

## **“Neglect of the Indigenous Population in Canada: The Government’s Inefficiency”**

By Jared L. Scarlett

Many Canadians see the first colonizers such as Jacques Cartier, Samuel de Champlain, and Jean Cabot as historical figures that discovered a new land: present-day Canada. For the Indigenous people, whose land was taken over by these settlers, these days in history were just the beginning of centuries of pain, discrimination, and a genocide that continues to this day. The Canadian government has failed in its duty to eliminate the discrimination of Indigenous peoples as a result of the continued lack of attention that has been shown toward the Indigenous people’s problems. That being said, the discrimination against Canada's Indigenous peoples is systemic, and therefore a result of the government’s lack of care and progressive action. Consequently, the government and all non-Indigenous people must become more educated on Indigenous issues to improve the situation, which can be accomplished by mandating education seminars for all members of the government. The citizens of Canada must also assure that the government is being self-accountable by filling their empty promises with significant action.

The word genocide is often associated with huge historical events of struggle such as the Holocaust and the Rwandan Genocide. However, according to the Office on Genocide Prevention and the Responsibility to Protect, a division of the United Nations, genocide is defined as:

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: a) killing or causing serious bodily or mental harm to members of the group; b) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; c) imposing

measures intended to prevent births within the group; d) forcibly transferring children of the group to another group. (n.d.)

Although this definition is quite lengthy, it is pertinent to acknowledge the unique criteria that characterize what genocide is. Based on this definition, the Indigenous communities of Canada has gone through, and continues to go through, modern-day extermination.

The vocabulary employed to describe the Indigenous population varies widely. Numerous terms are used to generalize the people that have descended from the Natives who were met and slaughtered by European colonizers hundreds of years ago. These terms include, but are not limited to: Aboriginal, Native, and Indigenous. To continue, there are other ways to reference more specific groups within the Indigenous population such as First Nation, Inuit, and Metis, among many other groups (Hetti, 2017). It is important to distinguish each Aboriginal group from one other, as many Canadians see all Indigenous people as the same and falsely group them together. In reality, each tribe has its own unique culture, traditions, and lifestyle that, in most cases, are widely different when compared to other tribes. It is important to differ between the different groups because, as mentioned, they are all very unique and take pride in their own unique traditions and lifestyles. Grouping these people together can become very insulting for some of the groups mentioned.

As referenced, the history of this issue begins many centuries ago when the European colonizers arrived on the land now known as Canada. The First Nation peoples lived on this land for thousands of years before the arrival of the Europeans. They had developed their own cultures and ways of life by living off of the land and using their resources in innovative ways. With the arrival of Europeans, their lives would be forever changed. In the early years of colonization, around the 16th and 17th centuries, the Europeans and Aboriginals were in good

standing. Both groups helped each other by trading resources and survival strategies. However, once the Europeans learned to live off the land and survive in the wilderness, they began brutalizing the Aboriginals, using them as slaves, laying hold of their living quarters, and eventually starving them when food was scarce (Hetti, 2017).

A moment in history that had an immense impact on Canada's Indigenous population was the implementation of the Indian Act of 1876. The Indian Act allowed a system of classification to be created, to separate people of "Indian Status" from other Canadians in the country, including First Nations, Metis, and Inuits who were not of "Indian Status." This separate classification also allowed the government to create laws and policies specifically in regard to those of "Indian Status." This act essentially gave the government complete control of all things "Indian": the land, the political governance, the education, etc (Facing History and Ourselves, n.d.). Many of these policies were direct attempts at eliminating the Indigenous culture, such as deeming many Indigenous cultural ceremonies illegal, banning the use of native languages, and of practicing native religions (Joseph, 2016). This amendment was put in place a short number of years after Canada, as a country, became independent from the British Empire. This is quite significant, due to the possible counter-argument that it was in fact the European governments, specifically the British Empire's government, that were responsible for every single atrocity and the genocide that the Aboriginals endured in the early history of the Canadian land.

One of the most significant effects of the Indian Act was the introduction of Indian Residential Schools (IRS), boarding schools that stole Indigenous children from their families and sent them thousands of miles away. These schools were placed in the most remote locations to assure that the kids were completely detached from their traditional culture. The residential

schools had the goal of assimilating the Aboriginal children into the European culture. As Bud Whitehead, a residential school survivor, explains:

You didn't speak anything but English. You went to the white man's school. You went to the white man's church. You wore white men's clothes. All those were built in. It wasn't a classroom-type lecture. It was ingrained in the system. (Rees, 2018)

Even with this knowledge, the very last of the residential schools were closed only 25 years ago, in 1996 (Rees, 2018). Another survivor of a residential school, Helen Cromarty, described the long-term effects that came with attending these schools. She said:

There were things taken away from us that we can never ever get back, doesn't matter how hard you work at it. [...] I left home when I was five years old, so the family bonding that all of you get when you're a child, [...] I don't have that. (The Canadian Press, 2016).

This is one of the millions of people that were affected by this awful moment in history. Many of the survivors continue to experience the effects of their time at these schools. These effects can also be seen in children and grandchildren of IRS students. This is the idea of intergenerational trauma, that having a familial history of IRS attendance increases the frequency of stressors and the severity of stressors on one's well-being. An example of this would be that 37.2% of adults who had at least one parent attend IRS thought about committing suicide at one point in their life, which is about 11.5% higher than of those who did not have a parent attend (Bombay et al., 2014, pp. 320-324).

Much like the IRS policy, the problems that the Indigenous population are struggling with are directly related to the federal government. The government has full control of many of these situations and could easily intervene if they wished. An example of a situation that many

Indigenous communities face is the absence of clean drinking water. As mentioned by the David Suzuki Foundation (n.d.), there exist more than 100 First Nations communities that have gone without clean water for many years and even decades. Dally-Starna (2020) indicates that as of February 15, 2020, of all the long-term water advisories south of the three Canadian territories, 61 were present in First-Nation communities. This includes a 26-year boil-water advisory on the Neskantaga First-Nation reservoir. This evidence truly demonstrates the lack of interest and care the government has for the Indigenous population. With these advisories, the Indigenous people must either boil their water every time before having a drink or they must buy bottled water using their own income. This limited access to one of life's most important resources is very dangerous and the idea that the government has pushed this aside for so many years is even criminal. The implementation of an infrastructure program that works to provide clean water to the communities in need is a start to solve and address this situation.

The Missing and Murdered Indigenous Women and Girls (MMIWG) crisis is another event directly related to the government. The Royal Canadian Mounted Police (RCMP), a national policing service overseen by the federal government, plays a major role in this crisis. Many MMIWG investigations were corrupted by the RCMP and its discrimination against the Indigenous people that were seeking justice. According to Merchant (2019), "If an Indigenous family contacted the police and indicated their 16- or 26-year-old daughter, sister, niece had not come home as expected or was missing, the almost invariable reply was 'perhaps she's partying', 'is she with her boyfriend', or anything to avoid undertaking an investigation" (qtd. in Gerster, 2019). This type of reaction to a legitimate claim of a missing person by a service that has the role of responding to such claims is unimaginable. Yet, this situation is very common among the Aboriginal community. The work of Gerster (2019) points out that when such an occurrence

comes up, the typical chain of events is a public apology by the RCMP, but a continuation of the detrimental behavior. This continuous cycle and clear lack of remorse for their actions must be dealt with at the highest level, within the federal government. An action that the government could take is to create a stricter hiring process that exposes any prejudices that any potential employee has. They could also ensure that any officer that has been shown to have neglected their duty or misused their power is dealt with in a very serious manner. Without this action, the cycle of damage will not stop, creating more harm for the Indigenous population. Not only is the federal government not taking action on the many issues that are directly in their control, but they have demonstrated that they have no intentions to make genuine changes.

The current Justin Trudeau Liberal government, as well as the past Steven Harper Conservative government, have both distinctly demonstrated that the Indigenous people and their problems have never been a priority for the government. Both governments offered a lot of words attempting to reconcile the relationship between the Indigenous and the “white man,” but when it came time to take real action, the government showed that their pledges were nothing but empty promises. When the Trudeau government was campaigning for office in 2019, one of their promises related to Indigenous Affairs was to have the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) be implemented as Canadian law (Curry, 2019). This declaration was introduced into legislation in December 2020 (Government of Canada, n.d). However, between the date that the government announced its intentions and the date they began the law-making process, the government committed countless infractions against this declaration. One of these infractions was the Coastal GasLink pipeline which runs directly through the Wet’suwet’en First Nation territory (British Broadcasting Corporation, 2020). The issue with this is that the government did not give the Indigenous peoples “free, prior and informed consent” on

the project that will affect them or their land, as is stated in Article 10, 19, 28, 29, and 32 of the UNDRIP (United Nations, 2007, pp. 11-23). Although this law was not established when the government made these infractions, the idea of breaking a soon-to-be law, just months after announcing the desire to implement it, severely undermines the government's image in this action. It raises the question of whether this is all a publicity stunt to make the government look good in the public's eye or if they truly are devoted to reconciliation.

The idea of the federal government not displaying respect towards the Indigenous population is not new in Canada. The Steven Harper government, which preceded the current government, also had many situations of insincerity and complete disrespect towards the Native community of Canada. On June 11th, 2008, about 12 years after the final residential school was closed, Harper made a Statement of Apology on behalf of the Government of Canada to all the past Indian Residential School attendees. He delivered a very profound apology addressing the role that the federal government had in the affair (Facing History and Ourselves., n.d.b). Just about 15 months after this apology, on September 25th, 2009, Harper spoke at the G20 Summit and stated: "We also have no history of colonialism. So we have all of the things that many people admire about the great powers but none of the things that threaten or bother them" (Rheault, 2011, p. 6). This is, once again, an example of the government completely disregarding their own supposed commitments. Many people, Indigenous and non-Indigenous, were very shocked at this statement. It is almost as if Harper completely forgot about his nationwide apology that occurred just over a year before. This shameful statement brought up serious concerns about the Canadian government and their honest thoughts concerning the Indian Residential Schools, as well as the sincerity of their claims of reconciliation with the Indigenous peoples of Canada.

Some may argue that Canada and its government have taken significant steps towards the reduction of discrimination and reconciliation with the Indigenous peoples. This is true, the government has had many initiatives that were very productive. The government's 2019 Budget includes many investments that have the possibility of advancing the relationship between the Indigenous peoples and the government. The budget includes a contribution of \$739 million over 5 years to help with the Clean Drinking Water initiative and the continued implementation of Jordan's Principle with an investment of \$1.2 billion over three years to help First Nations children receive the health services needed to thrive (Government of Canada, 2019). Jordan's Principle is "a child-first principle that aims to eliminate service inequities and delays for First Nations children. [...] any public service ordinarily available to all other children must be made available to First Nations children without delay or denial" (Assembly of First Nations, n.d.). These investments are great as a start; however, many of the government's Indigenous-related dealings have no follow-through. The government throws money in the direction of the Indigenous peoples then returns to their colonial way of living. This being said, the government is heading in the right direction but must find a way to be a constant ally for the Indigenous peoples. A possible approach could be to follow up any administrative decisions with a hands-on aspect, to have "boots on the ground." This would be beneficial in many ways. The Indigenous population would begin to have more faith and trust in the Canadian government if they demonstrated that they are indeed very serious in their attempt of reconciliation. Also, it would allow the government to have a first-hand assessment of current problems or issues that might exist.

Another concern that some may allude to would be whether or not the strategies of education and governmental self-accountability would be the right direction to an eventual

everlasting peace between the Indigenous and the “white man.” Some people may believe that the most appropriate solution would be to turn to the law. This is a valid option; however, the government has always had the ability to create law since its inception. In fact, the government has produced laws for the Indigenous peoples’ benefit, but time and time again these laws are ignored, due to other events and agendas that the government deems more important such as industrialization and revenue-producing projects. The idea of implementing more education would be a major part of the solution. This education regarding the Indigenous culture would allow all those who receive it to better understand the challenges that can arise when working with two very different cultures.

An example of this would be the Canadian Justice System’s lack of proper preparation for its members in the concept of Indigenous law. In Canada, there exists two sets of law systems, the Indigenous systems of law and the colonial legal system, often called Aboriginal law (Mahoney, 2019). These two systems are quite different; the Indigenous laws are legal systems that the Indigenous peoples follow and abide by. This system of laws has existed for hundreds of years before the colonization of Canada. The colonial legal system is a set of laws that speak about the rights of Indigenous peoples in terms of Canadian law (Yoon-Maxwell, 2020). On many occasions, the two systems have different laws in regard to a specific event. This is the reason that both are important and should be educated to all parties involved, including all members of the Canadian Justice System.

Historical figures such as Cartier, Cabot, and many others clearly illustrated their intentions to destroy the Indigenous culture when they arrived in present-day North America. The federal government seemingly continued with this intention. It has exhibited its willingness to reconcile verbally but their actions of continued disregard for the Indigenous peoples

demonstrate mixed intentions. The government of Canada has neglected and failed in its duty of keeping all its citizens safe and cared for, especially in the case of the Indigenous population. This discrimination should not have been tolerated hundreds of years ago and surely should not be accepted in today's world. It is vital that all people of Canada, specifically all those in government and any government-run organizations, learn more about the Indigenous people and their cultures, traditions, laws, and lifestyle. This will allow all non-Indigenous people to put themselves in the place of the Indigenous and think about the historical events which have led to today's political climate, in regard to their mistreatment. The education of non-Indigenous people, coupled with the idea of a self-accountable government are just a few first steps that could improve the life that Indigenous people experience. This situation has been a problem in Canada for far too long. As the political party in-power has changed, one thing has always remained, the pure negligence for the people that have lived on Canada's territory the longest.

## References

- Assembly of First Nations. (n.d.). *Jordan's Principle*. Assembly of First Nations.  
<https://www.afn.ca/policy-sectors/social-secretariat/jordans-principle/#:~:text=Jordan's%20Principle%20is%20a%20child,children%20without%20delay%20or%20denial.>
- Bombay, A., Matheson, K., & Anisman, H. (2013, September 24). The intergenerational effects of Indian Residential Schools: Implications for the concept of historical trauma. *Transcultural Psychiatry*. <https://doi.org/10.1177/1363461513503380>
- British Broadcasting Corporation. (2020, February 20). *The Wet'suwet'en conflict disrupting Canada's rail system*. BBC. <https://www.bbc.com/news/world-us-canada-51550821>
- The Canadian Press. (2016, May 30). *A selection of quotes from aboriginal leaders, residential school survivors*. Infotel Multimedia. <https://infotel.ca/newsitem/ont-truth-reconciliation-quickquotes/cp834357736>
- Curry, B. (2019, June 19). *Liberals promise government law on Indigenous rights as high-profile bills die in Senate*. The Globe and Mail.  
<https://www.theglobeandmail.com/politics/article-liberals-promise-government-law-on-indigenous-rights-as-high-profile/>
- Dally-Starna, C. (2020, November 26). *Water crisis in First Nations communities runs deeper than long-term drinking water advisories*. The Conversation.  
<https://theconversation.com/water-crisis-in-first-nations-communities-runs-deeper-than-long-term-drinking-water-advisories-148977>
- David Suzuki Foundation. (n.d.). *Drinking-Water Advisories*.  
<https://david Suzuki.org/project/drinking-water->

[advisories/#:~:text=Drinking%20water%20advisories%20have%20been,in%20First%20Nations%20throughout%20Canada.&text=After%20years%20of%20pressure%20from,drinking%20water%20advisories%20by%202021](#)

Facing History and Ourselves. (n.d.a). *Defining the Indian*. Facing History and Ourselves.

<https://www.facinghistory.org/stolen-lives-indigenous-peoples-canada-and-indian-residential-schools/historical-background/defining-indian>

Facing History and Ourselves. (n.d.b). *The Government Apologizes; Stolen Lives: The*

*Indigenous Peoples of Canada and the Indian Residential Schools*. Facing History and Ourselves. <https://www.facinghistory.org/stolen-lives-indigenous-peoples-canada-and-indian-residential-schools/chapter-5/government-apologizes>

Gerster, J. (2019, June 15). *The RCMP was created to control Indigenous people. Can that*

*relationship be reset?* Global News. <https://globalnews.ca/news/5381480/rcmp-indigenous-relationship/>

Government of Canada. (n.d.). *Implementing the United Nations Declaration on the Rights of Indigenous Peoples in Canada*. Government of Canada.

<https://www.justice.gc.ca/eng/declaration/index.html#:~:text=In%202016%2C%20the%20Government%20of,legislation%20to%20implement%20the%20Declaration.>

Government of Canada. (2019). *Budget 2019*. Official Website of the Government of Canada.

<https://www.budget.gc.ca/2019/docs/nrc/indigenous-autochtones-en.html>

Hetti, T. (2017, February 18). *Canada's History of Mistreating Aboriginal People*. Affinity.

<http://affinitymagazine.us/2017/02/18/canadas-history-of-mistreating-aboriginal-people/>

Joseph, B. (2016, April 13). *21 things you may not know about the Indian Act*. CBC News.

<https://www.cbc.ca/news/indigenous/21-things-you-may-not-know-about-the-indian-act-1.3533613>

Mahoney, K. (2019, July 31). Indigenous Legal Principles: A Reparation Path for Canada's Cultural Genocide. *The American Review of Canadian Studies*.

<https://doi.org/10.1080/02722011.2019.1626099>

Rees, W. (2018, September 9). *Canada's First Nations*. History Today.

<https://www.historytoday.com/history-matters/canada%E2%80%99s-first-nations>

Rheault, D. (2011). *Solving the "Indian Problem"*. Ontario Métis Family Records Center.

<https://www.omfrc.org/wp-content/uploads/2016/06/specialedition8.pdf>

United Nations. (2007, September 13). *United Nations Declaration on the Rights of Indigenous Peoples*. United Nations. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

United Nations: Office on Genocide Prevention and the Responsibility to Protect. (n.d.).

*Genocide*. United Nations. <https://www.un.org/en/genocideprevention/genocide.shtml>

Yoon-Maxwell, K. (2020, July 1). *Indigenous law and Aboriginal law: It's past time we all knew the difference*. Pivot. <https://www.pivotlegal.org/indigenous-law-and-aboriginal-law>