

Helpful Terminology

(Information used from <http://www.aadnc-aandc.gc.ca/>)

Aboriginal peoples

The descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal people — Indians, Métis and Inuit. These are three separate peoples with unique heritages, languages, cultural practices and spiritual beliefs.

Aboriginal rights

Rights that some Aboriginal peoples of Canada hold as a result of their ancestors' long-standing use and occupancy of the land. The rights of certain Aboriginal peoples to hunt, trap and fish on ancestral lands are examples of Aboriginal rights. Aboriginal rights vary from group to group depending on the customs, practices and traditions that have formed part of their distinctive cultures.

Aboriginal self-government

Governments designed, established and administered by Aboriginal peoples under the Canadian Constitution through a process of negotiation with Canada and, where applicable, the provincial government.

Aboriginal title

A legal term that recognizes an Aboriginal interest in the land. It is based on the long-standing use and occupancy of the land by today's Aboriginal peoples as the descendants of the original inhabitants of Canada.

Band

A body of Indians for whose collective use and benefit lands have been set apart or money is held by the Crown, or declared to be a band for the purposes of the Indian Act. Each band has its own governing band council, usually consisting of one chief and several councillors. Community members choose the chief and councillors by election, or sometimes through custom. The members of a band generally share common values, traditions and practices rooted in their ancestral heritage. Today, many bands prefer to be known as First Nations.

Bill C-31

The pre-legislation name of the 1985 Act to Amend the Indian Act. This act eliminated certain discriminatory provisions of the Indian Act, including the section that resulted in Indian women losing their Indian status when they married non-Status men. Bill C-31 enabled people affected by the discriminatory provisions of the old Indian Act to apply to have their Indian status and membership restored.

Custom

A traditional Aboriginal practice. For example, First Nations peoples sometimes marry or adopt children according to custom, rather than under Canadian family law. Band councils chosen "by custom" are elected or selected by traditional means, rather than by the election rules contained in the Indian Act.

First Nation

A term that came into common usage in the 1970s to replace the word "Indian," which some people found offensive. Although the term First Nation is widely used, no legal definition of it exists. Among its uses, the term "First Nations peoples" refers to the Indian peoples in Canada, both Status and non-Status. Some Indian peoples have also adopted the term "First Nation" to replace the word "band" in the name of their community.

Indian

Indian people are one of three cultural groups, along with Inuit and Métis, recognized as Aboriginal people under section 35 of the Constitution Act. There are legal reasons for the continued use of the term "Indian." Such terminology is recognized in the Indian Act and is used by the Government of Canada when making reference to this particular group of Aboriginal people.

Status Indian

A person who is registered as an Indian under the Indian Act. The act sets out the requirements for determining who is an Indian for the purposes of the Indian Act.

Non-Status Indian

An Indian person who is not registered as an Indian under the Indian Act.

Treaty Indian

A Status Indian who belongs to a First Nation that signed a treaty with the Crown.

Indian Act

Canadian federal legislation, first passed in 1876, and amended several times since. It sets out certain federal government obligations and regulates the management of Indian reserve lands, Indian moneys and other resources. Among its many provisions, the Indian Act currently requires the Minister of Aboriginal Affairs and Northern Development to manage certain moneys belonging to First Nations and Indian lands and to approve or disallow First Nations by-laws.

Indian status

An individual's legal status as an Indian, as defined by the Indian Act.

Innu

Naskapi and Montagnais First Nations (Indian) peoples who live in Northern Quebec and Labrador.

Inuvialuit

Inuit who live in the Western Arctic.

Inuit

An Aboriginal people in Northern Canada, who live in Nunavut, Northwest Territories, Northern Quebec and Northern Labrador. The word means "people" in the Inuit language — Inuktitut. The singular of Inuit is Inuk.

Land claims

In 1973, the federal government recognized two broad classes of claims — comprehensive and specific. Comprehensive claims are based on the assessment that there may be continuing Aboriginal rights to lands and natural resources. These kinds of claims come up in those parts of Canada where Aboriginal title has not previously been dealt with by treaty and other legal means. The claims are called "comprehensive" because of their wide scope. They include such things as land title, fishing and trapping rights and financial compensation. Specific claims deal with specific grievances that First Nations may have regarding the fulfillment of treaties. Specific claims also cover grievances relating to the administration of First Nations lands and assets under the Indian Act.

Métis

People of mixed First Nation and European ancestry who identify themselves as Métis, as distinct from First Nations people, Inuit or non-Aboriginal people. The Métis have a unique culture that draws on their diverse ancestral origins, such as Scottish, French, Ojibway and Cree.

The North

Land in Canada located north of the 60th parallel. AANDC's responsibilities for land and resources in the Canadian North relate only to Nunavut, Northwest Territories and Yukon.

Nunavut

The territory created in the Canadian North on April 1, 1999 when the former Northwest Territories was divided in two. Nunavut means "our land" in Inuktitut. Inuit, whose ancestors inhabited these lands for thousands of years, make up 85 percent of the population of Nunavut. The territory has its own public government.

Off-reserve

A term used to describe people, services or objects that are not part of a reserve, but relate to First Nations.

Oral history

Evidence taken from the spoken words of people who have knowledge of past events and traditions. This oral history is often recorded on tape and then put in writing. It is used in history books and to document claims.

Reserve

Tract of land, the legal title to which is held by the Crown, set apart for the use and benefit of an Indian band.

Surrender

A formal agreement by which a band consents to give up part or all of its rights and interests in a reserve. Reserve lands can be surrendered for sale or for lease, on certain conditions.

Tribal council

A regional group of First Nations members that delivers common services to a group of First Nations.

This general information is provided as a brief overview only. The provisions of the Indian Act, its regulations, other federal statutes and their interpretation by the courts take precedence over the content of this information sheet.