

Indigenous Myths & Misconceptions



Misconception: Treaties

A treaty is a negotiated, written agreement which defines the rights and responsibilities for all parties involved. Issues resolved in treaties include land ownership, governance structures, wildlife and environment management, financial benefits and taxation rights.

The Government of Canada and the courts understand treaties between the Crown and Indigenous peoples to be solemn agreements that set out promises, obligations and benefits for both parties. First Nations understand treaties to be bilateral nation to nation agreements, based on the Royal Proclamation of 1763.

Starting in 1701, in what was to eventually become Canada, the British Crown entered into solemn treaties to encourage peaceful relations between First Nations and non-Indigenous peoples. Treaty 6, which covers central Alberta was signed in 1876. Treaty 7, covering southern Alberta was signed in 1877, and Treaty 8, covering northern Alberta was signed in 1899.

Treaties include the historic treaties made between 1701 and 1923 and modern-day treaties known as comprehensive land claim settlements. To date, the federal government has settled 15 comprehensive claims, but not all Indigenous communities have either historical or modern-day agreements in place, with most of these nations in British Columbia. Treaty rights already in existence in 1982 (the year the Constitution Act was passed), and those that came afterwards, are recognized and affirmed by Canada's Constitution.¹⁰

There are no treaties between the Government of Canada and Métis people, although Alberta is the only province to have set aside land for Métis settlements. There have been some land claim agreements between the Inuit and the Government of Canada, but by and large, treaties are between the First Nations