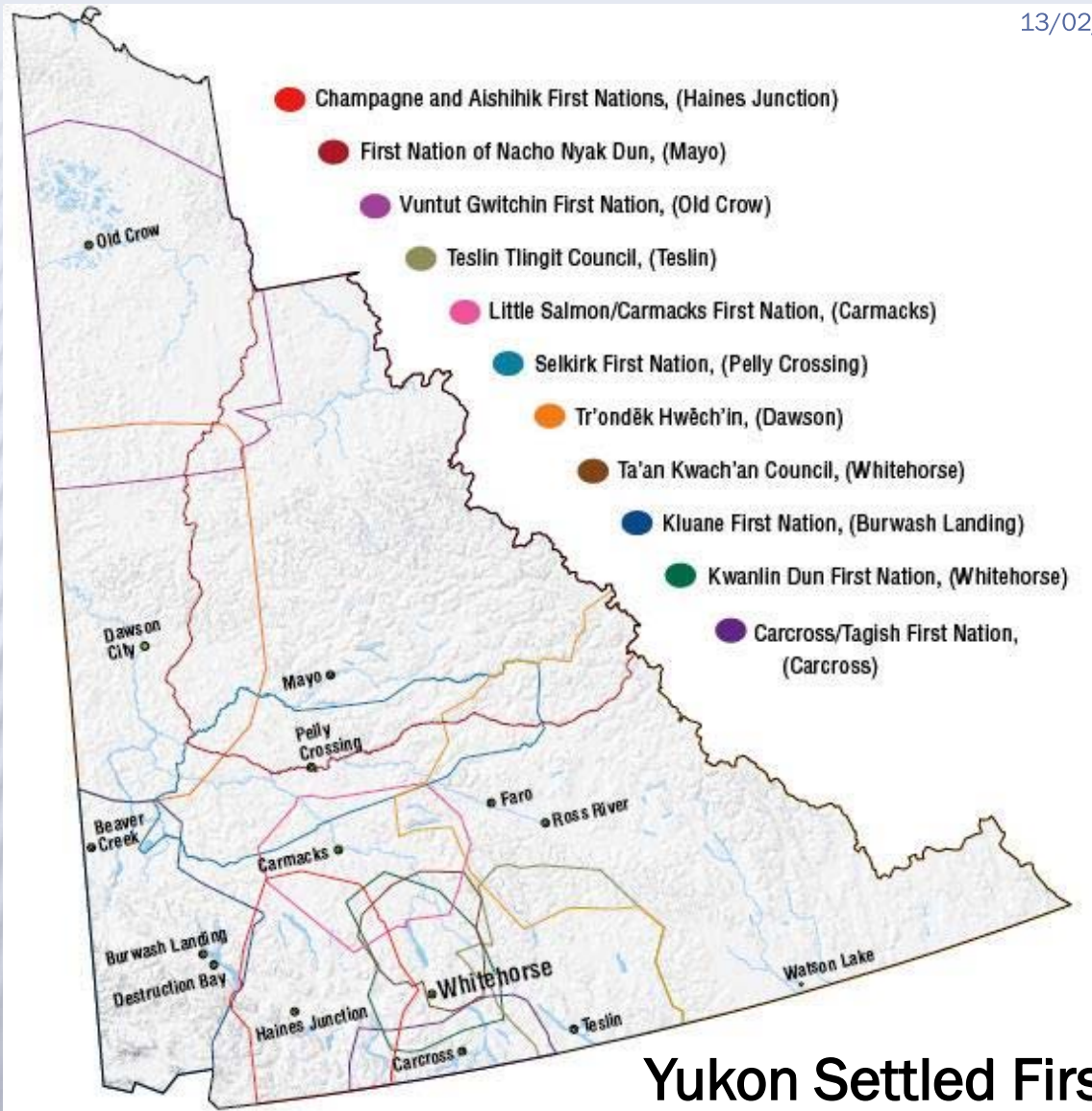


**NEW NORTHERN
BORDERS: THE GROWTH
OF ABORIGINAL PUBLIC
ADMINISTRATION IN THE
DETERRITORIALIZATION &
RETERRITORIALIZATION
OF YUKON**

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Yukon Settled First Nations

TRANSBOUNDARY ISSUES

- Yukon FN traditional boundaries do not conform to the “superimposed” European concepts delineated by internal Canadian borders, nor the US/Canada IB
- Many of the FNs are transboundary, Kaska, Teslin/ Tlingit, White River, CAFN, Han and Vuntut
 - Equals - challenges for managing cross border resources - mining to migratory herds and salmon
- It also divides traditional shared complementary food resources creating hardships VGFN example

TERRITORY AND TERRITORIALITY

Jean Gottmann (1973) Two functions for territory:

- 1) Shelter for Security and a
 - 2) Springboard to Opportunity (Fraser Institute)
- Security & opportunity require internal organization of territory and an organization of external relations
 - The Northern Territories are constantly reworking their relations with Canada through the devolution process
 - Equally, the First Nations in NWT and Yukon are challenging and attempting to broaden their local state status through negotiations, frequently court challenges

DETERRITORIALIZATION & RETERRITORIALIZATION

Harvey, *The Condition of Postmodernity* (1989):

..deconstructing social power by reshaping geographical bases

O'Tuathail & Luke, (1994)

- Along with devolution in Yukon came FN land claims & the deterritorialization of the Territory itself into numerous new semi-autonomous jurisdictions
- These new FN Territories with land and cash are reterritorializing themselves through investments at home and through economic development outside of their Traditional Territories

TRADITIONAL TERRITORIES

- http://www.env.gov.yk.ca/animals-habitat/documents/traditional_territories_map.pdf
- VGFN Land Claims 1993, equals deterritorialization of Yukon
- Old Crow reterritorialization investment through NY NY, with VG Dev Corp – one of the remotest places on earth



OLD CROW, A 3R PLACE



ALTERNATIVE TERRITORIALITY

Soren C. Larsen (2003) Cheslatta T'en (NC BC)

- Leaders used the cultural exchanges & social networks generated by the alliance to fashion territorial initiatives
- They channelled popular environmentalism, provincial forestry policies, and ancestral ethnoecology into collective identity, action, and authority
- They attained political influence over ancestral lands without participating in the province's treaty settlement process

YUKON FIRST NATIONS TERRITORIALITY

- A First Nation's civil service generates the core stability that these small traditional territories require to maintain their security and to generate opportunity
- Yukon First Nations have development corporations (at arms length) that are supported by natural resources as well as the investment of treaty funds into industry and land development – Air North, land development etc.

FN TERRITORIALITY & THE COURTS

- Calder v. Attorney-General of British Columbia [‘73]
- The Delgamuukw v. Campbell (1997) acknowledged **Aboriginal title** – ownership of the Land itself – and the “right to choose” how Aboriginal title lands are used
- Roger William v BC: A SCC Decision June 26, 2014, first time a court has granted Aboriginal title to a specific land area in Canada¹ –a remote valley in central BC. The Court found that BC breached its duty to consult when it made land use planning decisions over the lands where title was claimed by the Tsilhqot'in FN

RESOURCES AND LITIGATION

- FN gov'ts increasingly challenging Canada & Yukon through court actions – Duty to Consult
- They have increased access to funding and an evolving civil service to advance legal positions
- Meanwhile, FN Dev Corps have increasingly been taking an active role in regional economic development (example see Carcross/CTFN)

On December 27, 2012, the Yukon Court of Appeal ruled in **Ross River Dena Council v Government of Yukon**, that the Yukon government has a duty to consult with First Nations when recording mineral claims in the First Nation's asserted traditional territory (i.e. non-treaty area)

The Court found the duty to consult exists even though the relevant legislation gave essentially no discretion to the officials recording the claims

McMillan LLP, January 2013 Aboriginal and First Nations law
bulletin

YUKON FIRST NATIONS INVESTMENTS

Kilrich Industries



**Kwanlin Dun Cultural
Centre, Whitehorse, 2013**

YUKON FIRST NATIONS TERRITORIALITY

Three Principles that Relate to the Land

(Centre for First Nations Governance) Re: Gottmann - Security & Opportunity

- Territorial Integrity - historic and present day connections to the Land
- Economic Realization - develop their Land into sustainable economies, for benefit of citizens and government finance
- Respect for the Spirit of the Land - asserting inherent rights to protect and preserve the Land & its resources by optimizing the economic opportunities the Land provides

Cacross Redefined



Cacross
SAVE THE DATE
Friday, May 17, 2013
11 am to 1 pm
Cacross Commons

We are excited to host the spirit of the region in our own backyard!
This active event will honor our local, regional and community partners who have helped to make our vision a reality. The spirit of the region is alive in Cacross!
Don't miss this event!
For more information visit www.cacross.com

RESEARCH AGENDA

- Our research agenda addresses the evolution of First Nation civil services in Yukon through mixed Q & Q research
- This presentation stresses baseline data on the First Nation civil service through the StatCan's Survey of Employment and Payroll Hours

YUKON FIRST NATIONS

- Have historical linkages to the land/natural resources
- Have a shared history with the land
- Are defined by their own languages, albeit heavily threatened
- Have political credence through negotiated land claims and contiguous settlement and use of the land
- Political terminology: Citizens and Beneficiaries

FIRST NATION POWERS

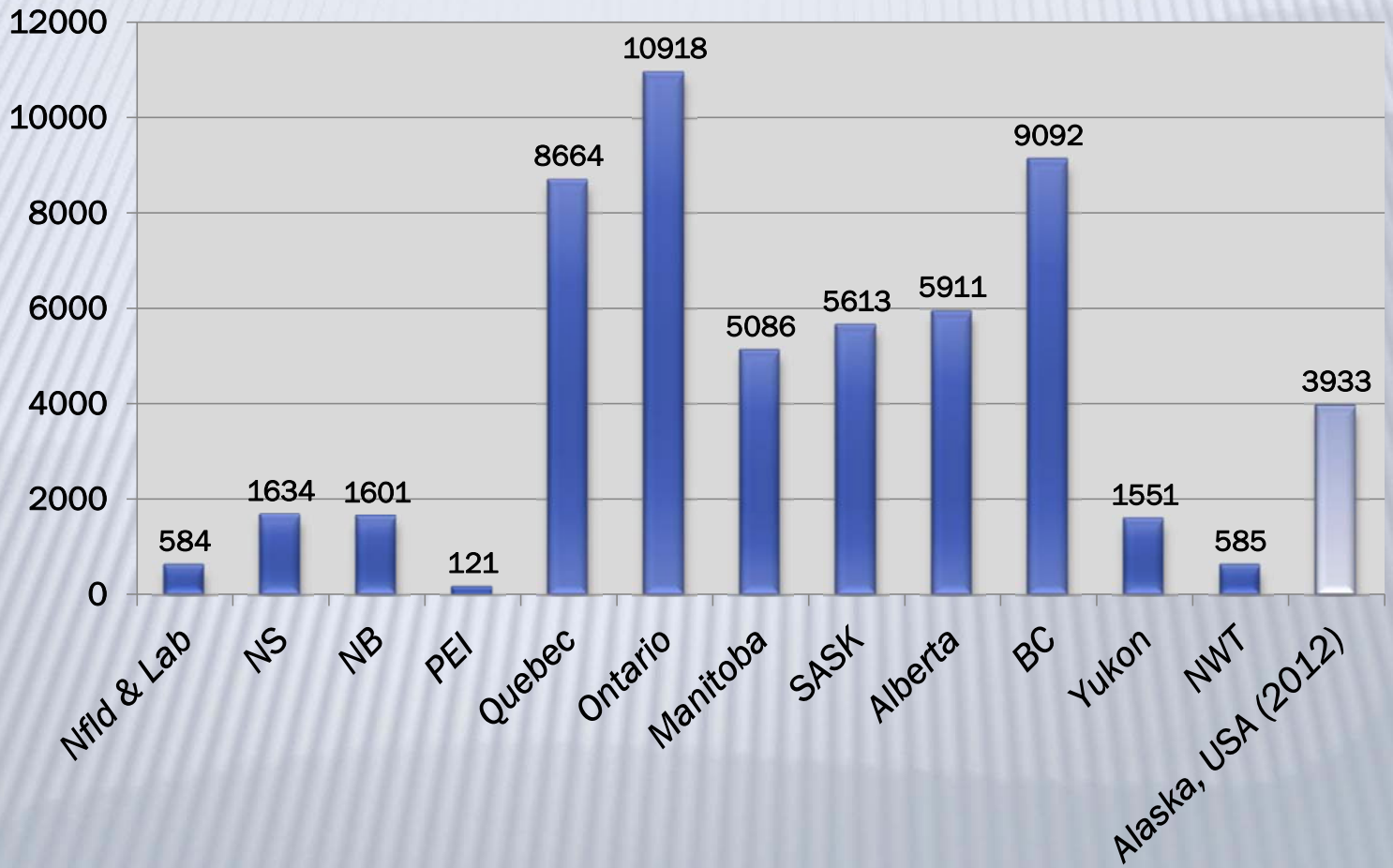
- Yukon FN Bureaucratic structures have a range of civil servants managing a wide range of portfolios:
 - Housing
 - Citizenship and Beneficiaries lists
 - Lands and Resources
 - Heritage & Culture
 - In some cases:
 - Education,
 - Health, and
 - Welfare

EMPLOYMENT IN FN GOVERNMENT

Survey of Employment and Payroll Hours

- SEPH: A pillar for Labour Stats in Canada
- Origins of Data YBS
- Number Employed
- Wages - weekly average
- Comparisons Yukon, NWT, BC, Canada, Alaska

SEPH: Total Employment Aboriginal Public Administration, Canada 2013



Aboriginal Public Administration as Percentage of All Employment

	2002	2003	*2008	2009	2010	2011	2012	2013
Canada	0.31%	0.33%	0.30%	0.30%	0.30%	0.30%	0.32%	0.33%
Yukon	6.14%	6.02%	6.43%	7.31%	6.83%	6.42%	6.83%	7.38%
NWT	2.52%	2.69%	1.75%	2.00%	2.05%	1.95%	2.02%	2.08%

* Suppressed Data 2004-2007

Table 281-0024 Employment (SEPH), unadjusted for seasonal variation, by type of employee for selected industries classified using the North American Industry Classification System (NAICS), annual (persons)(4,14,15)

Comparison Annual Change 2002-2013 in Aboriginal Public Administration					
GEOG.	North American Industry Classification System (NAICS)	2002	2007	2013	As % Change 2002-2013
Canada	Aboriginal Public Admin	41,020	43,432	51,361	10,341
	Annual Change		2,0412	7,929	
	Annual % Change		5.88%	18.26%	25.21%
Yukon	Aboriginal Public Admin	981	x	1,551	570
	Annual Change		x	570	
	Annual % Change		x	N/A	58.10%
NWT	Aboriginal Public Admin	603	481	585	-18
	Annual Change		-122	104	
	Annual % Change		-20.23%	21.62%	-2.99%

Yukon Aboriginal PA Annual Wages

Estimated Total Annual Wages

* Suppressed data 2004-2007

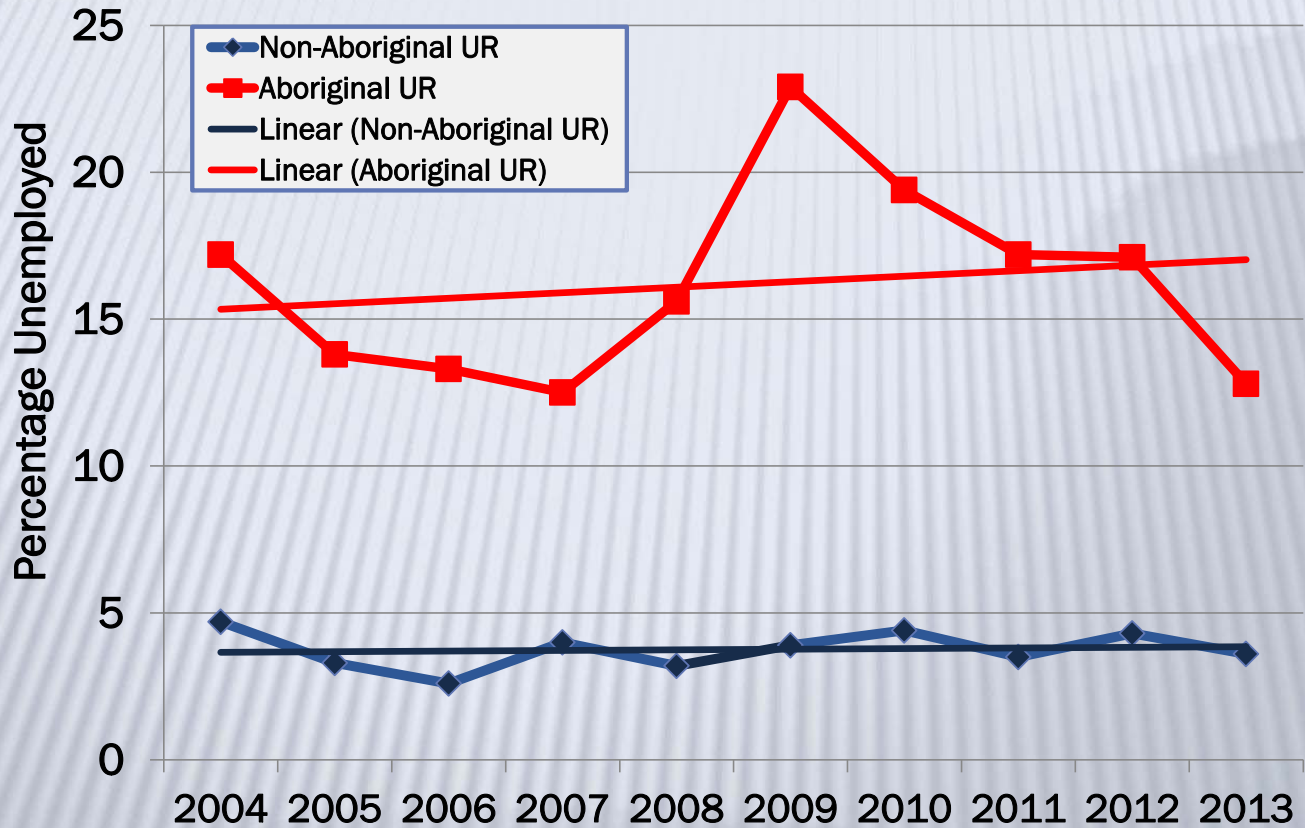
Year	Value	Change	Percentage Annual Change
2002	\$30,767,973		
2003	\$33,418,774	\$2,650,802	8.62%
*2008	\$46,765,966	\$13,347,192	NA
2009	\$56,854,534	\$10,088,568	21.57%
2010	\$53,037,195	-\$3,817,339	-6.71%
2011	\$56,239,296	\$3,202,101	6.04%
2012	\$60,354,049	\$4,114,753	7.32%
2013	\$61,331,122	\$977,073	1.62%

Yukon Real GDP 2007-2012 (in millions of dollars)

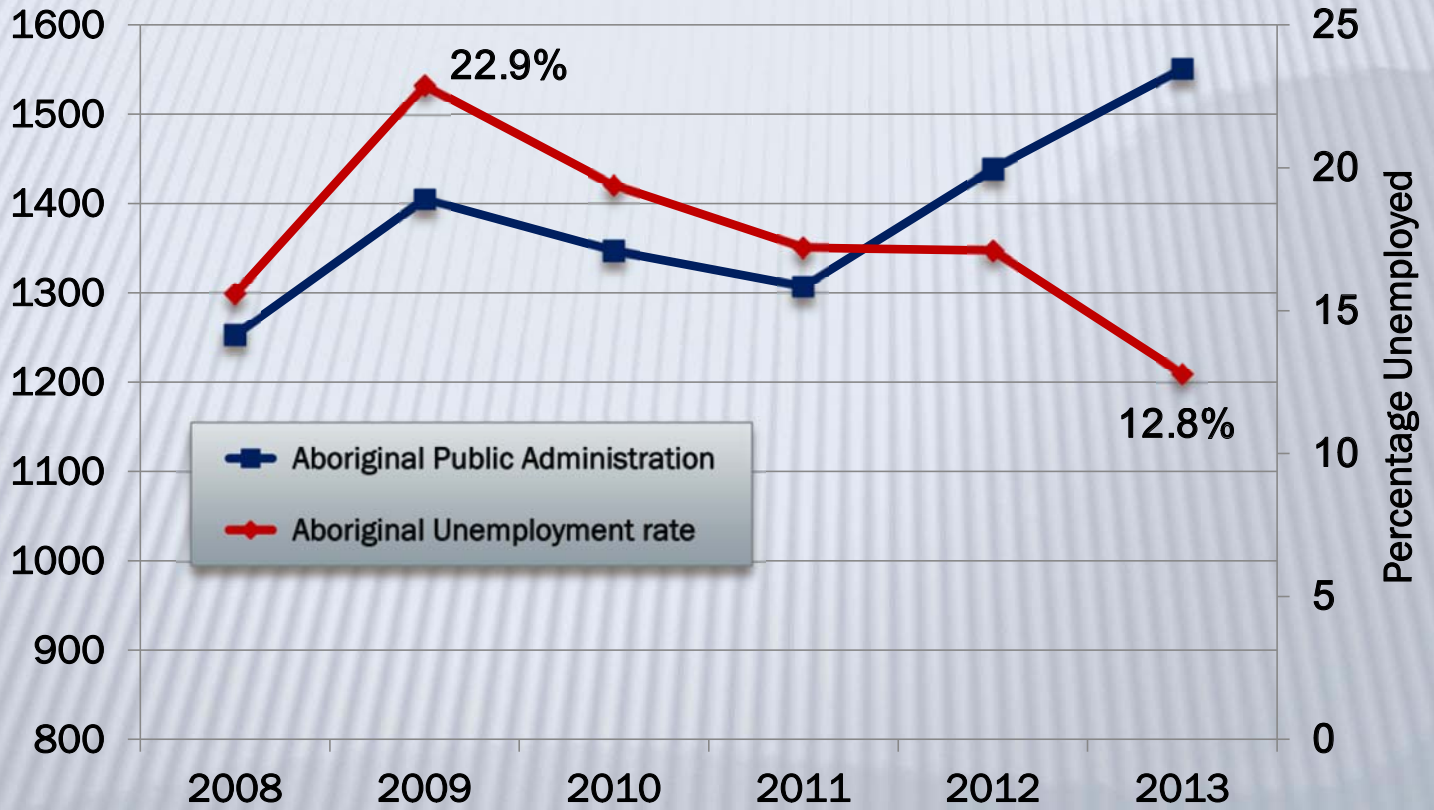
Year	2007	2008	2009	2010	2011	2012
Aboriginal Public Administration \$	62.2	64.0	68.7	68.3	66.2	68.3
All Industries \$	1,707.8	1,854.4	1,997.9	2,086.7	2,157.6	2,228.5
Aboriginal PA as a % of Real GDP	3.64%	3.45%	3.44%	3.27%	3.07%	3.06%

Publication data source: Statistics Canada CANSIM 379-0028 and 379-0030.

Yukon, Breakout of Unemployed Rate, 2004-2013



Correlation Aboriginal Annual Unemployment Rate against Number Employed in FN Government



NEXT STAGE

- **Mix in Qualitative Research:**
 - Structured surveys with Yukon FN Gov't Staff
 - Executive Directors, Directors of HR
 - Design survey with input from FN Staff
- **Need to assess:**
 - % First Nation staff vs. Non-Aboriginal staff
 - Recruitment and Retention of Staff
 - Training and career development
 - Role of FN Gov't. - local employment & economy

Pope Francis

While the earnings of a minority are growing exponentially, so too is the gap separating the majority from the prosperity enjoyed by those happy few. This imbalance is the result of ideologies which defend the absolute autonomy of the marketplace and financial speculation. Consequently, they reject the right of states, charged with vigilance for the common good, to exercise any form of control. A new tyranny is thus born, invisible and often virtual, which unilaterally and relentlessly imposes its own laws and rules.

... To all this we can add widespread corruption and self-serving tax evasion, which have taken on worldwide dimensions. The thirst for power and possessions knows no limits. In this system, which tends to devour everything which stands in the way of increased profits, whatever is fragile, like the environment, is defenseless before the interests of a deified market, which become the only rule.

1903 Le Canard

THE GRAB ALL



UNCLE SAM: See here young feller, – Don't get excited. I need the money, and I ain't afraid of your parents.

SEPH SOURCED

- Number of hours worked, are collected by the Business Payrolls Survey (BPS) which collects monthly data directly from a sample of establishments drawn from the Business Registry
- The initial BPS sample is made up of 15,000 establishments out of a population of 900,000
- The sample is stratified according to geography (province), industry (North American Industry Classification System (NAICS), level 3 or 4) and number of employees in the establishments

SEPH SOURCED

- The two variables of interest are collected by census method:
 - total monthly payroll [employment](#) and
 - monthly payrolls are extracted monthly from the [Canada Revenue](#) Agency Payroll Deduction (PD) administrative source
 - the payroll deduction source includes all employers with remittances for employee income taxes, CPP/QPP, and Employment Insurance contributions
 - In Yukon 17 FN political entities