

The background of the slide features a grayscale illustration of a mountain range with evergreen trees in the foreground and middle ground, creating a sense of depth and nature.

Citizenship, Membership and Identity: ***Positive and Sustainable Paths Forward***

Information session designed for
The Mohawks of Wahta
February 26, 2017

Why are we presenting this information?

- Other Nations have valuable experience in addressing the challenges that now face Wahta. Sharing this knowledge and experience can be helpful in forging the path that lies ahead.
 - Wahta is not alone in trying to figure out how to address community needs, identity issues and community obligations
 - The identity question is one of the biggest issues facing all Indigenous peoples
 - Determining who can and cannot belong to a community has impacts on other issues facing Indigenous communities
 - » Access to resources
 - » Access to lands
 - » Residency
 - » Voting in elections

Why are we presenting this information?

- The history and stories of other Nations are different, but the processes they went through, and what they learned in these processes, to address the challenges they faced are invaluable. Sharing this knowledge and experience can be helpful in forging the path that lies ahead.
- Other Nations still have many challenges *despite* their successes - but their *goals* and their *governance structures* are organic to their inherent values, principles and ways – both traditional and modern. This enables them to address challenges meaningfully, sustainably and in processes that makes sense to them. Sharing this knowledge and experience can be helpful in forging the path that lies ahead.

Why are we presenting this information?

- Carcross/Tagish First Nation Case Study

A Nation who has achieved its governance goals and who *alone* determines who belongs to them on the basis of their own laws, *despite* the challenges it faces in doing so. Sharing this knowledge and experience can be helpful in forging the path that lies ahead. Why they decided to proceed in this manner was the result of aligning their long-term goals with governance approaches.

OVERVIEW

I. CARCROSS/TAGISH FIRST NATION (CTFN)

- A. Community Demographics: Past and Present
 - 1. Geography
 - 2. Population
 - 3. Language Indicators
- B. Governance
- C. Community Values and Legislation
 - 1. Constitution
 - 2. Family Act
 - 3. Membership and Citizenship

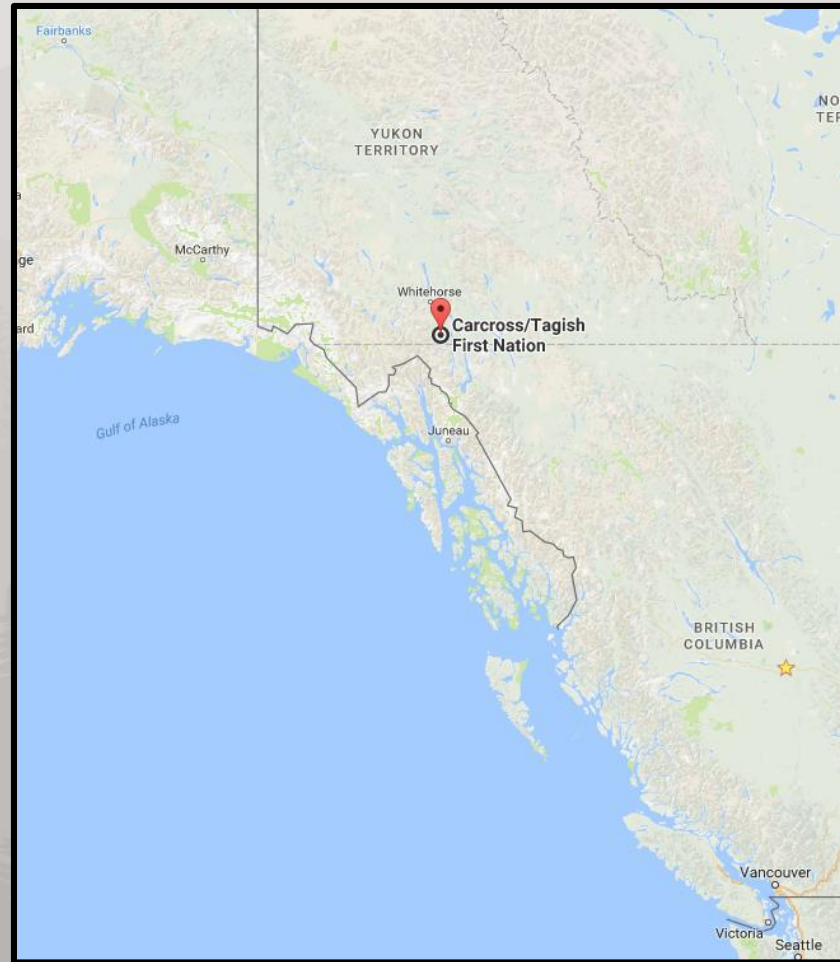
I. ANALYSIS AND APPLICATION

- A. Fundamental Concepts
- B. Essential Practices/Foundations

II. SUMMARY/LESSONS LEARNED

All data and qualifications obtained from: Published community resources, former leadership, census reports and current staff.

Where is Carcross/Tagish First Nation?



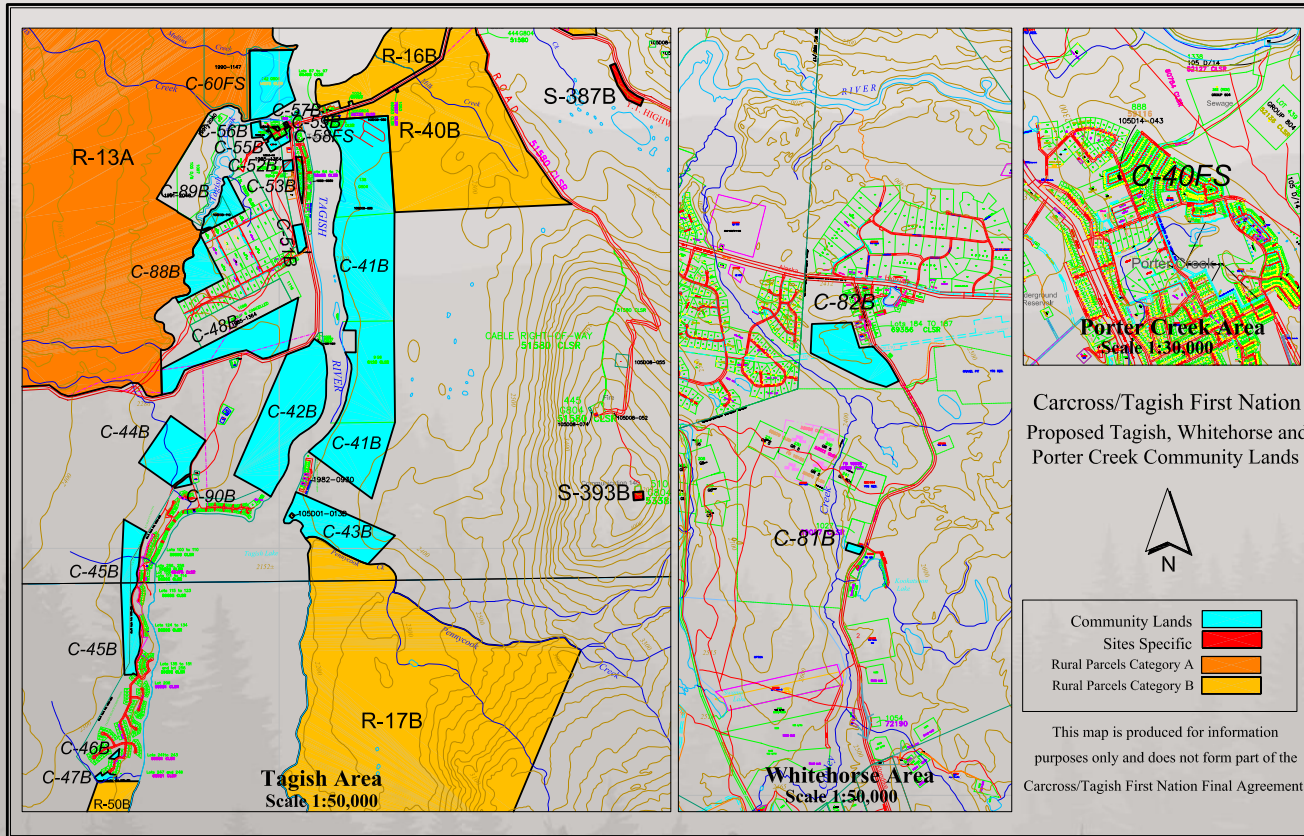
A. Community Demographics

1. Geographic Information

- Languages by Carcross/Tagish - Tagish and Tlingit
- Home of Tlingit traders from Southeast Alaska 2000-300 years prior to contact in Yukon
- Carcross is along old Klondike Gold Rush Trail -- 74 km south of Whitehorse on the Klondike Highway and about 110 km north of Skagway, Alaska
- Original hunting/fishing camp for Inland Tlingit and Tagish people
- Carcross became center during the Klondike Gold Rush
- The White Pass and Yukon railways forced Carcross to become major transportation hub
- Now tourism is main economic base
- The settlement of Tagish is about 30 km east of Carcross is a mix of year-round residents and part-year cottage residents
- Tagish attracts tourists and cottage owners from Whitehorse
- Many people live in community and commute into Carcross or Whitehorse for work



Land Use



A. Community Demographics (continued)

2. Population and Dwelling Counts (In part: 2011 Census Data)

Population in 2011	733
Population in 2006	533
2006 to 2011 population change (%)	32.5%
*Estimated Population in 2017	1,300
*Estimated Population in 2006	300

*Estimated population numbers were provided by former leadership and confirmed by current C/TFN staff.
Estimations were not extracted from Census Data.

A. Community Demographics (continued)

3. Language Indicators (Census 2011)

Total Aboriginal identity population in private households by knowledge of official languages	295
Percentage of Aboriginal identity population with an Aboriginal language as mother tongue	10.3%
Percentage of Aboriginal identity population with knowledge of an Aboriginal language	18.6%

A. Community Demographics (continued)

3. Language Indicators (Mother Tongue - Census 2011)

Total – Detailed mother tongue	735
English	600
German	50
French	40
Tlingit	15
Spanish	5
Tagalog (Philipino)	5

*For smaller communities where the population does not exceed 250, income statistics are suppressed. For this reason, the census subdivisions of Carcross (6001048), Carcross 4 (6001008) and Tagish (6001036) were combined to provide aggregated data for this geographic region. Total mother tongue represents the sum of single language responses and multiple language responses received in the census.

B. GOVERNANCE

- C/TFN began self-government negotiations in 1973 after the *Calder* decision. Implementation of their Agreement began in 2006.
- C/TFN is governed by a “Beneficiaires model” – NOT an “Indian Act” model.

Both model have their challenges, but the beneficiaries model (or “Self Government”) can allow for greater law making powers. Under the Indian Act regime, all “laws” and “by-laws” are enacted pursuant to the delegated powers under the *Indian Act*. Under a self government agreement, laws and by-laws are enacted under the powers set out in the self-government Agreement. The Agreement is the tool C/TFN uses to relate to the Government. It is used instead of the *Indian Act*.

INDIAN ACT BAND

If the agreements are not ratified (people vote NO), C/TFN will remain an *Indian Act Band*.

C/TFN will continue to be governed by the *Indian Act*.



Law-making powers

C/TFN has limited power to make by-laws for its Reserve. These by-laws are subject to approval by the Minister of Indian Affairs.

Tax

C/TFN has limited ability to collect taxes. It has no ability to get a share of the taxes other governments collect.

Land

C/TFN cannot own any land (its corporation can). The federal government has legal title of the Reserve.

Money

C/TFN gets money every year to run the Band (increases not guaranteed). C/TFN also gets money to run programs and services. The federal government mostly controls how money can be spent.

SELF-GOVERNING FIRST NATION

If the agreements are ratified (people vote YES), C/TFN will become a self-governing First Nation.

Carcross/Tagish Band dissolves.
Carcross/Tagish First Nation is formed.

C/TFN governs according to its Self-Government Agreement



Law-making powers

C/TFN will be able to make laws about its administration, operation, and internal management.

C/TFN will be able to make laws for its citizens in areas such as health care, aboriginal languages, training, education, cultural beliefs and practices, social welfare, and adoptions of children.

C/TFN will be able to make laws relating to hunting, fishing, logging and other uses of its Settlement Land.

Tax

C/TFN will be able to make laws and collect taxes for various activities on Settlement Land.

C/TFN will be able to negotiate for direct taxation, such as sales tax and income tax.

C/TFN will be able to enter discussions to access property tax.

Land

C/TFN will own over 1,554 km² of Settlement Lands. It will own the rights to mineral and oil and gas resources below the surface on two-thirds of this land.

Four Special Management Areas (SMAs) will also be established. C/TFN will have joint ownership of heritage sites at Conrad and Tagish Post/Six Mile River.

C/TFN will have direct control or input into the management of over half of its Traditional Territory.

Money

C/TFN will decide how to spend, invest and manage its money. Financial compensation, with an indexation adjustment and after loans are paid back, will be about \$22.5 million

Programs and services annual funding (\$3.3 million in the first year) will increase as prices and the C/TFN population increase.

There will be annual payments to run the C/TFN government as well as one-time implementation payments of \$1.2 million. C/TFN will also receive over \$2.8 million related to tax changes.

A \$5.6 million Strategic Economic Development Fund for C/TFN will be set up.

Contact the Ratification Committee for more information.

Lands Trailer DRP4, Box 130, Carcross, Yukon Y0B 1B0

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B. Governance (Continued)

- A council of six Clans govern the People and the Territory:
 - Wolf Moiety Clans
 - » *The Daklaweidi*
 - » *Yan Yedi clans*
 - Crow Moiety
 - » *Deisheetaan*
 - » *Ganaxtedi*
 - » *Ishkahittaaan*
 - » *Kookhittaaan*

C/TFN Website: <http://www.ctfn.ca/origin-clans>

C. Community Values and Legislation

1. Constitution

Mission Statement:

The Carcross/Tagish First Nation is mandated to protect the environment, health and wellness, education and aboriginal rights of our citizens; to continue to preserve and protect our culture, traditions, languages; to protect and develop our natural resources and strengthen our economy and the Carcross/Tagish First Nation government for future generations.

- Promotion of unity
- Strengthening and revitalizing clan system

http://www.ctfn.ca/documents/doc_view/180-c-tfn-constitution

C. Community Values and Legislation (Continued)

2. Family Act

- Highlights 8 main values derived from 150 traditional stories and legends:

http://www.ctfn.ca/documents/doc_view/42-family-act-2010

*“Our families are the beginning and future of our community
...they are our First Nation.... when they are strong we are all
strong.”*

B. Governance (Continued)

2. Family Act (continued)

Selflessness	Honour	Respect	Courage	Integrity	Knowledge	Compassion	Honesty
Sharing	Loyalty	Acceptance	Perseverance	Modesty	Creativity	Forgiveness	Truthfulness
Generous	Devotion	Diligence	Volition	Humility	Life Skills	Caring	Trust
Cooperation	Responsibility	Obedience	Sacrifice	Self-Discipline	Curiosity	Empathy	Accountability
Service	Humour	Patience		Moderation	Gratitude	Kindness	

- Virtues are based on the foundational aspects of the story *The Boy Who Shot The Star*.
- Story shows how values guide their actions in carrying out responsibilities to sustain and support family.
- Used as the way to determine the building blocks of community and relationships to others.

C. Community Values and Legislation

3. Membership and Citizenship

- C/TFN Code adopts an open/inclusive framework based on the Elder's Council reported view that:

"It is not our way to throw away our children."

- The C/TFN Citizenship Code establishes that citizenship may be acquired by one, or many, of six ways:
 - Indian status
 - Standing as a beneficiary to the Agreement
 - Tagish ancestry (under the "one drop" principle: further to the Elder's Council direction)
 - Adoption
 - Endorsement
 - Acceptance by the appropriate governing body

C/TFN Citizenship Code

2.0 Citizenship

2.1 A person is entitled to be a citizen and enrolled on the citizenship list provided that the person:

2.1.1 *is a member of the Carcross/Tagish Indian Band immediately prior to the effective date of the Carcross/Tagish First Nation Self-Government Agreement;*

2.1.2 *is enrolled or eligible to be enrolled as a Yukon Indian Person pursuant to the Carcross/Tagish Final Agreement; or*

2.1.3 *is of Carcross/Tagish ancestry.*

2.2 A person who does not have Carcross/Tagish ancestry may become a citizen if:

2.2.1 *he/she has a special relationship with the Carcross/Tagish First Nation;*

2.2.2 *his/her application for Carcross/Tagish First Nation citizenship is*

sponsored by a citizen; and

2.2.3 *is accepted by the citizenship committee.*

2.3 *Each citizen, who is not a member of a clan, may be adopted by a clan and be represented by that clan's representatives within the Carcross/Tagish First Nation government.*

Emphasis added

II. ANALYSIS AND APPLICATION

A. Fundamental Concepts

- **Balance:** roles as dependents and providers, essential balance that keeps communities vibrant, connected. Includes balance in all parts of life (mental, physical, spiritual and emotional health).
- **Self-Esteem:** flows from honoring values, doing good for others, letting go of false pride. Putting others first.
- **Love:** all things nurtured with love grow strong and capable of loving in turn. Includes loving the self. Love is unconditional.
- **Wisdom:** more than knowledge. How knowledge is used. For every action there is reaction. The larger picture on life.

II. ANALYSIS AND APPLICATION

B. Essential Practices/Foundations

- **Connection:** All things are connected. Values teach how to stay connected and be part of whole in ways that contribute to health of whole. Values are about governance. How they will be depends on how they honour their values.
- **Laws:** practical expression of values and beliefs. Laws based on values from stories and traditions. Honouring laws, families, community prospers. Family laws built on values from stories and traditions grow and change. Laws change, values do not.
- **Consensus:** respect for every person's contribution. Decisions made, putting community first.

II. SUMMARY/LESSONS LEARNED

- C/TFN's population has grown in numbers since it opened its citizenship formula to accept people who are related through kinship, adoption, endorsement or other methods of acceptance determined by the community. This approach serves to minimize the overall assimilative effects of the formula set out at section 6 of the *Indian Act*.
- The population grew from approximately 300 to 1,300 persons, all of whom contribute variably to their Nation and take an interest in language and culture more than ever before.
- Including ancestry as a requirement of membership does not preclude the inclusion of other avenues of acquiring citizenship and the ability of a Nation to attribute particular rights and responsibilities to such categories of citizenship, based on their beliefs and values.
- Citizenship formula possibilities are plentiful. Who belongs to you, and your future as an individual, a family, a clan, a community and a Nation, is your choice.
- Consider all your options and their consequences closely and chose wisely.



Nai:wen Thank You