous peoples by demonstrating the clear focus of Canada’s strategy to replace and undermine inherent jurisdiction with a state-delegated form of authority” (Pasternak 2017, 5). Drawing upon years of working with and alongside the Algonquins of Barriere Lake, she portrays how settler colonial claims to sovereignty operated within the absence of a legal claim. She contends that the analytic is jurisdiction:

Jurisdiction is not a technicality of sovereignty, though. It is the apparatus through which sovereignty is rendered meaningful, because it is through jurisdiction that settler sovereignty organizes and manages authority. In the settler colonies in particular,

sovereignty is asserted against the legal and political authority of Indigenous peoples over their land and nations.

For the Algonquins of Barrier Lake, Pasternak writes, “a perpetual struggle over jurisdiction defines the terrain” (3). While this dissertation focuses on First Nations that have signed legal agreements, Pasternak’s analysis is useful for understanding how settler claims to authority are created and how Indigenous claims to authority are contained. For the Algonquins of Barriere Lake, “the conflict is over the authority to have authority. The conflict concerns jurisdiction” (Pasternak 2017, 2). When this analytic is applied to the Yukon using hide tanning as a referent, patrons were confronted with a material link between land and YFN jurisdiction and the process (i.e. scraping/land claims) through which Indigenous jurisdiction is removed and contained (i.e. Settlement land).

According to Nadasdy, territoriality, which includes the distribution and containment of jurisdiction, does so through the application of UFA mechanisms. These take the form of claims board and co-management systems, both of which were addressed in Chapter Two. Nadasdy adds to this, the role of the map: “..[T]he new First Nation Final Agreement maps,” he writes, “also envision a new set of relations among humans, land, and animals...Principal among these changes has been the institutionalization of First Nation ‘management’ through the creation of First Nation bureaucracies modeled on those of the Yukon government” (Nadasdy 2017b, 357). The maps, along with the implementation of the UFA resource and land management systems, shape how Indigenous peoples are interacting with Creation. While Yukon First Nations entered into land claims with hunting and harvesting rights at the fore, the outcome has resulted in a system that bureaucratized their relationship with Creation. Whilst the moose hide tanning process subsumes a certain relationship with Creation in that the tanner is in relationship with “...the animal itself, the hunter who harvested it, and all the natural materials that had to be gathered in order to tan it” (McDonald 2020, 223). In fact, one the patron learns that the flesh being scraped off is Indigenous people’s actual relationship with land, the incommensurate realities become visible. The patron is forced to contend with who and what is doing the scraping.

Scraping is the process of territorializing Indigenous lands and containing and eliminating Indigenous jurisdiction. The fact that scraping a real hide requires effortful,

intentional, repetitive movement makes it a purposeful erosion of Indigenous jurisdiction and authority. As such, the installation is provoking a larger question: with no hide tanner present, who is doing the scraping? I intended the moose hide tanner to be the state. Yet, since it is not clear who the moose hide tanner is, could it also be Indigenous Peoples? Which raises the question: are Indigenous People complicit in the scraping by way of engaging the state in its modern treaty process? What changes if Indigenous Peoples see themselves as participants within this scenario? Can Indigenous Peoples stop scraping? What would it take to stop? Can the state be stopped? I used the work to pose these questions to my community by way of the audience members at various artist talks. We must ask these questions because the recognition paradigm is not about two equals coming to the table but a dialectical asymmetrical power struggle where the state is in the dominant role. The recognition paradigm recruits Indigenous peoples into the dialectic to secure another layer of certainty: consent. As Audra Simpson (2017) says, this consent is tricky because when presented with “choice” and “agency” within specific historical contexts, and when framed as justice, of course Indigenous Peoples will be inclined to engage, as the Yukon Native Brotherhood did in the 1970s. The alternative—the Indian Act—was destroying them. The YNB used the tools at their disposal to try to survive; those tools were designed by the state and would not bring about the future Yukon First Nations desired.

Baby Belt: Free Entry Mining and Gold

From across the gallery, the baby belt looks as if it is floating. Compared to the commanding stature of the pink moose and height of the paper hide, the baby belt seems delicate. It looks vulnerable hanging there. An ethereal aura of maternal softness fills the absent space in and around it. Each step around the hanging baby belt reveals a new angle of the painting and the map collage that adorns the outside layer. A visceral red paint flows from one end of the baby belt towards to middle where it starts to give way to a collage of the Little Salmon First Nation land claims, which, eventually, yields to a piece of white paper at the other end. The brass fasteners around the edge sparkle because of the single ceiling-mounted spotlight shining down on the belt. The allure of the fasteners catches your eye, much like the copper frame of the hide and the antlers of the moose. On the inside of the belt is another collage. Rough images of exposed rock, crushed mountains, and expansive wastelands intersect with a torn legal document. The words “Placer Mining Act” pop out. Down on the floor anchored in the middle of the uterine shadow cast by the hanging belt is an unremarkable pile of gold nuggets, almost forgettable. But there is something about its crude presence that requires a moment of pause. While the baby belt looks as if it is being worn, there is no body, no baby, no human forms; just the ghostly absence of the wearer and the carried.

The first two art pieces addressed in this chapter—the pink moose and paper hide—illuminate how paper politics of recognition work through bureaucracy to produce un/certainty. The final art piece, the baby belt represents two competing futures that paper politics lead to. One is a future where the state has full unconstrained access to and the extraction of mineral resources. The other is a Tutchone future where generations—the children of tomorrow—can grow and thrive on the land and with all of Creation. The baby belt symbolizes future generations and, when made of paper, shows how paper politics cannot hold those future generations securely and without fear of failing.

The baby belt highlights the irreconcilability between Indigenous Creation-based governance systems and futurities, and the settler state's desires for certainty to facilitate access to extraction industry and capital accumulation. Unlike the pink moose and the paper hide that I made with others, I made the baby belt on my own as part of a personal journey to understand how modern treaty impacts me and my family. I do not place myself in the art piece to hold space for meaning making to happen, but this piece is personal.¹⁹ The baby belt is material representation of an afterbirth ceremony my family and I carried out for my son, Luka, in summer 2018. The art pieces were made that fall (September to December 2018). I had ordered paper copies of all eleven Yukon First Nations land claims maps for the art project, and they were spread out all over my basement floor. At the time, we were deep into moose-making, and I had not decided on the paper hide just yet. I had, however, spent a few days writing the story of the afterbirth ceremony, which I had not done even though it had happened months ago. While I was sitting at my computer writing the story, I was transported back to that day, to the spot alongside the Little Salmon River in our traditional territories where we hung the placenta. I happened to glance at all the maps on my floor and I thought to myself: "I wonder how the land has been categorized at the place where we put the placenta?" I shuffled through the maps, and I found Little Salmon/Carmacks First Nation's (LSCFN) land claims map. I found Little Salmon Lake, the headwaters of Little Salmon River, and I traced my fingers down along the river about as far as I thought we boated down river that day. On one side of the river was Category A

¹⁹ I link my personal story of carrying out an afterbirth ceremony for my son, Luka, with my family on our traditional territories to the baby belt in the next Chapter.

Settlement land where LSCFN retains Aboriginal title on the surface and holds the mineral rights to the subsurface. On the other side of the river was Category B Settlement land where LSCFN retains Aboriginal title on the surface, but the subsurface mineral rights are held by the Crown. I learned then that we had placed the placenta on Category B land.

In that moment, I did not know what to make of that information. I turned to my art practice to help me make sense of what I understand to be competing futures. Within the sociospatial legalities of state sovereignty that land claims create (Pasternak 2019), the state, in this case the Yukon Government, has jurisdiction over the subsurface of where we placed the placenta as part of our Northern Tutchone afterbirth ceremony. While LSCFN retains jurisdiction on the surface, its authority could literally be undermined by the state. The making of the baby belt and the sharing of it with patrons in various galleries allowed me to process this reality and bring it to the attention of others. The paper baby belt depicts competing futures, one bound within a settler colonial order that deems itself certain and is propped up by capitalism; the other, a Northern Tutchone ordering that is fused with the life-giving, generative nature of Creation. The baby belt not only makes the complexities of modern treaty politics visible, but it also invites others into the process of identifying paths forward while also materializing settler colonial desires.

The baby belt art piece is made from two five-inch by five-foot-long strips of paper connected (back-to-back) with a border made of round head brass paper fasteners. One side—the side that faces inward when displayed—is a collage of the Placer Mining Act and photographs of Faro mine by northern photographer, Peter Mather. The Placer Mining Act legislates gold mining in the Yukon.²⁰ As noted in Chapter Two and the previous section, land claims in the Yukon have resulted in a jurisdictional transformation and large swaths of land in the territory have been converted to Crown land (non-Settlement land) and Settlement land. The UFA has brought in a series of resource management mechanisms, like the Yukon Environmental Assessment Act and Board (YESAB) and a slew of claims boards, all of which are

²⁰ The Yukon Government announced in 2021 that it will undertake a tripartite review of the Placer Mining Act and the Quartz Act, as the beginning stages of developing new legislation. This has come after much pressure from First Nations governments.

recommendation bodies. They provide recommendations to the Yukon Government that can make final decision on resource management. Only the Water Board, another board introduced under the UFA, can make decisions that supersede the Yukon Government.

The other side of the baby belt, the side that faces outward when displayed, is a painting on top of a collage of the Little Salmon/Carmack First Nation land claims map and blank pieces of white paper. The painting is concentrated on one half of the belt. It's a mix of deep red, black, purple, and blue. The painting encircles the spot on the map where my family and I placed the placenta. The painting is meant to depict the blood, viscera, umbilical cord, and the placenta -- the life-giving parts of pregnancy and birth. The painting extends halfway across the paper and gives way to a collage of the LSCFN land claims map and white paper. The collage ends on a segment of blank white paper, across which is the words "For Our Children" are collaged. This is a fragment of the title page for *Together Today for our Children Tomorrow* (1973). I understand myself to be part of future the Yukon Native Brotherhood were acting on behalf of when they wrote *Together Today for our Children Tomorrow*, the document submitted to Pierre Elliott

Trudeau in 1973, the unofficial start of land claims negotiations in the Yukon. I reclaimed the title and incorporated it into the baby belt to create continuity across our generations.

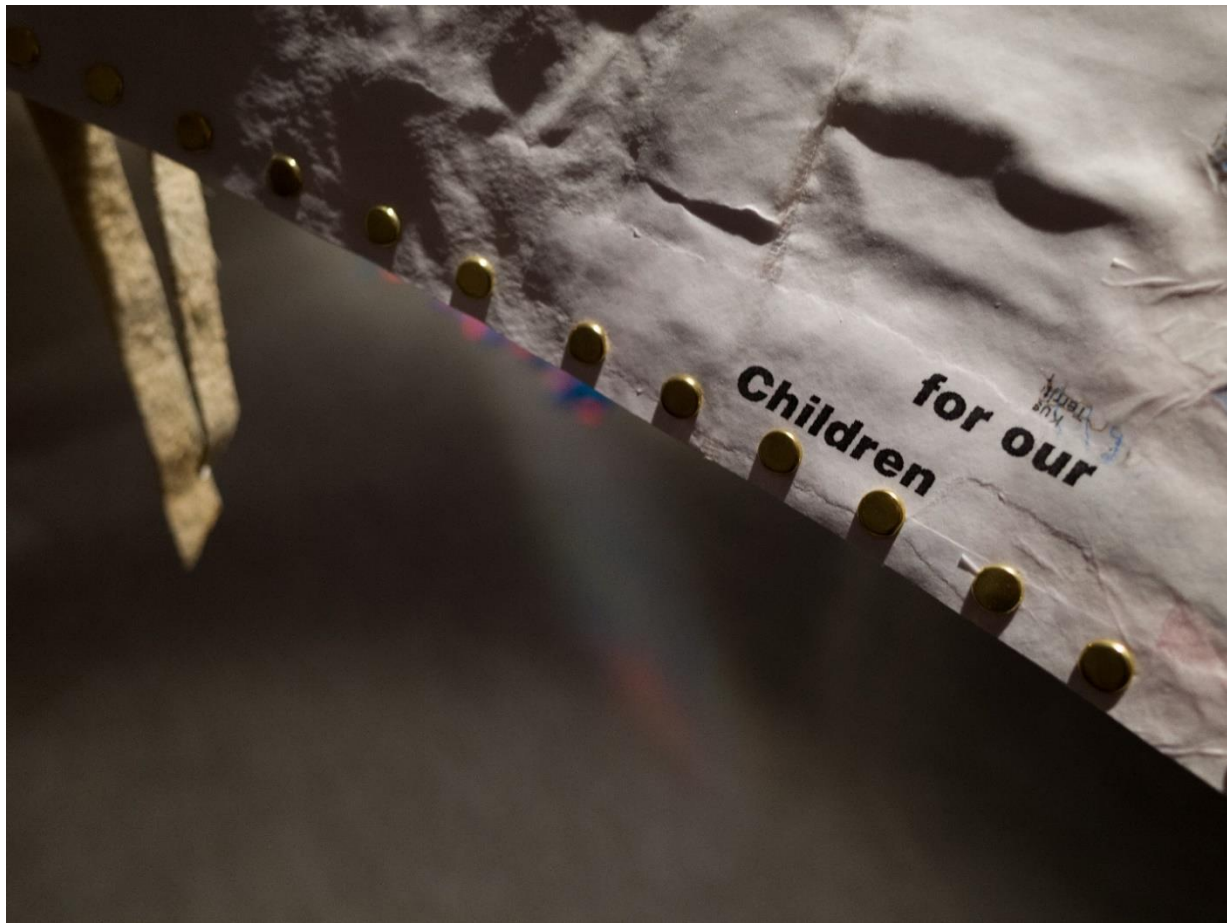


Figure 19: “Part of the Water | Baby Belt” close up, 2019. Photograph by author.

The paper baby belt is displayed in such a way that it looks as if it is wrapped around a person’s body. A baby belt can be worn in different ways, the most common is to wrap it around the shoulders lengthwise and tie it closed at the chest. The child would then sit in the baby belt while on the back, like a supported piggyback position. The other is to sling the baby belt over one shoulder. The child sits on the wearer’s hip. The belt would tuck under the child’s arm and support them to sit upright without needing to be held fully by the wearer’s arm. When displayed, the paper baby belt is hung as if the wearer has the child on their back. A single light

that shines from above casts a shadow of the baby belt on the ground. Placed within the shadow is a small pile of painted gold rocks meant to represent gold nuggets.

When I learned that we had placed the placenta on Category B land, I became cognizant of a personal connection to modern treaty that I was not previously attuned too. The certainty clause includes a subclause that addresses descendants and heirs of the claim—me and Luka and many others—who are restricted from engaging the state on any of the matters addressed in the agreements, as noted in the pink moose section above. While I think I understood that clause cerebrally, until that moment in my basement when I saw the link between Luka and my body represented by the placenta *and* land claims represented by the Category B land on the map, I had not fully understood it in an embodied way. It's easy to disregard recognition politics and modern treaty politics as theoretical abstractions, especially when they're so complex and seemingly removed from day-to-day life. But here was a directly link between our lives and land claims.

When I learned that we placed the placenta on Category B land, I was overwhelmed by the fact that the Crown holds the mineral rights to that land. I was overcome with uncertainty. Although I study land claims, I was immediately confronted with questions about what I do and do not know about claims processes. Is the land protected because it is Category B land and LSCFN retains Aboriginal title on the surface? How easy is it for the Crown to wield its rights to the minerals below the surface? Can the surface be protected if the subsurface is being accessed?

These questions spurred me to incorporate the Placer Mining Act and the photographs of Faro mine into the belt. The Placer Mining Act legislates gold mining in the territory. The Yukon territory operates as a free-entry system, meaning that anyone—from an individual to an international corporation—can stake mining sites in the Yukon. The free-entry-system is a legacy of the Klondike Gold Rush. The land was considered worthless and empty at the time, given that it was not suitable for agriculture nor forestry, as the trees are too small. “Entry to lands is ‘free’,” writes Hoogeveen (2015), “in that individuals or companies in much of Canada can stake a mineral claim without initially consulting anyone” (127). In the Yukon, once the plot is staked, the miner or company acquires the exclusive right to look for minerals there. They do not get the exclusive right to the minerals until the miner or company pays the royalties. The

royalties have not changed since 1918, meaning miners pay a fraction in royalties to the Crown (or the First Nation, depending on where the mine is). Under the current legislation, the government cannot take the rights away from the miner once staked. “Compounding the controversy,” writes Hooegeveen, “mineral exploration is secretive in nature. Prospectors and exploration crews keep staking locations quiet in order to obtain competitive advantage, often from other Canadian southern industrial interests. This exhibits similarities to a competitive-based rush for land exercised within a distinctly frontier imaginary” (Hooegeveen 2015, 128).

Writing about mining in the Northwest Territories, Hooegeveen notes that “...ownership of the land is divided into two rights: the right to the surface and the right to the sub-surface. Under the free-entry system the right to sub-surface minerals trumps claims to surface rights.” (2015, 130). In the Yukon, with the UFA at play, the situation is more nuanced. It is common practice amongst mining companies to work in good faith with Yukon First Nation, especially if land they have staked is categorized as Category B, in which the First Nation technically “owns” the surface. While Hooegeveen’s quote reveals a scenario in which the mineral rights trump the surface rights, mining companies in the Yukon are more likely get permission from and/or work with First Nations on joint ventures, especially when Settlement land is involved in possible mining sites. The bottom line, however, is the entity that staked the land has access to the land and cannot lose its rights to it.

I am not sure if the land around LSCFN’s plot of Category B land along Little Salmon River has been staked. While it has crossed my mind to stake it myself, I’m not sure that would protect the area. The purpose of the baby belt and the inclusion of the Placer Mining Act is to draw attention to this collision of worlds where on one hand the Yukon Government champions its reconciliatory relations with Yukon First Nations and celebrates the UFA and modern treaties, yet on the other, up-holds a free-entry mining system that makes the Yukon one of the most mining-friendly places in the world. To draw attention to Yukon’s hegemonic mining regime, I fused the mechanism that uphold it literally to the creation of life as represented by the placenta and by connecting it to the everydayness of carrying a child. The baby belt links the destruction of mining to the procreative powers of Indigenous nations with the hopes that patrons would see the illogicality of this coupling, and the uncertainty.

A moose hide baby belt is a simple, yet incredibly sophisticated tool. Moose skin, like the ones adhered to a boat frame and used to transport Gertie and her family down river, is incredibly malleable and strong. Once tanned, it is so durable, it is perfectly reliable as everyday footwear year-round. It is water resistant, warm, and long lasting. It is no wonder, then, that Northern Tutchone people used it in the form of a baby belt to carry their young. As noted in all the excerpts from Gertie's book, life on the land is demanding and consists of constant work. As such, the Northern Tutchone have devised a way to carry a child and continue to do the work that needed to be done to sustain family life on the land. A moose hide baby belt, then, is symbolic of this active, land-based continuity. Yet, when made of paper—no, of documents that are epistemic of settler colonialism and capitalist accumulation—the meaning of the baby belt shifts and its assumed durability and appropriateness for Northern Tutchone life on the land is called into question by a competing future—mining.

I included the photographs of Faro mine because they are visual evidence of a possible future; one that is very familiar in the Yukon. Faro mine is one of the largest mining remediation projects in Canada. Once the largest open pit lead-zinc mine in the world, “today it is one of the most complex abandoned mine clean-up projects in Canada” (“Faro Mine Remediation Project: Yukon,” faromine.ca). The photos of Faro Mine remind the patron of what is possible and brings another world of possibility into view.



Figure 20: Faro Mine. Photograph by Peter Mather. Shared with permission.

Faro Mine depicts destruction to land and to people, especially Indigenous women. In “Violence on the Land, Violence on Our Bodies,” the Women’s Earth Alliance and Native Youth Sexual Health Network report “points to the relation between the damage to the environment caused by extractive industries (such as those that rely on the extraction of oil, gas, minerals, or other “natural resources”) operating on Indigenous territories and increased violence against Indigenous women and girls” (as quoted in Dorries and Harjo 2020, 213). The reports notes that the extent of violences caused by extractive industries “ranges from sexual and domestic violence, drugs and alcohol, murders and disappearances, reproductive illnesses and toxic exposure, threats to culture and Indigenous lifeways, crime, and other social stressors” (Women’s Earth Alliance and Native Youth Sexual Health Network 2016, 2). “In other words,” write Dorries and Harjo (2020), “the territorial dispossession and environmental degradation work in tandem to produce sexual violence” (214).

This brings me to the baby belt installation. As noted above, there is no human carrying or being carried, just the absence of the wearer and carried. I had several intentions here. One, drawing upon Patrick Wolf's notion of the elimination of the native, I used the absence of the wearer to depict how the settler state physically removes Indigenous Peoples from the land to access minerals and resources. An alternate scenario is the settler state must eliminate or kill Indigenous Peoples to gain unfettered access to Indigenous lands and resources. The gold nuggets on the ground represent the minerals, resources, and land that the state is trying to get access to. In the installation, the wear is ghosted. This references a point made by Goeman that "Colonial forms of amnesia that regulate Native women as absent bodies or as victimized or degenerative subjects depend on Native bodies' being out of place—that is, shadows and haunting presences of political and symbolic economies" (2017, 114). Alternatively, *if* a body were there, the gold would not be accessible, which brings in a notion of embodied refusal through Indigenous re-occupying their lands, a main tenant of resurgence theory.

By making the pile of gold small and insignificant, I tried to make the notion of resource extraction look trivial—almost pitiful—when displayed alongside Northern Tutchone ancestral practices and Northern Tutchone life. Another viewer said the shadow cast on the floor by the baby belt had a similar shape to a uterus. When viewed this way, the pile of gold was inside the uterus, which gives it other connotations. The gold can be equated to an embryo/fetus: life. I also understand this reading of the piece to play with ideas of value and choice. If we value Northern Tutchone life, then what is our relationship to resource extraction? The baby belt makes the complexities Indigenous Peoples are faced with more visible; it invites others into the process of identifying paths forward.

Conclusion

Indigenous aesthetic practice makes the political, economic, and social aspects of recognition politics visibly accessible to the general audience. That the pieces travel to different communities, means that conversations about land claims took place in communities across the Yukon. As one patron noted, even though they read the UFA, the impact of the document did not fully resonate until the seeing it on a moose. The life-size moose and the hide made of maps

made visible the mechanism and techniques of dispossession in a way that reading the UFA in document form or looking at the maps laid out on a table or digitally on a screen cannot. The pieces themselves do a lot of this work of making visible. The art pieces breach a barrier between the elite—lawyers, academics, modern treaty technocrats—and everyday people that are living under/with/alongside the modern treaty regime. Modern treaty, as presented through the agreements, documents, maps, legislation, and policy—the layers and layers of bureaucratic complexity and paper politic—is inaccessible, exclusionary, and illegible. The state has fabricated hegemonic, bureaucratic systems in pursuit of certainty. And, as such, the state uses paper politics to buffer itself against uncertainty by rendering paper politics illegible to everyday Indigenous peoples.

The art pieces expose the settler colonial logics embedded with modern treaty—“the pink moose in the room,” one patron said (pers. comm., 2019). And through the act of learning about and engaging with the possible futures collaged together, everyday people are empowered to think and create alternate possibilities; they’re positioned to refute the presumed certainty. We collectively confront the fact that it is a fabrication. Now aware of the trick as treaty or treaty as trick, the patron is equipped to refute consent. Through physically and emotionally interacting with these creations, the patron realizes that they are not of Creation but are fabricated. The absence of the moose in the flesh, makes the moose in the art starker. The absence of the real then reminds us of its fundamental importance. It’s the real moose, the real hide, the real person carrying a child out on the land that will lead us—with certainty—into Indigenous futures.

Vignette: Certainty



Figure 21: Lianne and Luka. Little Salmon River, Yukon, July 2018. Photograph by author's mom.

CHAPTER 5

Placental Politics²¹: Rematriation and the Embodied Refusal of a Settler Colonial Political Order

Propelling us to rebel against the permanence of settler colonial reality and not just ‘dream alternative realities’ but to create them, on the ground in the physical world in spite of being occupied.

—Leanne Simpson, *As We Have Always Done*

“*Life* cannot be reduced to the property relationship implied by *resource*. Human and nonhuman relations cannot be figured in a representational system that is configured through the primacy of property and the rights-bearing property owner.”

—Dian Million, *Therapeutic Nations*

Throughout our nations’ and peoples’ histories, we have used our talents for creation not simply to reflect our reality, but to transform it.

—Jarrett Martineau, “Creative Combat: Indigenous Art, Resurgence, and Decolonization”

“Bodies of Water, Bodies of Land”

—Mishuana R. Goeman, “Ongoing Storms and Struggles”



Figure 22: Little Salmon Lake, Yukon, 2018. Photograph by author.

²¹ The author acknowledges that this is the title of Christine Taitano DeLisle’s book, *Placental Politics: CHamoru Women, White Womanhood, and Indigeneity under U.S. Colonialism in Guam* (2019), which is formative in the writing of this chapter.

An Afterbirth Story

I am sitting here trying to remember everything about that morning at Little Salmon Lake, the headwaters of Little Salmon River. I have recalled the story several times to friends and family. I have told it in different ways. Sometimes I share all the details. All the fear and anxieties. Other times I gloss over those parts. Hide them. I am not sure that my listener will understand, and I do not want to have to explain.

*

Little Salmon River. I am in the boat with my family. The river water is clear. The kind of clear that can only be fully understood when seen, not written about. What words can I use to describe the water's silky cool embrace around my hand as I reach out to it from the boat? From where I sit at the bow, I can see bright green reeds dancing in the current as we float along. The reeds are hypnotic in their vibrancy. Swirling. They give in so easily to the movement of the water. Seeing the river up close—intimately—makes me think about resurgence differently.

Jeff Cornassel and Sarah Hunt have written about the “everydayness” of resurgence. But out here I see that it is more than the everyday. The river is showing us that resurgence is every pulsing moment. Every stillness. Every sway. Every current. Every rustle. This is our land creating and recreating itself right in front of our eyes.

*

Today from the bow of my cousin's boat, I am lucky to be able to witness how water is life. I must remind myself that this re-creation is happening even when I am not physically here to humbly observe. This seems obvious, but it is such a powerful reminder to myself when I am feeling disconnected, city-bound, and far away. The reeds are swaying, the whiskey jacks are darting from tree to tree, the trout are resting in eddies, and the river water—ever clear—is flowing along on its journey to the ocean.

It is my son's first birthday. We have organized a big family and friend gathering at Little Salmon Lake, which is part of our Peoples' traditional territories in south-central Yukon.

*

Since pregnancy, I knew I wanted to do an afterbirth ceremony for Luka. I just did not know what it was going to look like. I do not know our ancestral practices when it comes to afterbirth. I do not know our ancestral practices when it comes to a lot of things. I have not heard any of the women in my family speak about afterbirth. Even a couple of my closer cousins who had babies before me did not speak of an afterbirth ceremony, although one mentioned she did take the placenta home from the hospital—it is still in her freezer. I figured that if I were to do an afterbirth ceremony, I would have to ask my family what to do.

I finally get the courage to call up an Elder who gave me her number at a community gathering a while back. Her name is Gertie. She is well-known in the Yukon. She is one of the few fluent Northern Tutchone language speakers in our community. She started the Yukon Native Language Centre. She also grew up in the same village as my grandfather. Since returning to the Yukon, I have been wanting to meet with her. She published a collection of stories in the 1970s about life at Big Salmon Village. Her book connected me to home when I was far, far away.

I call her up and arrange a time to visit. I get up early. I pack up Luka. I stop at the grocery store for some snacks to bring over. I am worried about being late. I drive to where I think she lives, call her to confirm her address, realize I am at the wrong place, and drive back across town in the other direction. I am nervous. I do not know what I am going to say to her. I am worried Luka is going to cry or be a nuisance and that we will have to leave abruptly because of him or something like that.

I arrive at Gertie's little house. Her driveway is icy. I walk slowly as I carry Luka to her door. I knock. I hear her voice on the other side. "Come in," she yells from her couch. I open the door. Her living room and kitchen are sparsely decorated. There is a clock on the living room wall. She has a huge TV at the center of the room and one couch across from it. I put the bag of oranges and the lemon loaf I brought on her kitchen table, unpack Luka, and sit on the floor. "So," she says, "what do you want?" I am caught off guard by the question.

What do I want?

“I want to know what life was like at Big Salmon,” I say, somewhat hesitantly. I want to know what it’s like to feel comfortable on the land and the water, I think but do not say. “I want to know what women did with the placenta after birth.” “They would hang it in a tree,” she tells me. “At the place where the baby was born.”

My baby was born in a hospital. I had imagined myself placing the placenta in the river at the place where we saw the flash of red from a salmon breaking through the surface of the water just after my cousin shared a story of my dad.

*

I recall wanting to ask my auntie Leda the same question: what did women do with the placenta after birth? But I was hesitant about asking. I felt guilty for not already knowing and by asking I was going to reveal to my auntie that I did not know. I also felt a bit awkward about imposing my wants on her. I did not know how she was going to react. My question also seemed intimate, and I have never really spoken about things of a personal nature with her.

I finally got the courage to ask when I was over at her house one winter day. I shared what I had learned from Gertie. She said she had heard that too. She said she would ask the Elders for me and did not share any more on the topic.

*

One of my older, distant cousins knows a lot about Northern Tutchone cultural practices and language. We stopped by her house this past summer and I asked her what she knew of our afterbirth practices. She said we would hang the placenta in a tree at the birthplace. She added that it was understood that whatever animal ate the placenta would be connected to the baby. We might never know what animal ate the placenta, but we believe that the baby would know, and they would be guided by and in relationship with this animal throughout their life.

*

Just a few weeks before Luka’s first birthday, one of my other aunts stopped by my house for a visit. As she was leaving, I confirmed with her that she was coming to Little Salmon Lake for Luka’s party, and I mentioned that we will be doing an afterbirth ceremony. I told her I

wanted to hang the placenta in a tree near the spot that I saw that salmon. She turned and asked: “Did we even do that?” I could not tell if she was questioning me or questioning the practice. Either way, for a moment I doubt what I have learned. I doubt what I am about to do. I doubt if I am doing the right thing by moving forward with something that I do not know much about.

Did we even do that?

*

It is the morning after Luka’s birthday party. We are at Little Salmon Lake. Most of my friends left the campground yesterday. It is mostly family left. I realize that if I want to make this afterbirth ceremony happen, it has to happen this morning. There was already talk amongst the family of packing up early and beginning the long drive home. I go to my auntie Leda’s camper first. I can hear her grandkids chatting inside, so I know at least a few people are awake in there. I knock on the door. My auntie answers. “Auntie,” I say, “we are going to take Luka’s placenta down the river in a bit. I was wondering if you could come and send us off in a good way.” “Oh,” she says, somewhat surprised. “Yes, I can do that.”

I walk a couple campsites over to where my other auntie’s camper is parked. Her husband is sitting outside by the fire. I ask if she’s awake. He says: “Yes, she’s inside making bacon.” I knock on the door, open it myself and go inside. I’m so nervous. I go to ask her to join us, but I start to cry. She looks at me and waits. Finally, I say: “We are going to take Luka’s placenta out to the river. I was hoping you would come join us as we gather on the shore.” She says: “Yes.” I am not entirely sure, but it looks as if she had tears in her eyes, too.

*

My aunties: residential school survivors.

My aunties: strong, stern, private women.

I have been away for 30 years.

We are connected by blood and familial values that instruct us to care for each other, but we are just getting to know one another.

My dad, their brother, passed away in 1988.

My dad, my aunties, and my mom have a past I know little about, only that it was tainted by too much alcohol.

And here I am. Newly back to the Yukon after spending most of my life away.

We are all learning how to be with one another again.

*



Figure 23: Author's family at Little Salmon Lake, 2018. Photograph by author.

We stand together on the shore of Little Salmon Lake. The morning air is cool. The sun is still low. The sky is clear and bright. I am standing in front of everyone. I have asked everyone to gather here for a reason. A reason I cannot articulate for them; the words are stuck in my throat. Tears flow freely. I am anxious and a little embarrassed that I am showing this much emotion.

Finally, I say, “I am crying because I do not know what I am doing.”

*

I do not know what I’m doing.

But I am going to try anyway.

Because we must.

Because deep inside, I know what I am doing.

We know what we are doing.

*

I tell my family how it has been a hard first year as a mother. Harder than anything I have ever imagined. I struggled. My partner and I struggled. And I felt incredibly alone for a lot of the first year. Motherhood is hard for so many reasons. Many I did not even anticipate. I did not know some of the experiences or feelings I had were even possible until they were happening. I can remember a few times in the middle of ups and downs thinking to myself that no one told me about this. This being, well, everything.

Nothing was familiar. I did not recognize my body. I did not recognize myself: sleep-deprived, depressed, and struggling to figure out how to make things better. Sometimes I did not recognize my partner. Where was the joy? Where was the love? Where was the deep appreciation for each other and this little, tiny life we brought into this world together, intentionally?

I share a story about an experience I had here at Little Salmon River a couple of years ago. I was with three of my older cousins. We went out one evening to look for moose. We came to this spot where this creek connects with the Little Salmon River. My eldest cousin in the boat, who grew up with my dad, pointed to the shore and said, “I used to fish here with your dad.” Just as he said that a king salmon broke through the surface of the water; we all saw the flash of its red body.

I tell my family that I learned that we put the placenta in the tree at the birthplace, but part of me wants to put it in the water at that spot. I look at my auntie Leda and say, “Maybe you could help me decide.”

When she speaks, she starts by saying that she is not the oldest one in the family, but she is the oldest one here today, so it is OK that she speaks on behalf of the family. She tells me she is proud of me and of what we are doing. She says with confidence: “Our people would place the placenta in a tree. But if I want to put it in the river, you can put it in the river.”

*

As I sit here writing this now, I can see an image from that day so clearly in my mind. We’re on the boat, driving away from shore. There is my family standing on the shoreline. The water at their feet. The trees at their backs. They are waving. We wave back.

We are all witnessing.

*

We step out of the boat. Michael, my partner, is holding Luka. I am holding the placenta. It is double wrapped in the plastic baggies it was put in at the hospital. I am carrying it in a little lunch bag my sister gave Luka. It has robots on it. My mom, sisters, and cousin wait in the boat.

We walk toward this little spindly spruce tree that we spotted from the river. It is the tree we want to hang the placenta in. From the water, it seemed closer. Now standing on the bank, it seems kind of far away. The ground is very uneven. There are big wells hidden below long grass. I step into one and my foot gets soaked from the water collecting at the bottom. It crosses my mind that a moose would have no trouble traversing this riverbank. I struggle while taking a couple of unbalanced and cautious steps. I suggest we pick another tree, a closer one. But Michael says, “It is OK. We can get to the one we want. It is not far.”

The three of us stand beside our little tree. Up close, I can see the details of the lichen collecting on its twiggy branches. So many shades of white and green. It is so quiet. No one is talking in the boat. And Michael and I do not speak as I open the lunch bag to get the placenta. I pull out the plastic bag. Michael opens one of the blades of his Leatherman and hands it to me.

The bag is full, squishy, and surprisingly heavy. It was frozen for a year. But now, after two days in a cooler, it has definitely thawed. I slice off the knot. Blood pours out on to the ground. I hand the knife back to Michael and use the bag and both my hands to pour the placenta out over a branch on the tree.

Now outside of the bag and on the tree, I see the umbilical cord. I am surprised to see it. For some reason, I was expecting just the placenta. Seeing the umbilical cord brings me right back to the hospital and to the moment of Luka's birth. It has been a year since I had last seen the umbilical cord. Everything that has happened since then comes rushing back. It overcomes me. A huge wave of emotions, memories, anxieties, fears, pains—everything—wells up inside of me, and I sob.

I miss my dad. I see the clear river water in front of me and I long with my entire body that this land will be like this for Luka's life and his children's lives and his children's children's lives. At the same time, I fear that it will not be like this for him or them. I re-feel the loneliness and isolation I felt for the first year of Luka's life. I re-feel the terror that I felt when Luka stopped breathing when he was four months old. I cry because all of that is over now, and I do not have to carry it any longer.

For years, I longed for connection to our homelands. I had written about it. I had studied it. I had been schooled in the language and theories of the importance of it. But this was the first time that I felt it.

It is hard to describe what it is like to see a part of my body and Luka's body in a tree, beside a river, surrounded by thousands of acres of beautiful, pristine land. Mountains. Lakes. Dense bush. And not a sound. Just unwavering, silent presence. I lean into Michael, who wraps his free arm around me. He holds me. He holds Luka. The land holds us.

When I finish crying, I open my eyes, and look up. Luka is looking right at me, smiling. I smile back at him. We walk back to the boat. Everyone hugs and holds one another. We begin the slow journey upriver and back to the campground. I nurse Luka along the way. He falls asleep. I make eye contact with my little sister, Faith, and I tell her how happy I am that she is here with us. She smiles. Michael points out the huge schools of lake trout gliding in the water. I

glance back at the spot where Luka and I tethered ourselves to our homelands. I have never felt this grounded in who I am—in who we are—in all my life.

The sun is warm.

Our wake ripples out behind us toward the shore and down river.



Figure 24: Luka, Michael and I after placing the placenta on the tree. Little Salmon River, Yukon, Canada, 2018. Photograph by author's mom.

Analysis

I wrote the story about Luka's afterbirth ceremony around the time that we were making the pink moose in the Fall of 2018. I had been meaning to write the story, but just did not have the time until then. As I mention in Chapter 4, the afterbirth ceremony, coupled with learning that we placed the placenta on Category B land, spurred the creation of the baby belt art piece. Unlike the pink moose and paper hide, which were collective endeavors, I made the baby belt on my own. In Chapter 4, I discussed the settler colonial aspects of modern treaty politics as portrayed through the art pieces. Drawing upon various interventions posited by scholars like Audra Simpson, Paul Nadasdy and Shiri Pasternak, I demonstrated how Indigenous aesthetic

practices not only make settler logics and desires visible, but also expose the technologies that keep them invisible while also illuminating their fragility. The paper baby belt combines conflicting futures—capitalist resource extraction and Indigenous life—in a Northern Tutchone garment used to carry the next generation whilst continuing a life on the land. Yet, the baby belt cannot and will not work because it is made of paper, which raises questions about Indigenous reliance on settler colonial recognition of Indigenous authority and a source of liberation. While Chapter 4 addresses themes that problematize recognition politics at a macro level, here I address the micro and personal dimensions of recognition politics and rematriation.

I take up the meaning-making of the three art pieces in this chapter, yet from another perspective. With the proliferation of Indigenous scholarship in the last decade that addresses how Indigenous Peoples can confront the state and rebuild their nations, resurgence scholars have made a call for Indigenous Peoples to turn away from the state and turn towards themselves, their cultures, teachings, languages, and worldviews (L. Simpson 2017; A. Simpson 2014; Coulthard 2014). Within the context of Yukon settler colonial politics and a burgeoning modern treaty regime, resurgence of Indigenous lifeways and the refusal of the state can take a myriad of forms. As this dissertation demonstrates, Indigenous aesthetic practices play a creative and accessible role in Indigenous resurgence and materializing refusal. I add to the layers of meaning embedded within the art pieces and expand on the baby belt piece by analyzing the afterbirth ceremony we conducted for my son, Luka – the story of which opens this chapter. The afterbirth ceremony is an embodied refusal and an act of rematriation.

This chapter aims to answer the following research questions: How does the revitalization of Northern Tutchone matriarchal and embodied laws, ethics, and systems of knowing—i.e., afterbirth ceremonies—refute the state’s intervention via modern treaty into Indigenous lifeways and governance practices? How do Indigenous aesthetic practices support the rematriation of modern treaty politics? Drawing upon my family’s enactment of an afterbirth ceremony for my son, I articulate a decolonial present (Simpson 2017) in which ancestral agreements with Creation are revitalized. The afterbirth ceremony is a decolonial praxis that uses the placenta (body, bodies, and body parts) in direct connection to the land as the source of ancestral power and refusal. I argue that the afterbirth ceremony—the placement of the placenta in a tree, as my

ancestors had done—is an intimate and gendered intervention into the settler colonial, heteropatriarchal order produced by modern treaty. Within a Northern Tutchone political order, the real (animal, body, placenta) subverts the paper (contract, land claim, map), and Creation resumes its position as the center of Indigenous governance systems.

Given that embodied experiences are always gendered (Goeman 2017), I review Indigenous feminisms—as a “political project” (Dorries and Harjo 2020, 213)—that have thoroughly documented the heteropatriarchal dimensions of recognition politics and taken up the language of rematriation to restore the place of Indigenous women within governance systems. I then introduce placental politics as a tool for explaining how the afterbirth ceremony is an intervention into recognition politics and an example of one strategy to revitalize Creation-based governance.

Colonial Violences and Gender

Yukon Indigenous politics and resurgence theory are gendered discourses largely dominated by heteropatriarchal and masculine logics (Barker 2017, 2019). Southern Tutchone elder, Shirley Adamson, quoted at length in Chapter two, made pointed connections between the patriarchal incursion of the Indian Act on Tutchone matriarchal, clan governance structures. Simpson (2006, 2015, 2017), Hunt (2018), Aikau (2021), Kuokkanen (2019), Barker (2017, 2019), Kauanui (2018), Goeman (2013) and others have intervened into heteropatriarchal discourses that evade Indigenous/state relations by drawing upon the meeting of Indigenous, feminist, and queer theories and praxis. They highlight that gender and sexuality is at the core of imperialist and colonialist state formations as well as “...a core, constitutive aspect of Indigenous sovereignty, self-determination, and solidarity” (Barker 2019, 1).

However, “Western feminism has often aimed to advance equality for women,” write Dorries and Harjo (2020), “Yet, many Indigenous societies were traditionally matriarchal, and as such, equality is not always seen as a useful organizing principle for Indigenous women” (213). As such, Indigenous feminisms are articulating pathways to liberation that attend to women, recognizing that “colonialism takes place through gendered and sexualized forms that

reconstitute both individual and communal Indigenous identities in disempowering ways” (Goeman and Denetdale 2009, 11). This chapter pinpoints the impacts of heteropatriarchal colonial norms and governance structures on Tutchone Indigenous lifeways within the Yukon and draws attention to how “generations of colonialism have silenced Native peoples about the status of their women and about the intersections of power and domination that have also shaped Native nations and gender relations” (Goeman and Denetdale 2009, 10).

Within Indigenous ontologies, and as reflected within discourses of Indigenous feminisms, the body belongs “...within a political order that includes relations to land and more-than-human kin” (Dorries and Harjo 2020, 213). More specifically, the body retains “the power to transform, to create and to *re-create*.” (Simpson 2006, 27). As such, Indigenous women’s bodies and their authority and power were marked early on in Canada’s colonial project and targeted. Sarah Hunt (2015, 32) observes that colonialism has been “facilitated by, and worked to entrench, racist and sexist ideologies in which Indigenous people are dehumanized in ways that excuse or even encourage violence against Indigenous girls and women.” Consequently, sexual violence is “a hallmark of colonial progress and is a central force in creating racial and gendered hierarchies through colonial legal categories” (Hunt 2015, 32). Shirley and Judy spoke to this in Chapter 2, referencing the Indian Act and demonstrating how “gender has been mobilized in law to weaken Indigenous political and territorial authority, while producing women’s vulnerability to violence” (Dorries and Harjo 2020, 212). My review of resource extraction in the previous chapter, as a specific mode of colonial violence, targeted Indigenous women and girls and their kinship relations, also exemplifies Dorries and Harjo’s point.

Within a governance context, scholars are addressing how heteropatriarchal norms have infiltrated Indigenous governance systems. Kanaka scholar J. Kehaulani Kauanui for example, analyzes how nation/state governance structures are inherently masculine, patriarchal, and gendered, which further disempowers women and their authority (2018). Within a Hawaiian political context, Kauanui demonstrates how white American masculine and patriarchal logics of property, sovereignty, sexuality, and gender relations have become “intimately imbricated” in Kanaka aspirations for liberation (3). “[T]he impact of Western laws and culture in Hawai‘i,” she argues, entailed a “radical restructuring of the status of women” (Kauanui 2018, 38). Similarly,

yet on another scale and in response to a different package of colonial and imperial logics, Yukon Indigenous women had to navigate the imposition of heteropatriarchal norms upon their governance systems.

To illustrate this point, I offer a very specific example from Shirley Adamson's family history. Shirley's story of Shuweteen illustrates the gendered impacts of sexist and heteropatriarchal logics upon the matriarchal and matrilineal political order of Shirley's family. What follows is a condensed version of a story she told me about her great-great-grandmother, Shuweteen. It exemplifies the impact how the induction of heteropatriarchal norms "reshaped the ordering of Indigenous communities away from a wide range of gendered consciousness and practices and toward policies that enforced a gender hierarchy predicated on heteronormativity and patriarchy" (Dorries and Harjo 2020, 212).

Indigenous feminisms make it clear that "[t]he ability of Indigenous women to *reproduce* Indigenous peoples and political orders has meant that the imposition of sexist and heteropatriarchal logics is central to settler colonial governance" (Dorries and Harjo 2020, 212). To counter such efforts, Rauna Kuokkanen (2019) writes of "rematriating Indigenous governance," which she describes as "reclaiming Indigenous women's political authority and roles in Indigenous social and political orders and structures" (6). This reclamation can take a myriad of forms. In the Yukon, with the imposition of modern treaty and Euro-Canadian bureaucratic systems, reinstating Indigenous women's political authority and positions they previously held will require working outside heteropatriarchal systems. Drawing upon Lee Maracle's work, Kuokkanen notes: "Importantly, as Maracle reminds us, reinstituting women's positions of power is an Indigenous feminist act that goes beyond the standard arguments of nationhood: 'Rematriation and the restoration of our original systems would be a feminist activity,' rather than merely ensuring that the existing governance systems are gender complementary" (Kuokkanen 2019, 20).

I claim that the telling and re-telling of Shirley's story is matriarchal intervention into the heteropatriarchal assumptions embedded within Yukon historiography and politics. Like, Shirley's story, the telling of the afterbirth story, in the company of the baby belt, which I did on

several occasions, is an intervention into the heteropatriarchal renderings of modern treaty. Both are embodied practices, and both refuse the domination of heteropatriarchal norms.

The Gold Rush & the Erosion of Tutchone Matriarchy

In Chapter Two, Elder Shirley Adamson noted the impact of the patriarchal Indian Act and the introduction of heteropatriarchal norms into Indigenous society, which deeply affected the position and treatment of Indigenous women in the Yukon.²² Shirley is the great, great granddaughter of Shuwateen, a Ta'an woman who lived around Ta'an Man (Lake Laberge, which is 30 miles north of Whitehorse) in the late 19th century.

She was the daughter of, one of the daughters of—I'm guessing the eldest daughter—of Łande, who was the matriarch of Ta'an Kwäch'än...the people from Ta'an...Łande was a woman of the Wolf Clan. And she was married to a man of the Crow Clan, and that man, who was Shuwateen's father, his name is Mundessa, and she was a daughter to Łande and Mundessa, and Łande, being the matriarch, was the decision-maker. And decisions were not absolute, in that a woman would make a decision everything had to be that way. Power was shared amongst the women with a view of looking after their descendants, and looking after the land and the resources for their descendants to live well. And the reason why is because we inherit our status from our mothers. (Adamson 2020)

The 1896 Klondike Gold Rush, as noted in Chapter Two, resulted in thousands of prospectors and settlers inundating the territory. Ta'an Man was one of the main waterways between Whitehorse and Dawson City, which meant that 1000s of people, mostly white men, were travelling through Shuwateen and her family's territory. Shuwateen went to Dawson: "she had started a little business of washing laundry. She had set up fires on the shores of the Klondike River there, and was washing clothes for the miners, and cooking" (Adamson 2020). But she was called back to Ta'an Man by her family. The family was struggling with the influx of settlers and settler diseases that were putting a huge strain on the people, land, and resources. Shirley continues:

²² Shirley noted in the interview with me that the story she was about to tell me of Shuwateen was a condensed version. "I'm just going to tell, like, a condensed story," she said, "because when we tell a story, it's usually for our children, our grandchildren, and it passes along. And because we come from an oral history background where the story very rarely changes, it only changes if you're leaving bits and pieces out, or, and certainly because it's being spoken in English." I have condensed the story further and converted the oral telling to text. Any errors or omissions are mine.

So, between her Elders and her mother and her husband, she knew she had to go back. So she went back to Laberge...or Tàa'an Män, and began to try to make contact with government authorities, Department of Immigration, and people like that, because there was no Indian and Northern Affairs then to talk about protecting the area and to get some recognition for the Ta'an people and the Ta'an government, and they told her that they don't do business with women and that they should send their Chief or their head man or their boss, whoever it is that was the male leader, and they'll talk to that person.

So, with her mother and other senior women in the community, they talked amongst themselves and Shuwateen appointed her young brother...to be that person. And she said to him, "You be the white man's Chief." So her younger brother began to be the spokesperson, and she said, "I'll tell you what to do and what to say, along with...the other Elder women in the community." And so, she instructed her younger brother, Kishxóot, or his English name is Jim Boss, to do all of the work...to help protect the Ta'an people and the lands and resources. (Adamson 2020)

Chief Jim Boss, as he is known in Yukon history, wrote a letter through T.W. Jackson, a lawyer in Whitehorse, Yukon, to the Superintendent General of Indian Affairs, dated January 13, 1902. "...[T]he Indians are unable to subsist as they were formally able to do...He [Jim Boss] says 'tell the King very hard we want something for our Indians because they take our land and our game'" ("Our Journey", <https://mappingtheway.ca/our-journey>). Chief Jim Boss is noted in land claims history narratives as laying the foundation for land claims in the Yukon (ibid). The Government of Canada erected a plaque to commemorate Jim Boss in 2001. The inscription reads:

Chief Jim Boss, of the Ta'an Kwäch'än First Nation, was one of the first Yukon Aboriginal leaders to recognize the importance of preserving the land and its resources for his people. He is remembered for having initiated the first Yukon land claim in the year 1902. His leadership allowed the First Nations from the southern region of the Yukon to make the transition from a traditional way of life to a Euro-Canadian economy. Throughout his lifetime, Chief Jim Boss was an influential and outspoken leader whose insight helped guide the Yukon First Nations. ("Parks Canada Directory of Federal Heritage Designations," https://www.pc.gc.ca/apps/dfhd/page_nhs_eng.aspx?id=1940)

Shirley can pinpoint the moment when the influx of settlers and their ideologies resulted in the reordering of her family's matriarchal political system. The women in her family made a collective decision to present Kishxóot as the head of the family, knowing full well that the women would continue to guide him. While the practices of matriarchy and matrilineality remained, for a time, the erasure of the Ta'an women's authority is stark in the Government of Canada's plaque inscription. The women in Kishxóot's family that shaped the work he was

doing at the turn of the century to protect Ta'an people, land and practices, are not mentioned. The plaque serves as a stark contrast to Shirley's story. However, it does not serve as the only contrasting point; it is well understood in popular histories of land claims and the Yukon that "Chief Jim Boss" was the "first" to engage the state about land protection and recognition in 1902. The heteropatriarchal narrative dominates the matriarchal history as Shirley knows it. As such, Shirley's effort to remember, to tell the whole story to her grandchildren, is a decolonial, embodied effort to rematriate Yukon history.

The term rematriation captures the innate connection between women and the land that settler colonial heteropatriarchal logics aim to sever. Rematriation is the return of women to the land and the land to women (Mihesuah 2000; Tuck 2011). Rematriation attends to the significance of land in the reclamation of Indigenous women's authority and positions in Indigenous governance systems. What does a reclaiming of land and authority by Northern Tutchone women entail? I offer placental politics as an analytic and explain how the afterbirth ceremony is an intervention into recognition politics and an example of one strategy to revitalize Creation-based governance, which, within a Northern Tutchone context is propagated by practices of matriarchy and matrilineality.

Placental Politics and Northern Tutchone Rematriation

Chamorro scholar, Christine Taitano DeLisle. In *Placental Politics*, states that "placental politics' is a native-inspired theory and practice of being and action informed and guided by ancient ideas of self in relation to land and the primacy of stewardship of land amidst enduring colonial transformations" (DeLisle 2015). DeLisle highlights the decolonial efforts of Chamorro midwives, who were carrying out their cultural practices amidst the United States Navy's attempt to eliminate them:

The inspiration and insight for an indigenous placental politics come directly from how the pattered [native nurse midwives], in defiance of US naval orders to burn or discard the pãres [placenta], continued to bury the pãres or allow family members to do so, out of respect for deep Chamorro symbolic and cultural meanings connecting notions and expectations of self in relation to land and community in a system of reciprocal kinship relations and stewardship obligations (2015, para 3).

This form of Indigenous and gendered resistance, in that “such corporal politics of foregrounding communal relations and stewardship of lands and people” can be understood as assertions of Chamorro self-determination (DeLisle 2015, para3). DeLisle’s placental praxis (Reilly 2020)²³, entails Chamorro people refusing the state and colonizers use of their bodies as mechanisms of colonization. They collectively enacted agency over their bodies, and, as such, carried out embodied acts of refusal. In a colonial context, DeLisle demonstrates how Chamorros engaged in a praxis of self-determination. Placental politics, according to DeLisle, names a history and a future by which Indigenous women have consciously chosen to act as stewards of peoplehood and place (2015).

The placenta has been theorized within Western feminist philosophy (Fannin 2013; Irigaray 2008; Rouch 1987; Oliver 1994, 1998). Rauch theorizes the placenta as “...relation, means of constructing alterity, condition of possibility of coexistence...” (Rauch quoted in Fannin, 295). Oliver has explored the “mediating power” of the placenta between the relations of subjects (Oliver 1998, quoted in Fannin 150). Building on Oliver, Colls and Fannin have theorized the “mediating space of the placenta” (Colls and Fannin, 2013 as quoted in Fannin). Fannin, whilst noting that the placenta has been undertheorized, treats the placenta as “This object between the mother and the fetus [that] is imagined as a model for new forms of relationality, subjectivity, and ethics” (Fannin 2014, 290). Western feminist philosophers are metaphorizing the placenta to expand the meaning of the relationship between subjects. However, Indigenous scholars engaging with placental philosophies and politics understand the Peoples (or subjects) of which the placenta is a bi(o)product to also be a product of the land. The bodies that create the placenta are also of Creation; there is no distinction.

As such, the placenta, and the act of placing it in a tree on Northern Tutchone traditional territories in the Yukon is theorized in the context of modern treaty politics and Northern Tutchone non-proprietary relations with Creation. Up to this point in the dissertation, I have demonstrated the decolonial potentiality of Indigenous aesthetic practices and shown how they

²³ For more work on Chamorro women’s “reproductive anticolonialism” see Asian and world historian, Brandon J. Reilly’s “Reproductive Anticolonialism: Placental Politics, Weaponised Wombs and the Power of Abjection in the Early Spanish Mariana Islands” (2020).

are a source of alternate governance systems that are an expression of Indigenous values and ontologies, both of which hold Creation as their source. My approach is both in line with and extends the theoretical and practical interventions articulated by resurgence scholars. However, Indigenous feminisms have complicated resurgence, recognition politics, and Indigenous/state relations by demonstrating how each have circumscribe Indigenous women's lives with violence and marginalization. The Northern Tutchone afterbirth ceremony, then, is a political and decolonial intervention into Yukon's settler colonial political order. It is also a feminist intervention into the heteronormative and patriarchal order of self-government, as a biproduct of Canada's bureaucratic modern treaty regime.

Rematriation is the reinstatement of Northern Tutchone women into their roles of authority, as informed by past configurations of matrilineal and matriarchal governance practices. Within Northern Tutchone pre-contact governance systems, Northern Tutchone women had significant roles in shaping Northern Tutchone society (McClellun 1987; Cruikshank 1991). Most significant is the practice of matrilineality where clan organization itself was structured through mothers' lineages. Similarly, family structures were organized around women. Men, for example, once coupled with a woman, would move from the orbit around his mother's family to that of his partner. As evident in Gertie's stories, women contributed much to the health and wellbeing of the kinship group. As leads on the production of hides, dry meat, and sewing, Northern Tutchone women were integral to ensuring the kinship group had sustenance and clothing (Tom 1987).

Yet, Northern Tutchone women's status and centrality as been eroded. First by the introduction of Christianity through missionaries, and then more forcibly through Indian Act sanctioned residential schooling and Indian Act policies. As noted in Chapter Two, residential schools in Canada, and thus the Yukon, were state-sanctioned and Church-operated Indian boarding schools designed to assimilate Indigenous children into Canadian citizens. Indian Residential schools are defined by the Truth and Reconciliation Commission as an act of cultural genocide (2015). Further, the Indian Act has been noted by many scholars for it gendered and violent impacts on Indigenous women.

The afterbirth ceremony, carried out within this context, is significant in what it reveals about the resilience of Northern Tutchone women and practices; but simultaneously, it is telling of the intimacies of Indigenous governance and the intimate and familial labour of revitalization. As much as the story that opens this chapter is about the afterbirth ceremony, it is just as much a story of my journey of reconnection. When I gave birth to Luka at the hospital, I was offered the placenta by the doctor. When I took it, I didn't know what I was going to do with it. The placenta, the organ that brings nutrients to the baby and removes toxins, did just that for our family. It pumped nutrients, in the form of knowledge, care and love, into our family as we worked together to figure out how to carry out the afterbirth ceremony.

There are nuances within the story that speak to the challenges of overcoming disconnection and re-memembering across generations that have clearly been impacted by residential schooling and the Indian Act. In *As We Have Always Done*, Simpson writes "...any Indigenous person with motivation to learn to think inside the land should be interacting with their own elders and experts in their own homelands instead of reading me" (164). When I first read this statement, I felt shame. Shame for not having elders in my life, ones that I felt comfortable enough to spend time with on a regular basis. I felt shame for not really knowing how to even initiate a visit with an Elder. Simpson's comments spurred me to reach out to Gertie and visit with her. I understand the impetus behind Simpson's words, but I think it gleams over intimacies of revitalization work. My family story speaks to some of these, the fact that we don't know for sure what we're supposed to do with the placenta, the fact that I'm anxious about asking anyone, and the fact that one of my aunties questions the whole process—did we even do that?

Indigenous feminisms are telling for what they reveal about the intimacies of colonialism. Yes, they're gendered and embodied, and this plays out differently for individuals, families, communities, and nations, as they work to rebuild. Northern Tutchone women are key to the healing journey I went through to do the afterbirth ceremony. Together, by collaging what we know and how we know, we created something that resembles what our ancestors would have done and what we'll continue to do.

Conclusion

Since that morning on the shores of Little Salmon Lake and Little Salmon River, my Auntie Leda has mentioned to me twice, during different occasions, that she forgot to sing her mom's song that day. My grandma, her mom, used to sing a love song to my grandpa. It was forgotten for a time, lost in the throes of residential schooling and family destruction at the hands of the settler state and the Catholic Church. One evening at my Auntie Leda's house, we were sitting at her kitchen table drinking tea and she told me that the song came back to her when she was on the river in a boat. She just started humming it, she said. It returned to her, and she told me that evening that the water had carried the song and given it back to her.

The placenta ceremony reminded us of what's possible when we let Creation guide us—it remembers, and Northern Tutchone women are ready to receive what it has to offer. And that is precisely why the settler state has directed its violences towards us. Mishauna Goeman (2017) maintains that “the bodies of Native women are dangerous because they produce knowledge and demand accountability, whether at the scale of their individual bodily integrity, of their communities' ability to remain on their bodies of land and water, or as citizens of their nations” (123). By placing the placenta on the tree, my family and I staked a claim in Creation. Our actions, our bodies, and body parts fused into a multilayered, embodied refusal. When a placenta is re-membered on a tree, we see how no land has ever been fully, unequivocally ceded. And at no point did me or Luka ever consent to the state's logics. While the state desires, if not needs, our consent, we refuse. When we placed the placenta on the land, we released it to the ancestors and surrendered it to all of Creation. And while paper politics, infiltrated with heteropatriarchal logics and violences, claim certainty, our relations with moose and other beings cannot be contained by words on a page. The moose continues to traverse the riverbanks. And there are placentas all over our land. Of this, we are certain.

CHAPTER 6

Teaching Treaty: Aesthetic Pedagogy, Relational Responsibility, and Indigenous Futures

“Working towards the decolonization of Indigenous-settler relations means a lot more than making space for the recognition of Indigenous interpretations of treaties within Canadian institutions. It involves a commitment by all who make their home in Canada to work towards the implementation of new configurations of relationship that are informed by Indigenous laws and understandings of responsibility and accountability. Otherwise, ongoing neglect for the laws and governance of all treaty partners will keep us deeply enmeshed in the very crisis of relationship that our ancestors sought to protect against.”

—Gina Starblanket, “Crisis of Relationship: The Role of Treaties in Contemporary Indigenous-Settler Relations,” 2020.

Dissertation Overview

The hot pink papier mâché bull moose, the paper stretched hide and the paper baby belt encapsulate conflicting political orders that are at play in the Yukon. One political order centers paper; the other political order centers Creation. Throughout this dissertation, the art pieces are described, storied, and analyzed for the ways that they characterize and make visible these two political orders. However, these two political orders are not necessarily binaries. Though incommensurable, they are in relationship literally (with glue) and figuratively in the Yukon political landscape. As much as resurgence theory challenges the place of the state in Indigenous decolonization, Indigenous Peoples are in relationship with the state. Yukon modern treaty politics exemplifies this.

In this dissertation, I set out to answer the following questions:

1. How did Yukon First Nations get to this place?
2. What were Yukon First Nations’ expectations for a land claims settlement and why did signing a modern treaty not meet these expectations?
3. Where do Yukon First Nations, who have signed modern treaties, go from here?
4. How do Indigenous Peoples enact Indigenous forms of governance under contemporary conditions that include current agreements with the Crown and current compositions of Indigenous nationhood?

I addressed these questions from a creative standpoint. Although resurgence theory, especially as espoused by Leanne Simpson and Glen Coulthard framed out my approach and directed me towards my Northern Tutchone culture and ontologies, aspects of resurgence as a praxis were missing. To fill this gap, I turned to Indigenous aesthetic practices—relationships with Creation that are enacted through making. Leanne Simpson and Jarrett Martineau have theorized the decolonial aspects of “making” and “creating” as emblematic of Nishnaabeg and Indigenous creatives and musicians, respectively. I set out to explore Indigenous aesthetic practices within a modern treaty context in the Yukon Territory in Northern Canada. Glen Coulthard and Audra Simpson are critical are recognition politics, and others like Heidi Stark and Gina Starblanket have been critical of Canada as it continues to fail to meet the commitments agreed to through treaty. I drew upon their arguments to frame out my critique of modern treaty in the Yukon, where 11 of the 14 Yukon First Nations have signed final agreements and self-government agreements and engaged the state in its paper politics.

My focus has been on the state and its use of the comprehensive land claims process to achieve its desired goals; in short, certainty. The argument put forward here calls the state’s desires and mechanisms of recognition into question. As a way of freeing ourselves from the binds of the state, I have turned to my Northern Tutchone cultural practices and lifeways and presented them here as a source of emancipatory potential. Northern Tutchone lifeways guided by *doòli* and our laws of caring, sharing, teaching, and respect enacted in the everyday are our recreative and generative power. Re-membering this by putting our bodies into action, back on the land, and in relationship with each other—as this dissertation demonstrated—will require confronting and embracing the intimacies of Indigenous governance. This work, as I attest to with my personal stories of reconnection collaged throughout this whole dissertation, is a healing journey.

In Chapter Two, I presented a historical timeline of key events in the Yukon and Canada as the Native claims movement emerged on a national scale. I provided an intimate perspective, by sharing the stories of two prominent Yukon Elders—Judy Gingell and Shirley Adamson. Their stories emote life under the Indian Act and reveal the struggles that everyday Indigenous Peoples—especially women—were experiencing leading up to Yukon First Nations leaders’

engagement with the federal government's burgeoning land claims process. This new approach bound within a rights framework was a complete shift in the federal governments Indigenous/state relations that only months before through the presentation of the White Paper 1969 called for complete Indian assimilation into Canadian citizenry. Yukon First Nations, through their representative, the Yukon Native Brotherhood, trusted that the state's process would lead to their desired futures, as articulated in *Together Today for Our Children Tomorrow*. However, critiques of recognition theory, especially those coming from Indigenous scholars, have identified its many shortcomings, particularly when applied within settler colonial contexts. Resurgence scholars claim that the recognition paradigm will always contain Indigenous self-determination within state sovereignty. Alternatives will emerge from 'self-recognition' (Coulthard 2014) and Indigenous Peoples "excessive relationship" to Creation (Pasternak 2017). Both of which, I argue, can be exercised through Indigenous aesthetic practice.

In Chapter Three, I offered an example of an Indigenous aesthetic practice and focused on the making of a hot pink papier mâché bull moose and paper hide. I argued that the process exemplified a Creation-based, small-scale governance project. I likened the moose-making project to a Northern Tutchone practice and ethics as gleaned from Northern Tutchone Elder, Gertie Tom. Gertie's stories, which are shared in her book *My Country / Big Salmon River*, depict a family governance system that is deeply tied to Creation, in which the moose is a co-participant. I then describe the moose-making project team as a family governance system. Through a series of vignettes and interviews with the participants, I illustrate governance at an interpersonal level. When Indigenous Peoples are confronted with rebuilding their governance systems, I demonstrated how Indigenous aesthetic practice can play an integral part in enacting traditional values and taking seriously relationships as governance. Given the impact of the Indian Act, residential schooling, and now, modern treaty that imposes a Euro-Canadian bureaucratic governance system on First Nations, reclaiming Indigenous traditional governance practices also requires confronting the trauma Indigenous peoples continue to experience and the healing journeys many of us are on.

Indigenous aesthetic practices allowed me to center Northern Tutchone laws of caring, sharing, teaching and respect within the art project. Settler participants had a place in the project

too. I demonstrated that when Indigenous Peoples needs and desires are held at the center of a project, that settler participants are called to action in ways that impact their responsibilities to the group, their roles, and their comfort. There is a place for settler participants within Indigenous governance systems that are scaled up above the level of the family. This requires enacting settler responsibility that centers of the well-being of Indigenous Peoples and effort (monetary, time, skills) volunteered or put towards the whole/well-being of the group. In Gertie's stories, this was a given. Within colonial orders and settler logics, the individual and nuclear family supersedes the collective. Indigenous aesthetic practices created a space for the collective to be prioritized and within that, the Indigenous Peoples needs and desires.

Whereas Chapter Three focused on the making of the pink moose and the paper hide, Chapter Four focused on the meaning ascribed to the art and how art provokes conversations and illuminates aspects of the political that are hidden by bureaucracy such as certainty. Specifically, the papier mâché technique when combined with collage brings to light the process by which the UFA created certainty for the state and at the same time created an illusion of certainty for Yukon First Nations. As I demonstrated, the paper politics of recognition does not produce material certainty for Yukon First Nations that they will achieve their desired future. Rather the paper politics of recognition ensures the state's jurisdiction over the lands in perpetuity, a truth that is hidden by the bureaucracy in the form of large documents written in highly dense legal language (the UFA) and maps.

The pink moose and the paper hide illuminate the way paper politics of recognition work through bureaucracy to produce un/certainty; the baby belt represents the two competing futures paper politics leads to. One is a future where the state has full unconstrained access to and the extraction of mineral resources. The other is a Tutchone future where generations—the children of tomorrow—can grow and thrive on the land and with all of creation. The baby belt symbolizes future generations and, when made of paper, shows how paper politics cannot hold those future generations securely and without fear of falling.

In Chapter Five, I shift from paper politics at a macro level to the micro. Chapter Five opens with a story I wrote of the afterbirth ceremony we carried out for my son. I argued that the placing of the placenta on a tree—as my ancestors had done—is a decolonial praxis. Yet, in the

context of modern treaty and the settler colonial political order it creates, the afterbirth ceremony is an act of rematriation. I linked the approach of Indigenous feminisms and the interventions that scholars are making to destabilize heteropatriarchal pillars of recognition politics to two very specific Tutchone acts of refusal and rematriation: Shirley Adamson's story of Shuwateen and the re-storying of Chief Jim Boss's notorious role as the "first Indigenous man" to initiate land claims in the Yukon; and my family's enactment of the afterbirth ceremony. A rematriation of Yukon politics and historiography is long overdue and our stories just scratch the surface.

Aesthetic Pedagogies

In closing, I touch briefly on teaching with and alongside the art pieces. The pink moose, paper hide, and baby belt instigated an educational experience that invited patrons to become critically conscious of themselves in relationship to Yukon modern treaty politics and the land they currently occupy. This link between consciousness and land politics has been addressed by many Indigenous educators and scholars, alike. Many have identified several approaches to critical (McCoy, Tuck, McKenzie 2016; Duncan-Andrade and Morrell 2008; Freire 2000; hooks 1994, 2003, 2010) and Indigenous pedagogies (Cajete 1994; Teaiwa 2005, 2011; Grande 2004; Smith, Tuck, and Yang 2019; Goodyear-Kaopua 2013). A key theme across these works is the centrality of land, land politics, and relationality. The shared idea is to "engage incommensurabilities fashioned by (settler) colonialism and our relations within and outside it" (Tuck and Yang in Smith et al, 2019, x). Others have written about aesthetic pedagogies (Graham 2007; Sandlin and Milam 2008). By linking critical Indigenous pedagogies with aesthetic pedagogies in this project, the three art pieces and the approach I used to share about them carve out an educational space where intimacy and learning about land politics connect.

By way of concluding this dissertation, I share two inroads to an Indigenous aesthetic pedagogy: a story of the practice of relational responsibility and what we learned from the pink moose. I wrote a short piece after speaking with an Elder named Jean who attended a community workday I hosted when making the moose. The way that she entered the space and worked that day stood out to several people. When I called and spoke to her about it, she illuminated a way of being that I claim is central to treaty responsibilities and the future of Indigenous/settler relations. If, as I claim throughout this dissertation, the intimacies of Indigenous governance like

interpersonal relations and the interpersonal level of governance are a site of transformative potential, then work that links individuals to land and the needs and desires of Indigenous peoples is key. To visualize this connection, what I call a relational responsibility, I offer the following diagram:

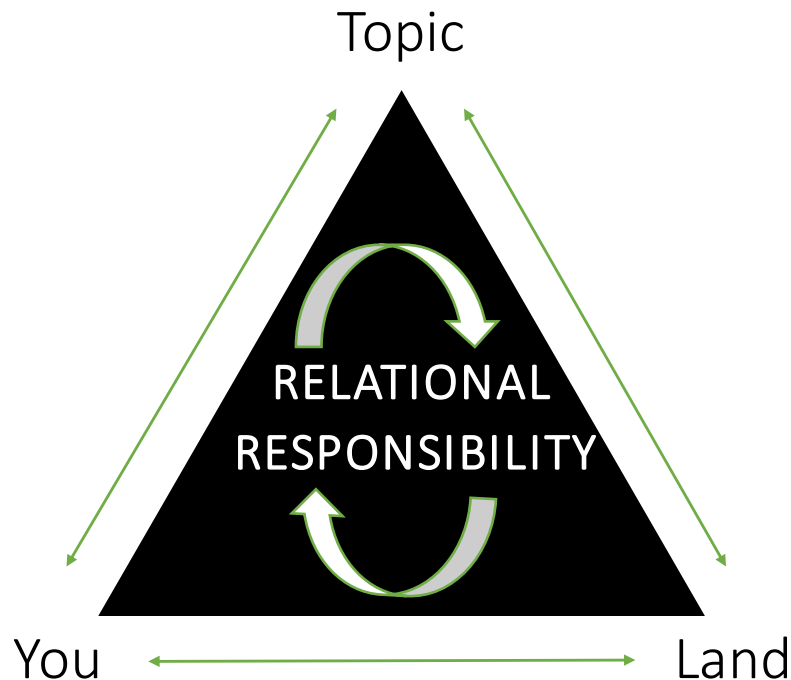


Figure 25: Relational Responsibility Diagram, created by the author.

As I entered the learning environment alongside the art pieces and the patrons within the galleries, I did so with this diagram in mind. The “You” is the patron, the “Topic” is modern treaty, and the “Land” is the histories, desires, needs and futures of the Peoples whose land we stood upon. These elements are interconnected and shift in response to each other. The “You” will shift depending on who they are and their positionality: gender, race, age, education, class, sexuality, etc. The “Topic” will shift depending on what we’re addressing. In this case, the topic stayed the same: Yukon modern treaty. Since the moose installation travelled, the “Land”

component changed too. As part of my practice of relational responsibility, I factored in the Indigenous political context of the places the pieces were being shown into my artist talks and workshops. I share this diagram now, as part of my closing thoughts on this project, because it captures an enactment of resurgence principles and works as a template that anyone can use to address connection and responsibility to land, and the Indigenous Peoples who care for it.

When I put myself into the diagram (“You”) and the moose project (“Topic”), I note that most of the work we did took place in Whitehorse, Yukon. These are not my traditional territories. I am living and working on the lands of Southern Tutchone speaking people: Kwanlin Dün First Nation and the Ta’an Kwäch’än Council. The purpose of the diagram is to help make a link between who we are and what we’re doing *here*. Scholars of Indigenous research methodologies have long argued that research must benefit Indigenous communities in social, ontological, decolonial, and material ways (Smith 2012). This diagram helps make the connections needed to ensure that Indigenous communities, Peoples, and lands are part of the work that we do within in settler colonial contexts.

A theme throughout this dissertation is relationship or, specifically, *how* we are together creates the Indigenous futures Indigenous Peoples desire. Settler colonialism and its pillars of capitalism, individualism, white supremacy, and heteropatriarchy have made the healing journey of returning to each other very difficult because we must do so amongst historic and contemporary violences, pandemics, and a climate crisis. Yet, as I demonstrated in this work, it’s the intimacies of our humanness—life, creation, care, love—that underpin who we are as Indigenous Peoples and how our governance systems worked. Indigenous women held (and continue to hold) this knowledge and create and re-create it every day; it is no wonder that we continue to be the target of Canada’s colonial project.

Before looking briefly at how the pink moose shaped our learning environment and concluding this dissertation, I want to share a story of Jean, a woman I met while making the moose. Jean gives life to the diagram I just described and demonstrates relational responsibility.

Following Jean: A Model for How to be *Here*

In the late fall of 2018, I hosted a community workday as part of the moose-making project. We had reached a point where the frame of plywood, Styrofoam ribbing, and chicken wire were

complete and ready for papier mâché. I set up the moose in a large garage on campus and put a call out to the University and Whitehorse community to come help for the day. The moose needed multiple layers of papier mâché, the legs needed Styrofoam musculature, and the antlers needed carving and sanding. About 30 people came that day and together we completed the tasks. That day stands out for many reasons: I was pleasantly surprised by how many people showed up and by how smoothly the work got done. But mostly, when I think about that day, I think about Jean. Jean is the mother of one of the students who was in my class at the University at the time. She had brought her mom to the workday to check things out. I welcomed them both and gave them a quick introduction to what we were doing and what the tasks were for the day. Jean's daughter was quick to get to work, she dove right in to sawing Styrofoam, mixing glue, and shredding paper. Jean, on the other hand, stood to the side of the garage and watched for a long time. I recall feeling hyperaware of her presence. I had not made any arrangements for an Elder to be present for the workday. But here was Jean, an Elder. I checked in with her a few times, showed her the snacks, asked if she wanted a chair, and reassured her that it was possible to work, if she wanted to. As more people arrived, I lost track of Jean for a bit. Next thing I knew, I saw her standing next to the moose in a brown smock, adding bright pink paper to the moose's side.

Gwen came that day to help and she remembers Jean. "We were just working on the same part of the moose," Gwen says. "[Jean] was helping us know which parts [of the papier mâché] were dry and which parts were not...She was sort of...directing [us] a little bit" (Gwen 2019). Jean ended up working for over an hour and put papier mâché on the left side of the moose, mostly on her own. She also taught others how to not use too much glue and how to let the papier mâché dry before adding more layers. It felt good to see that things were happening in a way that Jean felt that she could not only participate but could teach and lead the work in her area. Others around her also listened and followed her instructions. This was a beautiful and meaningful moment to me. It says something special about that space we created and the power of Indigenous aesthetic practices to support agency and self-determination.



Figure 26: Community Work Day, Yukon University, 2018. Photograph by author.

I decided to call Jean a few months later to ask her about her experience. Below is a synopsis of our chat.

Lianne and Jean

I called Jean at 10:15 a.m. I think I woke her up. Oops. I introduce myself. We exchange greetings. I realize now that I jumped right into my question for her, rather than taking a bit of time to ask her how she's doing. Oops again.

I tell her that the moose has turned into a bigger project and that I've been writing about the experience of making the moose. I tell her that I interviewed people who helped make the moose and that she was showing up in their memories and that she had a really positive impact on people, including myself. She sounded happily surprised by this: "Oh, yeah?" she says.

Then she starts to talk: “I’m 70 now,” she says, “and this stuff is new to me. When I was younger, I didn’t pay attention to any of that stuff. I’m not a politician. But that pink moose—it really touched me. I knew Elijah Smith. I knew them all [First Nations leaders in the 1970s]. I used to sit and visit with them. I was just a young person, and I didn’t grab everything they were talking about. I enjoyed working on the moose so much and I was only there for a little while. I enjoyed meeting you. I think that it’s really important that it’s our people doing that work. If it was white people doing it, it wouldn’t mean a thing. I wouldn’t be there. You—it really touched home, you doing it. I just felt like I wished Uncle Dan and Uncle William—they went to Ottawa with Elijah—I wish they were there.”

I started to cry. My voice wobbles as I try to convey to her how much hearing this means to me and especially now. I’ve been feeling so disconnected from the real world while writing this dissertation. I’ve been feeling so alone with my ideas. I don’t know if what I’m writing makes sense or if I’m making something from nothing. I don’t say any of this. I’ve just been feeling the weight of it for weeks. Jean’s words start lightening the load. They make the weight bearable and worth it. She’s telling me it matters. I tell her that it’s been lots of hard work. She says: “Yes, of course, it’s hard work. Lots of hard work. Lots of emotions—happy ones, sad ones, in-between ones.”

She tells this story of a conversation she had with a friend.

“You know the pink moose?” Jean says to a friend.

“Yah.”

“You’re looking at one of the people that helped put some of that pink paper on.”

“Wow.”

“Yes, and I know the artist.”

She uses this as an example to say the moose is getting around.

“It’s travelling around. Might as well be alive,” she says.

I tell her that I’ve been thinking a lot about how she worked that day. I tell her that I saw her standing and watching for a long time, then working. I tell her that someone I interviewed remembered her and how she taught her how to do some of the work. “Oh yah,” she says. I tell her that her way of working reminded me of an old way of working. People don’t work like that anymore. They just jump right in, and it can get messy fast.

And she replies, “Yes, people don’t work like that. I was raised by my grandparents. I was the youngest. My grandpa had polio when he was younger. He walked with a limp. I used to go berry picking with him. My teachings came from my grandpa. I can do anything my grandpa could do, like make snowshoes. He taught me how to work.

First you look.

See what people are doing.

Watch them.

When you feel good, you go try it.

Take your time.

You look. You watch. Then you say, 'Can I help you?' and you work.

I'd like to live like my grandma and grandpa did—in the bush."

I tell her that I want to use her as model to teach other people how to work like that again. Not everyone is raised by their grandparents anymore. Not everyone knows how to work like that, like the old way. We have to learn and find people to learn from. We have to find creative ways to learn again.

She agrees.

I ask about sharing some of my initial thoughts about her and the way she works at a presentation I'm doing at the University. She jokingly says, only tell them the bad things! We laugh. I tell her I'll use a different name and she says no, use my name. I want people to know that I'm part of this. It's important that people know that it's me.

I thank her through tears. I'm overwhelmed with her generosity and commitment to the project. This counters all the negative thoughts I had about things up until this point.

I express my gratitude and she says: "I wish I was there to give you a hug. Can you feel my arms around you?"

She starts to pray.

"Gunalchîsh²⁴, [She uses a term that I don't know. Maybe it's for Creator or God.]

Give Lianne the strength that she needs.

Gunalchîsh, [Creator]

Give Lianne softness, so that when she talks, no one hears hardness.

Gunalchîsh, [Creator]

Give Lianne what she needs to do the work that she needs to do.

Gunalchîsh, [Creator], Gunalchîsh."

²⁴ "Thank you" in Southern Tutchone.

“Mahsi Cho, Jean. Thank you. Speak to you again soon. Goodbye.”

“Don’t say goodbye.”²⁵

“Oh right, sorry. See you later, Jean. Thank you.”

“See you later, Lianne.”

“Take care.”

I drew upon the work of Julie Kaomea (2009) in Chapter Three when analyzing the settler participants in the moose-making project. She writes of non-Hawaiians in Hawaiian-centric spaces learning to know when to step forward, step back, step out. In a Yukon context, Jean’s way of entering the moose-making space, is an offering that informs how settlers, visitors, newcomers can enter Indigenous spaces and lands, and how they can come into relationship with Indigenous Peoples. Jean’s grandpa taught her through his own actions that:

First you look.

See what people are doing.

Watch them.

When you feel good, you go try it.

Take your time.

You look. You watch. Then you say, ‘Can I help you?’ and you work. (pers. comm., 2020)

I imagine an Indigenous present in which settlers enter Indigenous communities, nations, and lands like this. The assumption in Jean’s model is that the work folks will do is for the betterment of the whole, not necessarily the self. Gertie’s family worked this way. So, too, did the moose-makers. Settlers who follow Jean’s work ethic within the Yukon’s modern day treaty context would center Yukon First Nations’ needs and desires, perhaps in the ways that they had originally requested in *Together Today for our Children Tomorrow*. Like Abby, they would funnel their skills towards Indigenous Peoples. Like Gwen, they would funnel their assets, time, and care towards Indigenous Peoples. There’s no explicit expectation of a return in Jean’s model. It is because she’s coming from a worldview that creates balance and is built on values of sharing and reciprocity. Just as a real moose gives its life to the hunter knowing that they will

²⁵ This is a teaching I’ve come across several times since returning home. It is taboo to say “good-bye” because it implies that you won’t ever see each other again. People believe that it’s impossible because even if you pass away, you will see each other again in the next life or afterlife. I’ve been told to say, “see you later”.

care for their habitat and species in return, Jean offers her labour because it betters the whole and she knows that the whole will care for her.

Following the Moose: Toward Indigenous Futures

Northern Tutchone people have a concept for how Jean carried herself at the community workday, and likely through life. The concept is Dän K'I, which translates to “the way of the People”. This dissertation has demonstrated how settler colonialism continues to sever Indigenous peoples from the land and their cultural practices. It is also a meditation on how I have personally been navigating this. I am actively learning about the ways of my People and trying to live a life guided by doòli, our laws. Indigenous aesthetic practices have brought others into the folds of this work: of reconnecting with themselves, reconnecting with others, and reconnecting with the land. As a pedagogy, then the process becomes about how to do actively learn to live on Indigenous lands informed by Dan K'I, the ways of the People. As an Indigenous aesthetic pedagogy, the art pieces invited regular people into a learning environment where modern treaty complexities were made accessible, learning did not perpetuate harm, and Indigenous political realities were made visible and attended to. The art pieces facilitated an aesthetic pedagogy that supported participants to see that they have relational responsibilities to the People of this place, treaty, and the land that they occupy. As such, Indigenous aesthetic pedagogies support Indigenous Peoples and settlers to learn to be attuned and responsive to the intimate political experiences of Indigenous Peoples as shaped by their political circumstances and the desires they have for the future.

The moose is our relation and is giving us something. He is making an offering to us (to feed and sustain our lives and our growth). We reciprocate with giving thanks, ensuring it can live a good life by protecting its habitat, not taking cow moose, and only taking what we need. It's a cycle. Dian Million calls these “place-based epistemologies” (Million 2014, 339). Throughout its making and its existence in galleries, the pink enabled the creation of Indigenous-centered spaces. The participants in this study had an array of experiences and conversations in the presence of the pink moose and other art pieces:

- People learned to see themselves in relationship with this place differently;

- People learned to see how we are interconnected at a personal level, that we have shared experiences/affinities: motherhood, love of land, deep care for each other;
- People learned that our politics are not outside ourselves, but intimate and personal;
- Settler participants were confronted with a call to action, a call to responsibility;
- Settler participants were confronted with implicit and explicit ways that they benefit from Indigenous containment, erasure, removal, and disempowerment as facilitated by modern treaty;
- People were confronted with the settler state's agenda, its effects on an intimate level and its incompatibility/violence towards Indigenous desires;
- Settler participants were asked to carry some of the burden of Indigenous political circumstances and act, change, show up in different ways;
- Indigenous participants were collaborators in creating caring learning environments, centering Indigenous comfort, mentorship, and lasting relationships.

The pink moose is a teaching tool, and its existence and the relationships that emerge from it reveals the potentialities of Indigenous aesthetic practices as a site of pedagogical process. By pedagogical process, I mean the ways that we teach and learn to organize ourselves, and how we can organize ourselves informed by Creation and our original instructions. As such, Indigenous life—Creation itself—posits an otherwise to the Euro-Canadian bureaucratic systems Yukon First Nations have inherited from the state via modern treaty. Indigenous peoples like my family, through the creation and celebration of life, birthing, and sustaining families, are enacting alternatives. Indigenous aesthetic practices bring these intimate embodied and familial systems and transformative potentialities into view and encapsulate how Indigenous lifeways refuse the state, refute its desire for finality, and actualize Indigenous embodied futurities even as they expose the constraints the state places on Indigenous peoples' ability to live with Creation.

The moose opens up our imagination and allows each of us to see that we are part of something bigger than ourselves, that our in/actions have personal effects, and that we are in relationship with Creation and with each other. The pink moose reminds us that it is our agreement with the real moose, and not a paper treaty, that is the source of our interconnection. Settlers are now part of this relationship. Being in relationship with a real moose requires that everyone has a role and responsibility, and that everyone works for the greater good of the group so that everyone is fed, clothed, and prepared to work on/with the land. These are “the transformative possibilities of understanding treaties as they are understood by Indigenous people—as agreements about how to relate with one another and with creation.” (Starblanket 2020, 15). The pink moose demonstrates how Indigenous aesthetic practices are decolonial futures in the making.

The moose’s eye reflects these possible futures back to us. I chose a clear, glass marbles for his eyes. I wanted something that would mirror back the crystal-clear water of Little Salmon River on the day we put the placenta in the tree. This moose is seeing a future where the water is clean and clear. He’s also showing us that we, as Indigenous Peoples, see with clarity; we understand our political context, we know what we want and how to achieve it. The moose is also standing, despite having arrows in its side. He’s standing strong. He’s reminding us that real moose are traversing the land right this moment, in any way that they want, in any way that they desire, and in any way that they need, despite all the land categorizations and boundaries indicating where Indigenous Peoples have jurisdiction and where we don’t, where we have rights and where we don’t, and where we can make decisions ourselves and where we can’t. The moose is moving through our lands in the way that its ancestors did, and he’ll continue doing so. We must follow him again, just as we did before.



Figure 27: “Bull’s Eye” close-up, 2018. Photograph by author.

Epilogue

To remove the skin off a moose after the kill, start by making an incision at the chest in line with the heart. Place your hand inside the opening, between the muscle and the epidermis, and slide your hand along the moose's body. There will be places where the presence of your hand alone—moving along the curve of flesh, encased organs, and bone—is enough to coax a separation of body and hide. There will be others where you will need to use a knife to slice the sinewy connective tissue. The hand motions will remain the same, though: hold the hide in one hand, the other will slide along and cut. Let your knife hand be guided by his body. Follow him over his ribs. Stay with the roundness of his belly, the dip of his back, the curve of his hindquarter.

Follow the moose | slide and cut | your hand can deconstruct.

I'm standing at the moose's side. I have 50 pages of the UFA printed on hot pink paper in my hand. I begin to rip off the straight edges of each page, and then tear the sheets across the blank spaces between the lines of text, so that at least a few sentences will remain intact and readable. I make a large pile of treaty pieces and balance it on the sawhorse next to me. I open a can of wallpaper paste and dip my gloved right hand into its cool contents.

I wipe the paste on the moose's body—enough to wet the spot where I'm going to place the paper. I place a piece of UFA on his body with my left hand, dip my right hand into the paste again, and then wipe over the paper with more glue.

I repeat the steps: dip my fingers in the paste, wipe my hand along the moose's body, add a piece of ripped treaty, dip my hand in more glue, and wipe it over the paper.

My hand movements begin to feel fluid. The layers of ripped pieces start to blur into one another on the moose's body. It is difficult to tell where one clause ends and the other begins. The final wipe of glue on the growing UFA collage becomes a bigger arm movement across the side of the moose. As I do this, I feel his Styrofoam ribs, the fullness of his hollow belly, the ridge of his wood spine connecting his shoulders and haunches. When I step back, the treaty looks whole again. The only evidence that it has been ripped and pieced back together is the abrupt end to sentences, the random missing words, and the scattering of non-sequential, numbered clauses.

Follow the moose | rip and paste | your hand can reconstruct.

I take a few steps back. The text blurs and disappears.

I take a few more steps back.

His gold-painted, Styrofoam rack glints in light and catches my eye.

I see a moose.



Tl'ákú hūch'i | That is all.

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