

The Intersection of Indigenous and Crown Laws & Place-Naming Initiatives

Rematriation of Indigenous place names is about the restoration and enactment of Indigenous legal orders. Place-naming reflects Indigenous laws, governance systems, and relationships to land, water, and territory; and its revival exposes the ways Canadian law intersects with – and often constrains or selectively recognizes – those practices.

The examples below illustrate the varied and uneven ways Canadian courts and state institutions have responded to Indigenous place-naming initiatives, at times affirming Indigenous legal authority and, in other instances, limiting or refusing its recognition altogether.

Haida Gwaii

The restoration of *Haida Gwaii* is a clear example of Indigenous place name rematriation being recognized within Canadian legal frameworks. In 2010, after decades of advocacy by the Council of the Haida Nation, the Province of British Columbia passed Bill 18, the *Haida Gwaii Reconciliation Act*, restoring the name Haida Gwaii to the archipelago formerly known as the Queen Charlotte Islands. The legislation also formalized the *Kunst'aa guu – Kunst'aayah Reconciliation Protocol*, committing the province and the Haida Nation to joint decision-making on land and resource management on Haida Gwaii.

Haida leadership consistently framed the name restoration as an assertion of Haida identity, law, and relationship to land. Former Haida Nation President Guujaaw stated:

“Haida Gwaii is not only where we are, this is who we are.”

Cowichan

The Cowichan use of Indigenous place names illustrates how rematriation operates as an assertion of legal authority rather than only a cultural or commemorative act. Cowichan place names such as Swuq'us, a mountain referenced in Cowichan law and oral histories, have been maintained by the Nation regardless of provincial or federal recognition. Cowichan's legal order and territorial governance continue to structure relationships to land and responsibility, independent of Canadian administrative systems.

The recognition of the name was understood as part of a broader shift in governance on the territory, rather than as a standalone act.

Rematriation efforts on Haida Gwaii continue under the direction of Haida citizens. Through the Nation's **“Giving Back Names”** resolution, Haida place names are being restored across the territory as part of an ongoing process that rejects colonial naming practices and reasserts Haida law. In 2022, the community formerly known as the Village of Queen Charlotte returned to its ancestral name, Daajing Giids (“the hat of a child of a chief”). While provincial recognition remains mediated through state legislation, the Haida Gwaii case demonstrates how sustained Indigenous legal practice can shape – and at times compel – Canadian legal acknowledgment of Indigenous jurisdiction.

Recent Aboriginal title jurisprudence, including the **2025 decision** affirming that the possibility of Cowichan title, have direct implications for naming authority. If title endures, so, too, does the authority to name. Here, place-naming operates as an expression of jurisdiction, moving rematriation out of the realm of discretionary reconciliation and into questions of governance where courts are sometimes required to engage.

Wolastoqey Nation

Wolastoqey Nation's use of Indigenous place names demonstrates how Indigenous law, governance, language, and relationships to land are practiced regardless of federal or provincial recognition. Wolastoqey is the advisory body for six First Nations in New Brunswick: Sitansisk (St. Mary's First Nation), Wotstak (Woodstock First Nation), Pilick (Kingsclear First Nation), Nekotkuk (Tobique First Nation), Matawaskiye (Madawaska First Nation), and Welamukotuk (Oromocto First Nation). In 2020, Wolastoqey Nation filed an Aboriginal title claim over 5 million hectares of their traditional lands in which title was never extinguished, but rather upheld in the Peace and Friendship Treaties.

Integral to Wolastoqey Nation's **claim to Aboriginal title** is the place name Wolastoq. In 2021, the Wolastoqey Nation

formally requested that Saint John River be renamed and recognized as Wolastoq, meaning "beautiful and bountiful river," to better reflect their communities' relationships with the river.

Since Wolastoqey Nation's formal request, the province of **New Brunswick has refused** to consider renaming and recognizing Saint John River as Wolastoq, claiming that because the river crosses international borders, it is too complicated.

Regardless of the lack of provincial recognition of Aboriginal title and the province's refusal to change Saint John River to Wolastoq, Wolastoqey Nation continues to assert Indigenous law, governance, language, and relationships to land.

Maa-Nulth First Nations Final Agreement

The **Maa-nulth First Nations Final Agreement** is a modern-day Treaty on Vancouver Island between five Maa-nulth First Nations – Huu-ay-aht First Nations, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations, Toquaht First Nation, Uchucklesaht Tribe, and Ucluelet First Nation.

The Agreement affirmed these Nations' ownership of over 24,000 hectares of land and recognized the Nations as self-governing rights holders. As part of the negotiations, the five Nations recorded **place names** to be changed, representing 100 instances of "official" place name markers or revisions, including villages, islands, waterways, and mountains.

