

## **Glossary**

### **Aboriginal people**

the first peoples of a land.

also: defined in the Canadian *Constitution Act* of 1982 as all indigenous people in Canada, including Indians (status and non-status), Metis, and Inuit people.

### **Aboriginal rights**

the entitlement to use and occupy traditional lands and resources in ways that are linked to Aboriginal culture. They are not given or received, but rather exist inherently through primary and ongoing Aboriginal land use and occupancy. Aboriginal rights have been recognized by the Canadian courts and governments and are protected in the *Constitution Act* of 1982.

### **Aboriginal title**

the right of ownership and management of lands and resources based on primary occupation and use.

### **assimilate**

to absorb one social/cultural group completely into the social/culture of another.

### **band**

divisions of Aboriginal peoples in Canada as legally defined by the *Indian Act*. also used outside of the legal definition to identify different groups of Aboriginal peoples. sometimes used synonymously with 'tribe'.

### **Compensation**

something (such as money, resource royalties, benefits) given or received as payment or amends for a service or loss or injury.

### **Crown lands**

land owned and controlled by the Canadian Federal or Provincial government.

### **cultural suppression**

the marginalization or devaluation of one cultural group by another, frequently enforced by policy and laws in order for a cultural group to achieve dominance over the other.

**cut-off claim**

a land claim by a BC First Nation arising from the removal of portions of Indian reserves following the recommendations of the 1913-1916 Federal-Provincial McKenna-McBride Commission. Claims also exist for cut-off lands from other periods, but these are considered more generally under the Specific Claims process. These claims can be negotiated outside the treaty process.

**cut-off lands**

any lands taken away without consent from areas which, at any point, were/are legally designated as set aside as Indian lands.

**dispossession**

to put out of possession or occupancy

**ethnocentric**

believing that one's own ethnic group/culture is superior to others.

**extinguishment**

a term used to describe the cessation or surrender of Aboriginal rights and title to lands and resources in exchange for rights granted in a treaty. In the current treaty process, full or partial extinguishment of rights and title to land is required to conclude treaties. The issue of extinguishment in historical treaties is contested.

**fiduciary obligation**

a trust-like or legal duty of one party to look after the well-being of another.

**First Nations**

the self-determined political and organizational unit of the Aboriginal community that has the power to negotiate, on a government-to-government basis, with the province and Canada.

**Indian**

1 - originally an erroneous term for the peoples of North and South America, subsequently used to define indigenous people in Canada under the *Indian Act*. This term is still currently used as a legal definition and is one group of Aboriginal people, as defined in the *Constitution Act of 1982*.

2 - one of the terms currently used to identify the first peoples of Canada, it is considered offensive by some and is strongly asserted by others.

### ***Indian Act***

the principal Federal statute dealing with Registered Status Indians or Treaty Indians, local government, and the management of reserve lands and communal monies.

### **Indian Agent**

a representative of the Federal government to Canadian Indian tribes (especially on Indian reserves)

### **Indian reserve**

defined in Section 2 of the *Indian Act* as a tract of land that has been set apart by the Federal government for the use and benefit of an Indian band.

### **jurisdiction**

1 - the power or authority to interpret and apply laws

2 - the area within which authority can be exercised

### **oral tradition**

knowledge passed down through generations via the spoken word; a formal way of teaching culture, history, and language.

### **paternalism**

The practice of governing or monitoring adult individuals in a manner that suggests a father/child relationship. The practice ethically violates an adult's status as an autonomous moral agent.

### **potlatch**

Word from the Chinook language meaning "to give".

### **prohibition**

a decree that prohibits, inhibits, or forbids something

### **residential schools**

schools that were developed by different religious institutions and the Federal government as a primary tool for assimilating young Aboriginal children into the dominant culture.

## **Reversionary Interest**

a future interest a person has in lands or other property after present possession is terminated.

## **Royal Proclamation of 1763**

a proclamation to guide the governing of Britain's newly acquired territories in the Americas. Proclaims Aboriginal peoples as "nations or tribes" and acknowledges that they continue to possess traditional territories until they are "ceded to or purchased by" the Crown. The Proclamation has never been repealed and has the force of law in Canada, recognized in the section 25 of the *Constitution Act* of 1982.

## **self-government**

the right to govern independent communities from within. This is not the same as sovereignty, but does include the right to administer taxes, pass laws, manage land and natural resources, negotiate with other governments and, in some instances, take responsibility for education, health, safety, and welfare services for a given community. The extent and application of self-government is negotiated with First Nations and the Federal government. There are a number of existing self-government agreements in Canada.

## **sovereignty**

supreme authority over land or people.

## **traditional territory**

a territory inhabited and used by an Aboriginal people to which Aboriginal groups have a primary cultural and economic connection.

## **Treaty**

An agreement negotiated between two or more states, nations or sovereigns regarding lands, actions and/or governance.

## **usufruct**

the right of enjoying the use and advantages of another's property, short of the destruction or waste of its substance.