

Indigenous Identity Terminology in Canada

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In a 1493 letter to Luis de Santángel, the secretary to the royal treasury in Spain, Christopher Columbus provided an account of his first voyage. He described how he "came to the Indian sea, where [he] found many islands inhabited by men without number, of all which [he] took possession for [their] most fortunate king, with proclaiming heralds and flying standards, no one objecting" (Osher Map Library, University of Southern Maine). It is clear from this citation that Columbus believed himself to be nearing India, that he considered these new people to be "without number," which in itself seems to somewhat erase their identity, and that he believed that there was no objection when he took possession of their land, although it is unclear how he could determine this, since he did not share a common language with them. While this conquest occurred in what is now known as Central America, it has paved the way for the identity issues that have plagued many Indigenous peoples across the American continents. In a translation of Columbus' letter, the term "Indians" is used eight times, and the term "Indian sea" and "Indian islands" are also each employed once (Osher Map Library, University of Southern Maine). Hulme (1993) confirms this, noting that "[t]he islanders Columbus encountered on his first voyage did not have a self-designation or, if they did, Columbus did not note it: he simply called them 'indios,' a term that was apparently sufficient for Spanish colonial bureaucracy and for the historians who wrote the first accounts of the Caribbean encounter" (200). Columbus attributed this term to these peoples, who were in fact several distinct groups of Indigenous peoples, likely Arawaks or Taino (200).

It is perhaps the first instance of an outsider naming and taking advantage of Indigenous groups in the Americas; this practice, however, continues to this day. Since 1493, many terms have been used to describe the peoples that inhabited the Americas before

Abstract

In this article, an attempt is made to trace the use of Indigenous identity terminology in Canada, from the fifteenth century, when Europeans first made contact with Indigenous groups, until present day. The purpose is to provide insight into whether socially dominant outgroups continue to define such terminology (as they did during conquest and colonization) or if Indigenous groups have been able to exert some control over how they are being identified by others. Definitions and backgrounds of English general terms for Indigenous identity that are used in Canada are provided, using sources such as documents produced by the Canadian government, material from Indigenous Studies scholars, and testimony from members representing Indigenous groups. The differences between the use of identity terms in the legal system, in historical contexts, and in other governmental or social contexts is explored, as well as the way in which general terms are used by Indigenous groups for their own purposes. Finally, several examples of the rejection of some of the terms by Indigenous groups and their justifications for such rejections will be analyzed.

European colonizers arrived, yet "Indian" has remained in use in certain contexts in Canada (some of the terms that are used can also be specific to a country or geographical location; in the United States, for example, terms like "American Indian," "Native American," and "Eskimo" are used, yet these terms have fallen into disuse in Canada; see Indian and Northern Affairs Canada, *Words First*, 8–9). Does a socially dominant outgroup continue to define Aboriginal identity and terminology in Canada, as Columbus did in 1493, or have Indigenous peoples been able to exert some control over how they are identified? To answer these questions, definitions and backgrounds of the terms used in English to identify Aboriginal peoples as a group will be provided in order to determine how they are used by the Canadian government, both generally and in the legal system, and if and how they are used by Indigenous peoples themselves.

"Indian"

To begin with, while the term "Indian," as used for Aboriginal peoples, may be traced back to 1493, its meaning has evolved from its origins

as a misnomer designating "inhabitants of India." Its current definition according to the Canadian government is as follows:

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 (Indigenous and Northern Affairs Canada, *Terminology*).

In comparison, "Inuit" refers to "[a]n Aboriginal people in Northern Canada, who live in Nunavut, Northwest Territories, Northern Quebec and Northern Labrador" (Indigenous and Northern Affairs Canada, *Terminology*). "Eskimo" is a term that was once used to describe the Inuit. It is believed to derive from Algonquin and means "raw meat eaters" (Indian and Northern Affairs Canada, *Words First*, 9). Europeans used this term to label the Inuit, but it is now considered offensive and is rarely used in Canada, although it continues to be used in the United States. Métis refers to "[p]eople of mixed First Nation and European ancestry who identify themselves as Métis, as distinct from First Nations people, Inuit or non-Aboriginal people" (Indigenous and Northern Affairs Canada, *Terminology*).

"Indian" has therefore come to designate a particular group of Aboriginal peoples within Canada, although it is clear that this term was not chosen by the group itself, but assigned by an outgroup – Columbus and eventually the Canadian government. Interestingly, the government's definition seems to take a defensive tone: "There are legal reasons for the continued use of the term 'Indian.'" (Indigenous and Northern Affairs Canada, *Terminology*). This is presumably due to the fact that it is "considered outdated by many people, and there is much debate over whether to continue using this term" (Indian and Northern Affairs Canada, *Words First*, 11). Though the term may seem outdated, it still exists in Canadian law, and thus must continue to be used in this context, unless the terminology used in legal documents is amended.

The category "Indian" can be further subdivided into three categories: Status Indians, Non-Status Indians, and Treaty Indians. A Status Indian is "[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*" (Indigenous and Northern Affairs Canada, *Terminology*). A Non-Status Indian is "[a]n Indian person who is not registered as an Indian under the *Indian Act*" (Indigenous and Northern Affairs Canada, *Terminology*). A Treaty Indian is "a Status Indian who belongs to a First Nation that signed a treaty with the Crown" (Indigenous and Northern Affairs Canada, *Terminology*). These three subcategories are used in legal contexts almost exclusively and refer directly to the *Indian Act*. The *Indian Act* is Canadian legislation that was passed in 1876; it was amended since, but remains in effect (see, for example, "The Indian Act," *indigenousfoundations.arts.ubc.ca*). It "sets out certain federal government obligations and regulates the management of Indian reserve lands, Indian moneys and other resources" (Indigenous and Northern Affairs Canada, *Terminology*). Due to this Act, the term "Indian" is used at the provincial level as well, for example by Revenu Québec ("Indians," revenuquebec.ca/en).

According to Dr. Linc Kesler, "Indian" has negative connotations in part *because* it is associated with policy and the legal system, since it is connected to "punitive laws and state control" ("Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). However, he goes on to note that it could be used for people who refer to themselves as "Indians," and indicates that the term can be used in community "contexts with some level of affection" ("Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). Restoule (2000) also states that "Indian" is used self-referentially by Aboriginal people who may or may not have Indian status (104). Kesler notes, however, that this term may be used in some racist discourses.

"First Nation", "Indigenous", etc.

The term "Indian" is no longer in current use outside of the legal context for the most part. Over the years, the term "First Nation" has come into use to replace it. This term does not have a clear-cut definition, but the government defines it as follows:

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 (Indigenous and Northern Affairs Canada, *Terminology*).

This definition is quite vague, as it provides examples of usage in a variety of contexts that differ greatly. Kesler states that the term has become more restricted of late, in that it refers to "[S]tatus Indians who are members of a First Nation" ("Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). If Kesler's definition is used, it would seem that the meaning of "First Nations" has come to be an equivalent to the meaning of "Indian" in the context of the *Indian Act*. "First Peoples" can also be used in the same situations as "First Nations" (Indian and Northern Affairs Canada, *Words First*, 11).

Since the term "Indian" is seen as outdated by many, the government has suggested that "Indian" be replaced by "First Nation" in most situations except in the case of "direct quotations," "titles of books," "discussions of history," "discussions of some legal/constitutional matters," "discussions of rights and benefits provided on the basis of 'Indian' status," and in "statistical information collected using these categories" (Indian and Northern Affairs Canada, *Words First*, 11–12).

Another term in current use with a relatively neutral connotation is "Indigenous." In *Words First*, Indian and Northern Affairs Canada indicates that the term means "native to the area" and can be used to refer to Aboriginal people internationally, but that it is not often used within the government (12). However, this document was published in 2002, and it seems that usage has changed since then. Kesler indicates that the term is likely the most inclusive, but that it may be polemic, "since it defines groups primarily in relation to their colonizers" ("Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). He also notes that the term has not come out of Indigenous culture, yet it has been defined in part by Indigenous peoples. Ward (2015) indicates that the adoption of the United Nations Declaration on the Rights of Indigenous Peoples in 2007 may have increased the use of this term.

Some terms that are falling into disuse are "Native" and "Native American." "Native" is a collective term, which can also be expanded to "Native peoples" (Indian and Northern Affairs Canada, *Words First*, 15). It is becoming outdated (particularly the form "Native"). Kesler indicates that it may be part of racist discourses and that it is not the ideal term to use to refer to Indigenous peoples ("Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). The term "Native American" is more common in the United States, since it seems to reference a category of U.S. citizenship (Indian and Northern Affairs Canada, *Words First*, 15; "Aboriginal Identity & Terminology," *indigenousfoundations.arts.ubc.ca*). However, *Words First* indicates that some Aboriginal peoples feel that historically, Canada was part of the Americas (note that "America" itself has unclear origins, though it is believed to named after Amerigo Vespucci, who explored South America in 1501, see OED, 2015) and that "Native American" can be used for them as well (Indian and Northern Affairs Canada, *Words First*, 15).

Finally, the term "Aboriginal peoples" seems to be the widest and most all-encompassing of the terms used to describe this group. The Canadian government defines Aboriginal peoples as "[t]he 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" (Indigenous and Northern Affairs Canada, *Terminology*). The government also indicates a difference between "Aboriginal people" and "Aboriginal peoples." "Aboriginal people" refers "to all the Aboriginal people in Canada collectively, without regard to their separate origins and identities[,] [o]r [...] to more than one Aboriginal person" (Indian and Northern Affairs Canada, *Words First*, 7). "Aboriginal peoples," on the other hand, emphasizes "that there is a diversity within the group known as Aboriginal people[,] [...] different groups of Aboriginal people with distinct cultures" (7). Kesler notes that "Aboriginal" is the "most inclusive term in general usage in Canada" and took on its meaning when it was used in the 1982 Constitution. Since the term "Aboriginal peoples" consists of Indians, Métis, and Inuit, the term essentially groups all Indigenous communities together. As will be seen later on, this is troublesome for

many Indigenous group members who do not feel tied to the others with whom they are arbitrarily grouped.

While there are many terms used to describe groups of Indigenous peoples in Canada, "Indian" is generally only used in legal or historical contexts, "Indigenous" has not been used by the government until recently, but is sometimes used by Indigenous peoples themselves, "Native" and "Native American" have somewhat fallen into disuse, and "Aboriginal peoples" is the most inclusive, general term.

Government and Societal Usage

It is now pertinent to study how the government defines Aboriginal identity terminology, since it is one of the major factors that impacts how this terminology is used in Canadian society; although Aboriginal peoples are part of the Canadian population, the government acts as an outgroup because it does not represent them in the same way it represents the rest of the population.

There are different laws that apply to Aboriginal peoples, and the government has certain obligations to uphold that do not exist for other communities. These regulations are outlined in the *Indian Act* of 1876 and its amendments, which use the word "Indian" consistently, and "in section 35 of the *Constitution Act, 1982*" (Slattery 1992, 262), which refers to "Aboriginal rights" that exist under common law (263). In section 35, the term "Aboriginal" is used as a collective noun and "Indian" is used to refer to a specific group. Slattery indicates that "under Canadian common law, the Crown owes special fiduciary or trust-like obligations to First Nations that can be enforced in the courts" (263). There is thus a special trust between the Canadian government and Aboriginal peoples that goes beyond the trust that exists between the government and the rest of the population. But does this trust provide the government with permission to select the terms used to identify these peoples?

Aspinall (2002) indicates that in Canada, there is widespread use of "'catch all' terms," (807) such as "visible minorities." This term began to be used by the Canadian government in the 1980s to replace "race." Yet, ten years earlier, the term was being "used to refer to all groups other than white, including aboriginal peoples" (807). When the

government began to use it in the 1980s, it only included "non-aboriginals who were not of European descent" (807-808). Nevertheless, this use of a catch-all term for a variety of different cultural groups in Canada also occurs in the case of Aboriginal peoples. The term "Aboriginal" encompasses all groups that are native to Canada, no matter whether or not their origins are shared.

It would thus seem necessary to examine the *Words First* publication by Indian and Northern Affairs Canada (as it was known at the time), in order to determine how decisions are made at the governmental level with regard to terminology. Although this publication is dated (it was published in 2002), it is still currently used, and is thus pertinent to this research. The authors make it clear that it is a usage and style guide only, and "not a legal document" (1). They also note that "there is no single lexicon to describe Aboriginal peoples" (4). They emphasize that this document is used by Indian and Northern Affairs Canada, as well as the Canadian government in relation to non-legal matters, and that they "have tried to use current names and terminology selected by Aboriginal peoples themselves" (4). Unfortunately, they do not go on to explain how this selection process has occurred or who (since "Aboriginal peoples" is a very vague, collective term) has done the selecting. The authors also indicate that the document only provides definitions for collective terms and not those of individual groups, although they suggest using individual group names whenever possible (4). Finally, the authors suggest "contacting the Aboriginal people [being written] about to learn which terms they prefer" (4). The guide is organized alphabetically and generally provides definitions and usage notes for each of the terms, especially those that are most current. It is accompanied by a web page that lists terminology used by Indigenous and Northern Affairs Canada.

Interestingly, the name of the government ministry that oversees Aboriginal affairs has changed over time. At the time of publication of *Words First*, the name of the ministry was Indian and Northern Affairs Canada. The name was later switched to Aboriginal Affairs and Northern Development Canada. Under the Trudeau government, it has become Indigenous and Northern Affairs Canada. This shows the evolution in usage on the part of the government over the past decade and a half. It is clear that terminology changes can occur quite rapidly,

and demonstrates the need for *Words First* to be modernized in order to keep up with the changes that have occurred over time.

Taking a Stand

While the government indicated in *Words First* that it sought testimony from Aboriginal peoples to decide upon the terms to be used, it is important to study data from Aboriginal communities themselves so as to allow them to have some input with regard to the terms being used to describe them. In "What's in a Name: Indian, Native, Indigenous?," Don Marks (2014) reported that the Assembly of Manitoba Chiefs and the Anishinabek of Ontario rejected the term "Aboriginal." These two examples will be used to provide a glimpse at how certain communities feel about being labelled by an outgroup, and how they are taking stances to regain control over their identity.

In January 2007, the Assembly of Manitoba Chiefs, in their General Chiefs Assembly in Long Plain First Nation, Manitoba, adopted a resolution entitled "Non-Recognition of Aboriginal Organizations" (Resolution 10, January 2007, Assembly of Manitoba Chiefs). In this resolution, Chief Ken Whitecloud of the Sioux Valley Dakota Nation moved that "First Nations have the inherent right to self-determination," that "Chiefs-in-Assembly do not recognize any self-proclaimed or Crown government-created 'Aboriginal organizations or organization' which purport to represent First Nations citizens," and that "this resolution of non-recognition of aboriginal organizations [be communicated] to the federal, provincial, municipal governments and Aboriginal & non-Aboriginal organizations" (12). It is clear that there is a strong sentiment within this group with relation to governing itself and determining its own identity without limitations decided upon by the government or organizations that are in place. There is evident frustration aimed at the fact that these organizations claim to represent Indigenous peoples, but they are not inherently or exclusively Indigenous and so they cannot do so. In an interview with Dennis Ward (2015), the Assembly of Manitoba Chiefs indicated that it had a standing policy to avoid using the term "Aboriginal" in its correspondence. Grand Chief Derek Nepinak stated, however, that people can choose how they identify, and that it is

normal for them to identify in different ways, showing that the group does display some leniency in the matter.

Similar frustration is present in a press release written by the Anishinabek of Ontario. Its title is evidence of this: "We are not aboriginal" ("Anishinabek Grand Council Chief: We are not aboriginal," *Anishinabek.ca*, 2011). In the press release, Grand Council Chief Patrick Madahbee provides testimony on behalf of the Anishinabek (39 member First Nations), with regard to the use of "Aboriginal" in the name of the government ministry and frustration about the fact that John Duncan would be the Minister:

Trying to lump First Nations, Métis and Inuit peoples together [...] is disrespectful of the truly distinct nature of the communities with whom [the minister] needs to establish better relationships. [...] Minister Duncan needs to demonstrate his understanding that the history, cultures and contemporary issues facing First Nations, Métis and Inuit peoples are entirely different. The best way to do that is not to call us all by the same name ("Anishinabek Grand Council Chief: We are not aboriginal," *Anishinabek.ca*, 2011).

He explains his reasoning by noting that previous Indian tribes were supposed to be treated as nations according to the government in the context of treaties. These treaties were made between First Nations and Canada, and Madahbee states that "[t]here is no such thing as an aboriginal treaty, or an aboriginal nation" ("Anishinabek Grand Council Chief: We are not aboriginal," *Anishinabek.ca*, 2011). Again, this implies that because "aboriginal" was a label designated by an outgroup, the group has no ties to it and feels as though it does not properly denote their situation. Grouping together First Nations, Métis, and Inuit peoples does not account for their diversity, and erasing a particular identity without the permission of the group being identified is not fair to the group in question. This underlines the importance of building a nation-to-nation relationship with such groups, and this point has been touched upon by Justin Trudeau in his letter to the Minister of Indigenous and Northern Affairs, outlining her mandate ("Minister of Indigenous and Northern Affairs Mandate Letter, *pm.gc.ca*).

Other examples of recent changes in terminology include the Aboriginal Peoples Choice Music Awards, which decided to drop the term "aboriginal" after ten years of use (Ward 2015). It will now be known as the "Indigenous Music Awards." The organizers state that the reasons behind the change are that the term confused some artists from the Métis and Inuit communities, and that it was growing archaic in some areas of the world. A name change also occurred for the National Aboriginal Achievement Awards, which became the Indspire Awards (Ward 2015). It is clear that "Aboriginal" is falling into disuse in Indigenous communities, although its use in government contexts is still prevalent.

Although it is evident that the government plays a large role in defining how Indigenous groups are identified, such groups have been asserting their own control and changing the discourse of late. These changes are evident in the way that they identify themselves as a group, either by identifying themselves as specific groups to which they belong or referring to themselves by a collective term, but one they have had a hand in helping to define. As Aspinall (2002) indicates, "the use of terminology that is precisely defined and acceptable to those being described is advocated" (803). Ideally, groups should have a hand in defining their own identity, instead of leaving this solely to members of the outgroup. However, since the government attempts to systematize and classify groups under its control, this is not possible, particularly in legal and historical contexts. It would thus be optimal for government officials to communicate with a large sample of Indigenous peoples with different origins to determine which terms they use and the labels with which they feel comfortable. The government advocates this in *Words First* (4), which indicates that they, too, support continuous dialogue and contact with members of Indigenous communities.

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