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Handling of First Nations Healthcare by the Provincial Governments of Quebec  
and Manitoba and the Federal Government of Canada

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## **Overview of the Issues Faced by the First Nations Living in Canada**

### **The Burden of Colonization**

Colonization and the arrival of white settlers permanently changed traditional Indigenous lifestyles and, by the same token, their relationships with the Canadian government. The methods and policies of colonial powers aimed to dominate and assimilate the First Nations through repressive measures such as the 1876 Indian Act, the pass system, reserves, and residential schools. Coupled with racism, segregation as well as loss of land, resources, and family members, these policies forever altered the health, cultural, and socioeconomic stability of Indigenous peoples (The Canadian Encyclopedia, 2023, par. 8). Even though most discriminatory clauses of the original *Indian Act* have been amended in the 1980s, it is undeniable that the Indigenous communities of the 21<sup>st</sup> century still have to bear with the intergenerational trauma, and human rights abuses inflicted by this legislation (The Canadian Encyclopedia, 2022, par. 1).

### **Socioeconomic Challenges Experienced by the First Nations**

Nowadays, Indigenous peoples are indeed still confronted to numerous health, cultural, and socioeconomic issues, for the burden of colonization still weighs heavily on their shoulders. Health, education, justice, employment, housing, and community dynamics are all socioeconomic concerns for the First Nations, for they all impact their wellbeing (Sawchuk, 2020, par. 1). A higher unemployment rate is one of the numerous issues they must deal with. In 2019, the employment rate among Indigenous peoples in Canada stood at 57.5%, falling below the employment rate of the non-Indigenous population, which was 62.1% (Sawchuk, 2020, par. 6). Furthermore, the Indigenous' housing and living conditions have been identified as way poorer than those of the non-Indigenous population. In 2016, the proportion of Indigenous individuals residing in housing requiring significant repairs was 19.4%, a stark contrast to the 6% for the non-Indigenous population living in similar housing conditions. Contaminated water is also a daily struggle for many of these dwellings, drinking water being far from the norm in many reserves (Sawchuk, 2020, par. 9). Other social conditions affecting First Nations more prevalently include food insecurity and over-representation in the criminal justice system. Firstly, food insecurity is a widespread phenomenon in these communities, as nearly half (48%) of First Nations households did not have enough income to cover their food expenses in 2019. In comparison, the Canadian food insecurity rate was 8.4% at the time (Sawchuk, 2020, par. 15). The 2019 report co-written by the Assembly of First Nations (AFN) and the Canadian Centre for Policy Alternatives echoes this phenomenon, by revealing that 47% of Canada's 254,100 status First Nations children are experiencing poverty (The Canadian Encyclopedia, 2023, par. 15). Secondly, Indigenous individuals are disproportionately represented in the criminal justice system as both offenders and inmates. This over-representation can be observed in federal correctional facilities, where Indigenous peoples constitute 20% of the total imprisoned population, despite comprising only

4.9% of the Canadian population (Sawchuk, 2020, par. 18). Finally, the health of Indigenous peoples is at the very core of their preoccupations, as it encompasses many aspects such as healthcare access, infant mortality, suicide rates, incidence of diseases and many more (Sawchuk, 2020, par. 11, 12, 13). Besides, all these topics are interrelated with other issues faced by the First Nations. For instance, multiple factors contribute to the elevated rates of suicide, including issues such as depression stemming from social, cultural, or generational disconnection, substance abuse, as well as inadequate housing, food, and limited access to opportunities (Sawchuk, 2020, par. 12). This illustrates that the First Nations' health, cultural, and socioeconomic concerns are all intertwined, as a direct result of the abuse they suffered at the hands of colonial powers and former Canadian governments.

## **Presentation of First Nations Healthcare in Canada**

Considering the paramount importance of the healthcare concern among First Nations communities in Canada, the aim of this paper will be to provide an in-depth analysis of this subject. This will be realized by comparing how different governments, namely Canada, Quebec, and Manitoba have handled the healthcare concern over the past five years. However, before diving into such comparisons, it is crucial to contextualize the issue at hand and to understand its complexity.

### **Health Disparities for Indigenous Peoples**

First and foremost, it is crucial to acknowledge that the healthcare offered to the First Nations living in Canada has never and is still far from meeting the standard that Indigenous peoples deserve. Health disparities between Indigenous and non-Indigenous peoples in Canada largely remain and are worsened by limited access to quality healthcare and lowermost

socioeconomic conditions (Gunn, n.d., p. 1). For instance, a 2023 comprehensive study conducted by researchers from the Public Health Agency of Canada aimed to examine the disparities in healthcare access for “off-reserve” First Nations, Métis, and Inuit women as compared to non-Indigenous women across Canada. By analyzing the answers provided by 80,000 female participants of reproductive age (aged between 15 and 55 years old), researchers concluded that Indigenous women reported weaker health and increased morbidity than non-Indigenous women. Furthermore, access to a usual health care provider was 4.2% lower among First Nations females and 40.7% lower among Inuit females. In the case of pregnant Indigenous women, their general access to a health care supplier was 18.6% lower than their non-Indigenous counterparts (Srugo et al., 2023, p. 1, 2). Although this study focused solely on women, all First Nations suffer from these healthcare discrepancies. To explain them, the study mentioned the burden of past colonial policies, the implementation of reservations and residential schools, the devastation of traditional lands, elements which can all be grouped under a single theme: the structural racism embed in the Canadian healthcare system.

## **Structural Racism in the Canadian Healthcare System**

Racism, but more specifically, systemic racism within the healthcare system significantly contributes to the diminished health outcomes experienced by Indigenous peoples. Structural racism partially explains the complexity of First Nations healthcare because it exists through the various policies and practices of the Canadian public health system (Gunn, n.d., p. 1). Sadly, in all provinces across Canada, many examples of First Nations individuals who have died in hospital, with systemic racism being a determining factor, exist. For instance, in 2020, Quebec was shaken by the death of Joyce Echaquan, an Atikamekw woman from Manawan, which happened at Joliette Hospital. Prior to her death, Joyce had shared videos of the nursing staff insulting her, which

illustrates that racism and prejudice contributed to her death (Josselin, 2021, par. 9). 12 years before, in 2008, Brian Sinclair, an Indigenous man living in Manitoba, also suffered the same fate, even though he was in the best hospital of the province. “After being ignored, unattended, and uncared for during the next thirty-four hours, he died of complications of a treatable bladder infection.” (Gunn, n.d., p. 2). In British Columbia, the story goes on with Keegan Combes, who passed away in September 2015, due to accidental methanol poisoning, an incident stemming directly from neglect by B.C. hospital staff. Rhianna Millman, Combes’ former caregiver and First Indigenous Cultural Safety and Humility Consultant for British Columbia’s College of Nurses and Midwives said: “The system is designed to harm somebody like Keegan, somebody who presents as visibly Indigenous, presents with a physical disability and a mental health diagnosis.” (Lindsay & Sterritt, 2023, par. 11, 12)

## **The Jurisdictional Debate**

Furthermore, at the core of the healthcare issue lies the federal-provincial jurisdictional debate in Canada. The Constitution defines healthcare as a provincial competency, yet it gives jurisdiction of First Nations lands and reservations to the purview of the federal government. Therefore, the delineation of responsibility between federal and provincial governments regarding First Nations’ health remains ambiguous and results in different interpretations throughout the country. This ongoing jurisdictional debate often leads to both parties disavowing responsibility and does nothing but harm the cause of the First Nations cause (Gunn, n.d., p. 5, 6). In brief, all these circumstances have evidently contributed to a decline in First Nations' confidence in governments and their management of the health network, making the problem all the more complex.

# **Handling of First Nations Healthcare by the Federal Government of Canada**

## **The Political Landscape in Canada**

In Canada, before Justin Trudeau's Liberals took power in 2015, Stephen Harper and the Conservative Party held power between 2006 and 2015. Although the Conservative government is the one which ordered the Truth and Reconciliation Commission of Canada in 2008, the Harper administration is not known for having maintained great relations with First Nations communities or for having particularly contributed to the reconciliation process, while it was in power. This government rather witnessed a substantial First Nations rights movement, Idle No more, which gained momentum in November 2012, in response to the introduction of Bill C-45. Also known as the Jobs and Growth Act, Indigenous peoples voiced concerns that the Conservative bill would erode their rights while granting governments and businesses expanded authority for resource development without rigorous environmental understanding. The protest movement expanded beyond its initial scope, encompassing broader environmental and Indigenous rights issues and garnering extensive support from Indigenous peoples across Canada and beyond (Passafiume, 2023a, par. 22-26). Activists strongly criticized Harper's administration for its management of the Indigenous agenda. For instance, Harper's government initially refused to adopt the United Nations Declaration on the Rights of Indigenous Peoples. Although they later accepted it in 2010, they presented it with a caveat, designating it as aspirational rather than legally binding, which deeply upset the First Nations. Finally, the declaration only became a law in June 2021, under the Liberals. In 2014, Harper also mentioned that a national inquiry into missing and murdered Indigenous women and girls was not a top priority for the government, which added fuel to the

fire (Passafiume, 2023a, par. 26-30). In 2015, the election of Justin Trudeau and the Liberal Party marked a tremendous shift in government action towards reconciliation. In fact, Prime Minister Trudeau's first mandate letters to his cabinet members said that no relationship held greater significance to him or the nation than the one with Indigenous peoples. He advocated for forging a renewed nation-to-nation relationship grounded in the acknowledgement of rights, mutual respect, cooperation, and partnership. In December 2015, he told the Assembly of First Nations: "I know that renewing our relationship is an ambitious goal. But I am equally certain that it is one we can, and will, achieve if we work together." (cited in Passafiume, 2023b, par. 1, 2, 5) And Trudeau did deliver on his promise. Hayden King, executive director of Yellowhead Institute, an Indigenous-led think tank at Toronto Metropolitan University, stated that, after the Liberals were elected in 2015: "It was the most active period of legislation on Indigenous issues in Canadian history since Confederation." (cited in Passafiume, 2023b, par. 20)

## **The Trudeau Administration**

When Trudeau came into power in 2015, the Indigenous agenda indeed became a priority for Canada and took a predominant place on the political scene. That year, not only did the Truth and Reconciliation Commission release its long-awaited final report, but within months of forming government, Trudeau also initiated an investigation into missing and murdered Indigenous women and girls, an inquiry previously overlooked by Harper (Passafiume, 2023a, par. 29, 30) In 2016, Jordan's Principle was voted by the Parliament and became a federal law, overcoming the Canada jurisdictional debate to guarantee fundamental rights to Indigenous children. But, now that the Liberals are entering their ninth year in power and that crucial issues such as the rising cost of living and the housing shortage take centre stage, Indigenous issues appear not to take as much place as they did during the Liberals' first mandate (Passafiume, 2023b,

par. 8). For instance, out of the 94 calls to action highlighted by the Truth and Reconciliation of Canada, the Liberals carried off 2 recommendations in 2022, bringing the total to 13 since 2015. According to the Yellowhead Institute, a think tank at Toronto Metropolitan University led by Indigenous peoples, if the government keeps working at this rate, the calls to action will be achieved by 2065. At first glance, it may seem unreachable, but these calls to action are not solely the responsibility of the federal government and Trudeau's administration is still marching towards reconciliation faster than Harper did (Passafiume, 2023b, par. 14, 15). For example, in May 2021, the shocking discovery of unmarked graves on the grounds of a former residential school in Kamloops, British Columbia, pushed the government to complete 3 of the commission's calls in a single month. These actions were to hire an Indigenous languages commissioner, to implement a National Day for Truth and Reconciliation on September 30, and to revise Canada's citizenship oath to include a commitment to honouring treaties with Indigenous peoples (Passafiume, 2023b, par. 17, 18). Since 2015, the federal government has also managed to lift 143 long-term drinking water advisories in Indigenous communities, although they could not complete their initial and ambitious promise which was to end all boil-water advisories by 2021. As of November 2023, access to clean drinking water from the tap is available for 96 percent of First Nations, which is encouraging for the possibility of finally putting an end to this worrisome issue for First Nations' health (Passafiume, 2023b, par. 28, 30, 31).

## **The Truth and Reconciliation Commission of Canada**

In Canada, the situation of Indigenous people began to see improvements only when they turned to the legal system to assert their rights. In 2008, Prime Minister Stephen Harper finally issued a long-awaited apology for the residential schools' historical injustices and established the Truth and Reconciliation Commission of Canada (*Canada's indigenous people are still*

*overlooked*, 2017, par. 6). Ordered by Harper, the goal of the commission was to foster reconciliation among past residential schools' students, their families, their communities, and the entire Canadian population. For 6 years, the TRC journeyed across Canada, hearing the stories of more than 6,500 witnesses, and organizing 7 national events to educate the Canadian public about the lasting impact of residential schools. In 2015, the commission issued its final report, which encompassed 94 "calls to action", serving as recommendations to promote reconciliation between Canadians and Indigenous peoples (Government of Canada, 2022b, par. 1, 3, 5). However, the main takeaway from this report was that residential schools were instrumental in a deliberate campaign to erase Aboriginal culture (*Canada's indigenous people are still overlooked*, 2017, par. 6). Among its recommendations, the commission highlighted 11 significant areas where healthcare disparities persist between Indigenous and non-Indigenous Canadians. These disparities include a striking 14-year gap in life expectancy for Indigenous peoples. Mental health issues, significantly addiction and suicide, were identified as significant contributors to this reduced life expectancy. Precisely, suicide rates among Indigenous youth soar to six times higher than those of non-Indigenous Canadians (Toth, 2022, par. 1). The mental health gaps between Indigenous and non-Indigenous populations in Canada are rooted in systemic colonial practices and insensitive cultural healthcare. Adverse mental health outcomes are intertwined with the last impacts of reservations are residential schools, which have stolen the autonomy of Indigenous communities. Therefore, the Truth and Reconciliation Commission of Canada was successful in demonstrating the importance of **modifying our current healthcare model towards a more culturally sensitive, informed, and inclusive approach**. This specific healthcare issue will be at the core of this analysis.

## **Jordan's Principle**

Regarding First Nations healthcare, the federal government also showed proactivity, by asserting Jordan's Principle as a federal program in 2016. Jordan's Principle states that in cases where federal and provincial governments dispute responsibility for delivering health or education services to First nation's children, the immediate aid to the child takes precedence over resolving payment issues (Stefanovich, 2023, par. 2). This policy served to specifically address the ongoing jurisdictional debate between the provinces and Canada on who should provide healthcare and education to First Nations. Health and education are both provincial competencies under the Constitution; however, reservations are administered by the federal government, which creates conflict and ultimately harms the First Nations. Since its inauguration in 2016, this program has greenlit funding for over 2.5 million services, products, and support systems for the First Nations children, which emphasizes the commitment of Trudeau's administration (Stefanovich, 2023, par. 41). However, since 2022, Indigenous Services Canada has been experiencing an unexpected number of requests under Jordan's Principle, which led to numerous operational problems and left many families destitute. With a monumental 150% increase in approved requests in the past year, the program failed to keep up with demand, leaving families without compensation for months, breaking their initial promise to repay within a week (Stefanovich, 2023, par. 2, 3, 4). Even if this program has its failures, it is still a major contribution by Trudeau's government to make healthcare more accessible for Indigenous children, who can receive proper treatment even if their province or Ottawa do not agree on who will pay the bill. And truly: "Only when the healthcare provided to Indigenous peoples is equal in quality and accessibility to that of non-Indigenous Canadians will the Canada Health Act's values truly reflect the reality of the Canadian healthcare system." (Toth, 2023, par. 5)

## **Investment in Healthcare**

With the ongoing jurisdictional debate in Canada, investment in healthcare can often lead to tensions between Ottawa and the provinces. At the beginning of 2023, the Premiers of Canada united to ask the federal government an increase from 22 percent to 35 percent in the Canada Health Transfer payment to the provinces (Mandes, 2023, par. 3). Therefore, Trudeau invited Premiers in Ottawa to discuss about healthcare transfer funding and investment priorities. However, Indigenous leaders were excluded from this invitation, which they perceived as a profound lack of respect: “There is no reconciliation for First Nations when we continue to be excluded from these crucial discussions and decision-making processes,” said Bobby Cameron, Chief of the Federation of Sovereign Indigenous Nations (FSIN) (Mandes, 2023, par. 4). If we want the reconciliation process to be successful, it is vital that Indigenous representants take part in these negotiations. For instance, in July 2023, the Canadian Human Rights Tribunal finally endorsed a settlement agreement of \$23.4 billion aimed for First nations children, youth, and families affected by the federal government’s inadequate funding of child welfare services. This represents “the largest compensation settlement in Canadian history” and it would have never been possible if Indigenous peoples and organizations, First Nations Child and Family Caring and the Assembly of First Nations in this case, had not been given a voice to do so (The Canadian Press, 2023, par. 1, 2, 3). This agreement comes 15 years after a human-rights complaint was filed against Ottawa, claiming that its insufficient funding for on-reserve child welfare services constituted discrimination. Compensation was demanded to the government by highlighting their denial of equitable access for First Nations children to essential support such as school supplies and medical equipment (The Canadian Press, 2023, par. 6, 7). Canada’s Minister of Indigenous Services, Patty Hadju, also pointed out that, alongside this settlement, an addition \$20 billion will be allocated to overhaul the First Nations child welfare system. This shows that it is not just about recognizing

and compensating past harms, but also about putting “better tools of self-determination and equity in place so that these kinds of things never happen again.” (Passafiume, 2023b, par. 27) In the specific case of healthcare, the minister’s vision of the reform of the child welfare statement echoes the crucial need to provide Indigenous communities with healthcare that is culturally sensitive and inclusive. This settlement therefore represents a concrete step towards developing culturally informed healthcare for Indigenous peoples in Canada because the money will be used to completely revamp the current First Nations child welfare system. By doing so, the federal government gives the First Nations an opportunity to develop more autonomy over their own healthcare system, following the idea of self-governance.

## **Handling of First Nations Healthcare by the Provincial Government of Quebec**

### **The Political Landscape in Quebec**

Before François Legault was elected Prime Minister of Quebec in 2018, Philippe Couillard and the Liberals were in power for four years. Historically, the Liberals have leaned to the left of the political spectrum and put forth ideals of progress, which could have implied significant breakthroughs in relations with First Nations for the Couillard government. However, unlike Trudeau’s federal government, the Couillard administration was not very proactive towards First Nations during its mandate. For instance, in 2018, a Quebec Deputy Environment Minister, Patrick Beauchesne, wrote a letter expressing doubts about Ottawa’s willingness to treat Aboriginal traditions knowledge and scientific insights equally when evaluating large-scale projects. Deputy Minister Beauchesne’s remarks about federal Bill C-69 deeply insulted Quebec’s Indigenous

communities, who criticized the Couillard government for its hypocrisy and its “paternalistic” and “contemptuous” vision of Aboriginal realities (*Environnement: les Premières Nations se sentent trahies; Québec s’excuse*, 2023, par.1, 3, 5). For those who thought the election of the CAQ would change things for the First Nations, their first mandate proved the opposite. Dissatisfaction within Aboriginal communities remained for several reasons: failure to recognize systemic racism in Quebec, adoption of Bill 96 without consideration for Indigenous culture and languages which Bill 101 had done in 1977, inaction on Aboriginal children’s rights, dismissal of many recommendations from the 2019 Viens Commission and the list goes on (*L’APNQL dresse un bilan « décevant » de la CAQ*, 2022 par. 2). In 2020, these growing tensions led Mr. Legault to replace his Minister of Indigenous Affairs, Sylvie D’Amours, only midway through her term, appointing Ian Lafrenière as new minister (*L’APNQL dresse un bilan « décevant » de la CAQ*, 2022 par. 17). In fact, Ghislan Picard, Chief of the Assembly of First Nations Quebec (AFNQL), qualified the CAQ’s 2018-2022 mandate as “4 years of missed opportunities” (Paul, 2022, par. 6). What’s so paradoxical about this statement is that the CAQ seemed to hold a completely different vision of its management over First Nations issues. Indeed, Ian Lafrenière, Quebec’s Minister Responsible for Relations with the First Nations and the Inuit (called Minister of Indigenous Affairs before 2022), said that he was rather happy with the progress made by the CAQ and affirmed that his government was on the right track towards reconciliation (Paul, 2022, par. 1).

## **Access to Healthcare for Inuit Communities**

Quebec is by far the largest province in Canada, and although it should never be used as an excuse, it is still a significant barrier for the government in making healthcare accessible for all First Nations in the province. Numerous Indigenous communities live in the North and most isolated parts of Quebec; hence, when it comes to healthcare, but also to many other components

like education, they suffer a lot from being so far away. For instance, the situation of the Inuits who live in the northern Quebec territory of Nunavik illustrates how the CAQ government has failed to make healthcare more accessible to First Nations in the province. In September 2021, Marie-Fr  e Galarneau, a doctor working in Nunavik, wrote a letter to condemn the disruption of services in many health facilities available for the Inuit community. Concretely, it is the lack of healthcare staff, especially nurse, which caused the population of three villages (Akulivik, Puvirnituq & Salluit) to have access only to the emergency room in case of any health issues (Paul, 2021, par. 3, 4). In Nunavik, one emergency is at least the equivalent of two in southern Quebec because when a hospital closes in the North, the population has no other health facility to turn to, contrarily to southern Quebec residents (Paul, 2021, par. 13). With clinics closing, Inuit residents were warned to consult only for emergencies; hence, many Indigenous peoples no longer even dare to ask for medical advice, which goes against Quebec's very principle that of free healthcare which should be provided to all Quebecers no matter the circumstances. Furthermore, this breakdown in health services added to an already precarious health situation for Inuit communities. In the weeks prior to this breakdown, 4 Inuit youths committed suicide in the region where Dr. Galarneau works, a tragic event which went completely unnoticed. Ms. Galarneau strongly deplored the government's silence and the closure of facilities in the context of a suicide wave, stating that such a situation would never be tolerated in Montreal or in the rest of Quebec (Paul, 2021, par. 15, 17). She emphasized that this situation is a concrete example of how systemic racism towards First Nations communities unfolds in the medical sector. For instance, she wonders why the Red Cross or the Canadian Armed Forces had yet been called to help the northern communities, as we know this solution was used during the COVID-19 pandemic in long-term care facilities. Besides, the letter written by Dr. Galarneau was sent to

Québec Solidaire (QS), hoping that the political party would put pressure on François Legault and encourage his government to act on the current crisis. Manon Massé, co-spokesperson for QS, and Vincent Marissal, responsible for health in the QS caucus, pointed out that the government had access to a series of recommendations delivered by the Viens Commission report on how to improve working and living conditions in the North (Paul, 2021, par. 34, 35). Although the CAQ government replied that it was very “preoccupied” with the situation in Nunavik, it did not implement any lasting change in the North following these events, which proves that Aboriginal people are still treated as “second-class citizens” by the CAQ government (Paul, 2021, par. 38).

### **Systemic Racism in the Quebec Healthcare System**

The last paragraph clearly illustrated the consequences of systemic racism on the Inuit community, who received very little consideration by Legault’s government when they were in a time of crisis. However, if there is one event which left a lasting impression in Quebec, but also in the rest of Canada, because it showcased the systemic racism embed in our healthcare system, it is the death of Joyce Echaquan. On September 28 2020, Echaquan, a 37-year-old Atikamekw woman and mother of seven, recorded and live-streamed the staff of Joliette’s Hospital, who was making disrespectful and racist comments as she was way dying. The event sent shockwaves through Quebec, sparking widespread protests in Montreal, which called on Legault to acknowledge the presence of systemic racism in the province (Macalinga, 2023, par. 2, 3). However, to this day, Legault has still not acknowledged it, rather pursuing in “systemic denial” of the problem. By doing so, the government is portraying the death of Echaquan as a simple error by one individual, while it is rather an institutional issue. Indeed, before this event, Joliette’s Hospital had already received 50 complaints for its treatment of the Atikamekw from Manawan,

proving that Echaquan's case was not the exception to the rule as argued by Legault, but rather the norm (Cardinal, 2020, par. 8, 13). A year after her death, an inquest report was even published and the only recommendation it gave to the Quebec government was to assert the existence of systemic racism within its institutions and commit to eliminating it (Josselin, 2021, par. 1). Géhane Kamel, coroner of this public inquiry, stated: "The findings of this investigation indicate that Ms. Echaquan was indeed ostracized, that her death was directly related to the care she received during her hospitalization in September 2020, and that her death could have been avoided." (cited in Josselin, 2021, par. 7) The fact that Legault had only one recommendation to follow and refused to move forward with it has surely tarnished the vision that Indigenous peoples and the whole Quebec population has of his First Nations issues handling. "If you want to tackle the problem, you have to acknowledge its root causes," said Ghislan Picard, the Quebec and Labrador regional chief of the Assembly of First Nations (cited in Macalinga, 2023, par. 8). Besides, the Council of the Atikamekw of Manawan, where Echaquan lived before her death, released *Joyce's Principle* in November 2020, which specifically calls on Ottawa and Quebec to adopt the principle which "aims to guarantee all Indigenous people the right of equitable access to all social and health services without any discrimination [...] and the highest attainable standard of physical, mental, emotional and spiritual health" (The Council of the Atikamekw of Manawan, 2020, p. 15). But, once again, as the principle implied the recognition of systemic racism, it was not adopted by Legault's government.

## **Bill 32**

In June 2023, Bill 32 was tabled by Quebec's current Minister Responsible for Relations with the First Nations and the Inuit, Ian Lafrenière, on the last day of the parliamentary session. The aim of this bill is to institute a "cultural safety approach" within the health and social services

network, an approach designed to respect the cultural identity of Indigenous patients during their treatments (Lévesque, 2023, par. 1). The adoption of such a bill would entail several changes for health care facilities across the province: apart from considering each Indigenous patient's cultural and historical background, institutions would have to foster partnerships with Indigenous communities and adjust their service offering by various means. For example, establishments would have to hire more Indigenous staff, provide a mandatory training to all their employees on Indigenous cultural and historical realities, and provide further accompaniment resources to their patients (Lévesque, 2023, par. 2). At first glance, this draft bill appears like a step in the right direction from the Quebec government towards a more culturally sensitive and informed healthcare system. Nevertheless, many First Nations groups expressed their concerns towards the passing of such legislation. For instance, Ghislain Picard, leader of the Assembly of First Nations Quebec-Labrador (AFNQL), unequivocally expressed its disagreement with the bill, claiming that the government does not have the expertise to legislate on subjects that belong exclusively to First Nations, such as Indigenous languages and cultural features (Lévesque, 2023, par. 7, 8). On the other hand, Quebec Native Women (QNW) and Joyce's Principle Office, the office supervising Joyce's Principle in the community of Manawan, generally applauded the "cultural safety approach" elements included in the bill, but noted the absence of crucial elements, namely the recognition of systematic racism in the province, which Legault refuses to do over and over (Lévesque, 2023, par. 12). The two groups put forth the inconsistency of the legislation, as it draws inspiration from Joyce's Principle, but fails to endorse it once again. At the beginning of September, after National Assembly resumed its operations, public hearings took place to evaluate the new bill which, once again, did not make unanimity at all. The executive director of Joyce's Principle Office, Jennifer Petiquay-Dufresne, who walked out of the hearing to express her

discontent, stated: “We were profoundly disturbed to see Minister Lafrenière utter Joyce’s name, objectifying her cause for his political agenda.” (cited in Leyton, 2023, par. 7). She believes that the legislation will never be successful if Quebec does not acknowledge the colonial structures embed in its current healthcare system (Leyton, 2023, par. 10). Last month, following this accumulation of dissatisfaction towards his draft bill, Minister Lafrenière decided to take “time to think things over” and put the project on ice (Giguère, 2023, par. 1). However, there is an “urgent need to act” on cultural safety in the healthcare system and that was pointed out by the Viens Commission report, so let’s hope that the CAQ will be able to reach a consensus and finally recognize systemic racism (Giguère, 2023, par. 10).

## **Handling of First Nations Healthcare by the Provincial Government of Manitoba**

### **The Political Landscape in Manitoba**

In Manitoba, the government has been formed by the Progressive Conservative Party since 2016, until the recent October 2023 election, during which Manitobans elected the first First Nations Premier in Canada, Wab Kinew. Although Kinew’s election as Premier is suggesting largely positive outcomes in relations with the First Nations of Manitoba, it is still quite early to analyze the long-term impact of his election; hence, this section will rather focus on the Progressive Conservatives’ handling of First Nations issues during their 7 years in power. From 2016 to 2019 and then, from 2019 to 2021, the province was ruled by Premier Brian Pallister, who won a majority government in both elections. However, his rate of approval started decreasing dramatically after the COVID-19 pandemic, dropping to 32% in September 2021, the lowest of all

Canadian Premiers, which led him to resign. He was then replaced as Premier by Heather Stefanson, who was elected by the caucus after a leadership race (Weir & Abra, 2023, par. 16, 17, 18). No matter the Premier in power, the Progressive Conservative government has entertained controversial relationships with Indigenous communities over the course of their 7-year mandate. In 2018, tensions became particularly acute, when the Conservatives mandated Manitoba Hydro, a government-owned utility, to refrain from establishing any agreements with the Manitoba Metis Federation and other Indigenous groups. This directive led to the cancellation of an agreement brokered between Manitoba Hydro and the Manitoba Metis Federation (MMF), which could have granted the Metis government tens of millions of dollars for their non-opposition to hydro projects (Hobson, 2023, par. 14, 15). This situation undoubtedly acted as a brake on reconciliation for the remainder of Pallister's term. MMF President, David Chartrand, stated that "the Premier insulted the Manitoba Métis community by referring to us as nothing more than 'special interest group' with no constitutional rights, traditional lands or interests" (*Pallister blasted for rejecting Hydro deal with MMF*, 2018, par. 24). When Stefanson took office in 2021, there was renewed hope amongst Indigenous leaders, for the new Premier had emphasized the restoration of Manitoba's relationship with Indigenous groups as a top priority. Nevertheless, Stefanson and the Conservatives' refusal to endorse the search for the remains of two First Nations individuals, believed to be in a Winnipeg-area landfill, appeared to be a fundamental breach of her promises (Hobson, 2023, par. 17). Furthermore, her decision not to make Truth and Reconciliation Day (September 30) a statutory holiday, prompted numerous Indigenous leaders to demand a new government (Sinclair, 2023, par. 3). If we look closely into the handling of the healthcare concern during the Conservative years, the analysis can be divided into two areas: access to healthcare for the First Nations, and the attempt to make this care more culturally sensitive and inclusive.

## **Access to Healthcare**

In September of 2023, a new report called “Supporting the Gifts of First Nations Adults Living with Exceptionalities” was published by the First Nations Health and Social Secretariat of Manitoba. The main component highlighted by this study was that supports and services for adults with disabilities in Manitoba’s First Nations communities are lacking, especially for those on reservations. Indeed, while all First Nations adults with disabilities can access support via the provincially managed Community Living DisAbility Services program, individuals residing on reserves are not entitled to these services (Shebahkeget, 2023, par. 4, 9). The report states: “Existing services/supports on-reserve are substantially underfunded, under resourced, and understaffed, meaning participants chronically lacked sufficient support” (Community Engagement & Intergovernmental Relations Department, 2023, p. 59). Considering that 57.1% of Manitoba’s First Nations peoples live on a reserve, this leaves countless human beings to be completely overlooked by the current healthcare system. Some 94,000 people to be more precise, and that is only in Manitoba (Government of Canada, 2022, par. 1). And while Jordan’s Principle, a program enacted by Trudeau’s government in 2016 and further explained above in section 3, makes sure that First Nations kids can promptly access vital product services, this aid ends abruptly at 18 years old. That is why, amongst its 31 recommendations, this report strongly advocates for the establishment of a program similar to Jordan’s Principle but tailored to First Nations adults this time (Shebahkeget, 2023, par. 16). Considering that this report has been published in September 2023, after 7 years of the Progressive Conservatives being in power in the province, it evidently shows that the Pallister/Stefanson administrations have failed to make healthcare more accessible for the First Nations in Manitoba. Although the report focused on people living with disabilities, it still reflects the lack of support in the healthcare system for Manitoba’s entire Indigenous

community over the past few years. No other government than the Progressive Conservatives was in power since 2016 in the province, so the burden can undoubtedly be put on their shoulders.

## **Culturally Sensitive Healthcare**

When the COVID-19 pandemic struck the entire world in March of 2020, many community organizations had to close their doors. In Manitoba, amid the suspension or transition of regular programs to online platforms, the Ma Mawi Wi Chi Itate Centre redirected its focus towards aiding the community. This included establishing a rapid-test site at one of its sites and running one of two urban Indigenous vaccination clinics. In a highly successful way, the clinic was able to serve as a crucial bridge between the communities it supports and the healthcare system. The centre's communications manager, Rosalyn Boucha, stated: "We truly believe that there are people who came in to get tests and their vaccines that wouldn't have otherwise because we were able to remove barriers that exist, whether it's transportation or barriers with booking." (Hobson, 2022, par. 3, 4, 6). Furthermore, the clinic provided a safe space for Indigenous peoples to ask questions and receive traditional medicine, following the idea of a culturally sensitive environment. In brief, if the COVID-19 pandemic brought something positive for the First Nations, it is surely that it underlined how valuable culturally sensitive and community-based healthcare services can be for Indigenous communities, stressing the necessity to sustain these services beyond the pandemic (Hobson, 2022, par. 1). This time, the clinic's success was attributed to the dedicated work of one organization, but it would have been a great opportunity for the government of Manitoba to draw inspiration and repeat the process elsewhere in the province.

## **Comparison**

## **The Parties' Political Orientation**

The political orientation of a party holds significant influence on the way it will be perceived to handle First Nations issues as well as the way it will actually deal with them. Historically, liberal and socialist governments, located on the left of the political spectrum, have been associated with maintaining better relationships with the First Nations and making progress for the Indigenous reconciliation agenda. On the other hand, conservative governments, located on the right of the political spectrum, have been associated with less advocacy and action towards the First Nations communities. On its end, Quebec's Coalition Avenir Québec would be considered to be in the middle of the political spectrum, with a small tendency to the right; hence, suggesting less action towards First Nations.

In this case of Ottawa, Quebec, and Winnipeg, recent years have proven the influence of political orientations to be true. When comparing Trudeau's liberal government to Legault's CAQ government and to Pallister and Stefanson's Progressive Conservative government for their handling of First Nations issues, specifically healthcare, Trudeau was the best for First Nations, Legault the second, and Palliston/Stefanson the worst. This order follows the parties' orientation in the political spectrum, from the left to the right. The 3 different governments will be compared on the following criteria: proactivity at Parliament, policy effectiveness, progress compared to previous governments and the respect of promises.

### **Ottawa's Handling**

Firstly, Trudeau and the Liberals have been the most proactive federal government in history when it comes to Indigenous issues and, although they have been far from perfect, they have been able to achieve significant progress. The first years of his mandate represented "the most active period of legislation on Indigenous issues in Canadian history since Confederation." (cited

in Passafiume, 2023b, par. 20) The 2016 passing of Jordan's Principle; the creation of action plans to apply the recommendations of the 2015 Truth and Reconciliation Commission of Canada and the 2019 National Inquiry into Missing and Murdered Indigenous Women and Girls; the creation of the Indigenous Services Canada in 2019; the National Day for Truth and Reconciliation becoming a stat holiday in 2021; the lifting of 143 boil-water advisories in Indigenous reserves throughout Canada since 2015; the 2021 passing of Bill C-15 which enacts Canada's laws to follow the United Nations Declaration on the Rights of Indigenous Peoples (Ballingall, 2021, par. 3). All the above are all concrete actions taken by the Trudeau administration to foster better relationships with Indigenous communities, and they speak for themselves to illustrate that this government has shown a commitment to this pressing issue. On the criteria of proactivity at Parliament and policy effectiveness, they are by far the best government. When it comes to progress compared to the previous government, Liberals also win, as they put an end to the stagnancy of the Harper administration concerning First Nations issues. As for the criterion of respecting promises, even if there are some engagements the Trudeau government has not been able to achieve, such as lifting all boil-water advisories by 2021, it was still the best government for First Nations. Since 2015, Liberals have worked hard to uphold Trudeau's 2015 statement of making the relationship between the federal government and First Nations the 'most important' in the country (Passafiume, 2023b, par. 1).

## **Quebec's Handling**

In Quebec, Legault's government has not demonstrated the same involvement towards the reconciliation process, progressing rather slowly since its election in 2018. After he took power, Legault quickly raised dissatisfaction among Indigenous communities, for political decisions such as the passing of Bill 96, which did not include exceptions for Indigenous culture

and languages and the fact that he did not apply many recommendations from the Viens Commission (*L'APNQL dresse un bilan « décevant » de la CAQ*, 2022 par. 2). Things were not going well in his first mandate and that was shown when he replaced his Minister of Indigenous Services, Sylvie D'Amours, by Ian Lafrenière. But even after Lafrenière was appointed, the death of Joyce Echaquan shocked the entire province and Legault's repeated refusal to recognize systemic racism in the province made him look like a Premier who was disconnected from the reality and was only focused on his political ego. He also did not do much to help the Inuit communities in the North of Quebec, who were struggling to receive the decent healthcare services to which they are entitled. Although Lafrenière has shown a commitment to making the healthcare system more culturally secure by drafting Bill 32, the project was still lacking the recognition of systemic racism and was ultimately put on the ice two months ago (Giguère, 2023, par. 1). Lafrenière claims that there is an urgency to act; yet, he has not changed anything from his bill to respond to the demands of various organizations such as the Joyce's Principle Office. Therefore, there was better proactivity by Legault during his second mandate concerning healthcare for the First Nations, but it still does not compare to the work of the federal government. With regards to policy effectiveness, Legault's administration did not pass anything meaningful concerning First Nations healthcare during their mandate, so let's hope that progress will come soon. Finally, Legault was not better than the previous Quebec government of Philippe Couillard for the reconciliation process.

### **Manitoba's Handling**

Finally, Manitoba's Progressive Conservative government was the worst one when it comes to dealing with First Nations. During the 5 years Pallister was in power, he significantly aggravated relations with Indigenous peoples. In the summer of 2021, numerous Aboriginal

leaders joined forces and stated that the Premier had two choices left because of his poor management of Indigenous issues: change his ways or resign. There was an accumulation of discontent among First Nations, who still hadn't digested the 2018 Manitoba Hydro dispute and continued to witness senseless comments and decisions by the Conservatives. Then last straw was in July of 2021, when Pallister reacted to protestors who had dismantled two statues of Queen Elizabeth and Queen Victoria located on legislature grounds by saying that destruction is not the constructive option to move forward (Lambert, 2021, par. 6). He added that "The people who came here to this country, before it was a country and since, didn't come here to destroy anything. They came here to build. They came to build better." (cited in Bergen, 2021, par. 6) These words, completely disconnected and insensitive to the horrors and oppression experienced by the First Nations during colonization, were the last straw. Many Indigenous leaders, such as Jerry Daniels, Grand Chief of the Southern Chiefs Organization, which represents 34 First Nations communities, demanded his resignation: "If Pallister can't lead, and his cabinet can't lead, they need to resign." (cited in Lambert, 2021, par. 15). A majority of non-Indigenous Manitobans also supported this demand, such as Mary Jane Logan McCallum, a history professor at the University of Winnipeg and Canada Research Chair in Indigenous people, history and archives, who claimed that Pallister was "out of touch with reality" and that "his knowledge of Manitoba history is about 50 years out of date" (cited in Bergen, 2021, par. 10, 11) He also lost the support of many caucus members and collaborators on provincial economic development councils. Two months later, on September 1<sup>st</sup>, he would resign as Premier. If there's one lesson replacement Premier Heather Stefanson should have gleaned from her predecessor, it is that addressing Indigenous issues accurately and effectively is crucial (Sinclair, 2023, par. 1). And although issues concerning reconciliation garnered more focus during her

administration, she still failed to uphold her promises. She refused to make Truth and Reconciliation Day, September 30, a statutory holiday. She refused to fund the search for two missing Indigenous women, although she could have announced that the police would attempt to search or tried to split the bill with Ottawa (Sinclair, 2023, par. 24). Instead, she showed everyone that the Tory government would promote austerity at all costs and that it was not on the First Nations' side (Sinclair, 2023, par. 17). In brief, during the 7 years they held power, the Tories showed no proactivity at Parliament, they did not pass any significant bills to improve First Nations issues, and they did not show improvement after Pallister resigned at all. For all the above, Manitoba's handling of First Nations issues, including healthcare, in recent years has clearly been the worst when compared to Canada and Quebec.

In sum, this comparison clearly highlighted that parties from the left are far more involved in reconciliation with Indigenous peoples than parties from the right are.

### **The Election of Web Kinew... A Beacon of Hope**

In Manitoba, although newly elected First Nations Premier, Web Kinew, has only been in power for a month and a half, he has already shown unprecedented commitment to improving relations with the First Nations. For instance, on October 31, he announced that his cabinet has revoked the Progressive Conservative directive, which prevented discussions between Manitoba Hydro and First Nations, Métis, and Inuit governments. This order was issued by the Pallister government in 2018 and had sparked outrage among Indigenous peoples in Manitoba. Its revoke will now allow negotiations between the Crown corporation and Indigenous nations to resume, a decision which represents a concrete step towards giving these communities greater self-determination (Kives, 2023, par. 1, 2, 5). Furthermore, when Kinew appointed himself as the Minister Responsible for Indigenous reconciliation last October, he took a monumental step

forward in his efforts to fortify the relations between Manitoba and Indigenous communities. It was a first for a Manitoba Premier, who usually becomes the Minister of Intergovernmental Affairs. During his October 18 swearing in, Kinew said that, by assuming responsibility for the Indigenous reconciliation portfolio, he aimed to send a clear message to Indigenous leaders. This message being that the new NDP government will approach First Nations and Métis governments with the same “level of seriousness” as other governing bodies (Hobson, 2023, par. 1, 5, 6). Besides, Kinew’s election is highly relevant to address in this comparison part of the paper because it also supports the idea that political parties located on the left political spectrum are far more engaged towards First Nations. Kinew’s party, the NDP, is clearly the one most on the left of the political spectrum when compared to Liberals, the CAQ, and the Progressive Conservatives, and it is also the most promising administration when it comes to reconciliation. Hence, his election is such a huge step towards reconciliation and will certainly give hope to the First Nations in Manitoba, but also to all Indigenous peoples living in Canada, as politicians will optimistically draw inspiration from the Kinew administration.

## **Suggestions**

### **Canada**

One of the most important things to remember about this paper is that, as long as the federal and the provincial governments will not settle their dispute over the jurisdiction of healthcare, it is the Indigenous peoples of Canada who will suffer. The 117-page “Supporting the Gifts of First Nations Adults Living with Exceptionalities” 2023 report, previously referred to in the analysis of Manitoba, put forth 31 great recommendations to the government of Canada, which span healthcare, social services, community resources, education, employment and

caregiver support (Shebahkeget, 2023, par. 95) Although they are all unique, the common theme is the importance of collaboration between the different levels of government (provincial, municipal, First Nations) as well as with other organizations such as universities, continuing care facilities in both public and private sectors, regional health authorities and more (Community Engagement & Intergovernmental Relations Department, 2023, p. 5). “Above all, jurisdiction should not be used as an excuse for inaction, and we urge the Government of Canada to wield its spending power to promote action among other jurisdictions and institutions” (Community Engagement & Intergovernmental Relations Department, 2023, p. 5). And considering that the Trudeau administration made great progress in the past few years, the most comprehensive thing they can do right now for Indigenous peoples is probably to settle their dispute with the provincial governments and act for the greater good of First Nations in Canada. Furthermore, the federal government should move forward with the creation of services and programs which foster lifelong inclusion and cultural connectivity for First Nations adults (Shebahkeget, 2023, par. 23). The value of culturally sensitive healthcare is incredible in improving the quality of services provided to the Indigenous community, but also their trust towards the healthcare system, which was lost after centuries of oppression. This approach can be taken by the government by implementing training modules that include Indigenous experiences for workers of the healthcare system, by providing more autonomy to Indigenous peoples over their own services, by mixing traditional medicine with current medicine, etc. (Toth, 2022, par. 3)

## **Quebec**

If there is one single thing that the government of Quebec should do for First Nations issues, it is to finally recognize the presence of systemic racism within its institutions. That was the only recommendation issued by Géhane Kamel, coroner of the public inquiry on the death of

Joyce Echaquan, and it is necessary for the CAQ government to do so if they ever want to foster better relationships with Indigenous communities (Josselin, 2021, par. 1). This suggestion also goes hand-in-hand with the idea that the Quebec government should adopt the 2020 Joyce's Principle, which implies "the recognition and respect of Indigenous people's traditional and living knowledge in all aspects of health" (The Council of the of the Atikamekw of Manawan, 2020, p. 15). This principle goes further than asking for the recognition of systemic racism; it details how beneficial it could be for Indigenous peoples to receive more autonomy and self-determination over their own health and social services (The Council of the of the Atikamekw of Manawan, 2020, p. 10). The principle is also addressed to the Government of Canada, which should also adopt this principle in its attempt to reform the healthcare system and make it more culturally sensitive. However, it will only be possible to do so if the very people who have suffered the colonial policies still embed in our modern society can sit at the same table as important decision-makers in the province and in the country. Truly, collaboration is the only way forward. Finally, the government of Quebec should put his political ego aside and modify its current Bill 32, which is great on paper but needs some corrections. Implementing cultural safety in the healthcare system is important, but Lafrenière needs to understand that such a legislation has no value if Joyce's Principle keeps being overlooked.

## **Manitoba**

Finally, considering that Web Knew was newly elected Premier of Manitoba, we can be optimistic for the future of First Nations in this province. In a month and a half, Knew has already achieved more things for the Indigenous agenda than his predecessors ever did. He needs to dissociate himself from the stagnancy of the previous Progressive Conservatives and look in front of him. The main suggestion for him will be to follow on what was said for Canada and

Quebec, namely to foster a healthcare system which is focused on providing culturally sensitive and informed healthcare to Indigenous peoples. During the pandemic, the Ma Mawi Wi Chi Itata Centre in Winnipeg illustrated how community-based healthcare institutions can impact positively an Indigenous community's perception of the healthcare system and it is absolutely a model to be replicated (Hosbon, 2022, par. 1). Kineo should also work towards the creation of a program similar to Jordan's Principle, but targeted for adults. The "Supporting the Gifts of First Nations Adults Living with Exceptionalities" 2023 report had specifically recommended the creation of such a program, to guarantee that Indigenous peoples can still access healthcare even when they turn 18. Once again, this recommendation applies to all governments and it comes back to the idea that all these recommendations are intertwined together and they require acute collaboration between the different levels of government, and the various First Nations groups in Canada.

Right now, we have the chance to live in a Canada where the possibility of reconciliation is right there, just around the corner, waiting for us to form a more united country. We just have to seize it.

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