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**Politic Paper**

**How do the Federal, Provincial, and Quebec governments handle the First Nation?**

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# **British Columbia’s political landscape**

In Canada, the provincial government has different responsibilities like education, health care… To take care of this, the province needs a political structure. According to James-Abra & Robinson (2020, par.2-4), 87 seats in the provincial government exist, and each seat is occupied by a member of the Legislative Assembly (MLA). They are elected in their electoral district by the voters. The election is held every four years. However, an election can be organized earlier if the government has lost the trust of the Legislative Assembly. The authors also explain that British Columbia uses the first past the post electoral system. This means a system where the winner is the one who gets the most votes in each electoral district. Usually, the party that wins the most seats is the one that forms the government, with the party’s leader as prime minister. Nonetheless, if the party with fewer seats decides to form a coalition, they can win the majority seats and form the government. The NCEE (2020, p.1) adds that the province is a two-party system because the NDP and the Liberals are the two major parties. The government goes from one to another. From 2001 to 2017, it was the NDP, and until 2017, it was the Liberal. Then from 2017 to now, it is the NDP again. Indeed, James-Abra & Robinson (2020, par.19-22) state that British Columbia has a majority New Democratic Party government with John Horgan as Premier. The primer names the members of the Cabinet among the MLAs from the party forming the government. The Cabinet members are ministers who take care of specific portfolios, including health, finance, and education. In 2017 a little bit after the election, in May, John Horgan, the leader of the NDP and the leader of the Green Party, made a coalition and formed a majority in the Legislative Assembly. In June, The Liberals lost a confidence motion, and the NDP was asked to form the government under Horgan’s direction. In 2020, after that, Hargan ended his coalition; he brought a new election one year before the scheduled date. He wanted a stable government with a recent election that could form a majority. In October, he became the NDP Prime Minister in British Columbia. His party wins 57 seats, the Liberals 28, and the Green Party 2.

# **The British Columbia handling of First Nations issues**

The province of British Columbia has tried to follow its reconciliation process. The government presented the *Declaration on the Rights of Indigenous People’s Act, a* sign of a new era based on the reconciliation and the collaboration between all the inhabitants of British Columbia. This act calls for truth and reconciliation to establish in the United Nations Declaration on the Rights of Indigenous Peoples, which affirms the indigenous population's equality and political, sociological, cultural, and economic rights. (DNUDPA*,* 2021, par. 1-4) According to D’Avignon (2019, par.1-2), they could see the failures and success through a new trust. First Nation’s rights have been denied too because of the disrespectful process. This exclusion vision has caused the socio-economic gap. In British Columbia, with the hard work of the indigenous and non-indigenous leaders, the relationship and the agreements have been improved. This exclusion vision has caused the socio-economic gap. British Columbia has engaged in a new step in strategies such as the Declaration of the Rights of Indigenous Peoples Act or other treaties, but some difficulties remain. In a different area, these issues persist, such as in respect of the First Nation territory and rights and education.

## Respect for the territory and the rights of the First Nation.

During these last years, a project creates problems through first Nation. The Coastal Gaslink that wants to build a Gaslink of 670 km from the North-eastern British Columbia will provide natural gas (Coastal GasLink, 2022, par.1). According to the Natural Gas Benefits agreements (2022, par.1), arrangements have been made with the First Nation, which benefits them, but despite all of this, some oppositions persist. Indeed, the treatment by the Royal Canadian Mounted Police (RCMP) of people who tried to enter the Wet’suwet’en territory is not appropriate (“Conflict Coastal Gaslink,” 2020, par.3- 4). The conflict is due to different factors, such as the demand from the Coastal Gaslink company to the counselors and not the chiefs. In addition, the territory is the one of the Wet’suwet’en’, and the RCMP, despite the exclusion zone created by the injunction, the community members are offended. Indeed, as the counselors, some of the people for the project do whatever they want to the Wet’suwet’en’ territory without respecting the order based on culture and tradition.(Woods, 2020, par.12-18). The problem is that people are not allowed to be on their territory. According to Zussman (2020, par.1-5) doesn’t respect the obligation to have the consent of the First Nation. The prime minister of British Columbia states that even without the permission of Wet’suwet’en and the demonstrators, the Gaslink will be done. To him, the community must accept the Supreme Court’s decision. But the problem is that the community doesn’t want the RCMP to be on their territory, and the chiefs will enforce their law. On the other hand, in 2019, the primer has passed the United Nations Declaration on the Rights of Indigenous People in link with their laws allowing Indigenous people to have the rights to the territories, land, and resources they used to have, occupy, or used. (Proctor, 2022, par.6) In addition to this Gaz link issue, as stated in “It’s time for the B.C. NDP” (2020, par.3-6), the First Nation rights are not taken seriously. An action plan has been promised, but nothing has been done for years after. The measure for the health care system is not sufficient. Nonetheless, the new government is more engaged in the First Nation causes than the Liberals during their power time. For the First Nation of British Columbia, the provincial government policy is a test to see the government’s position and ability to tacking care of the Indigenous people. (It’s time for the B.C. NDP”.2020, par. 9-10) Despite the agreements that have been made or other reconciliation processes, the provincial government should not be too confident because of what it has already done. Indeed, in the opposite direction, a citizen of British Colombia would not accept that the First nation comes to their territory and do some violence or proceed with an incoherent regulation of people and do not respect their right. The province is on the right way, but for the moment, it seems to be more on paper than on process. Maybe it would be essential to accelerate or take action and show that operations are occurring by reading a real plan and improving the current issues by considering the opinion and the need of each First Nation community to include them in the province as they should.

## Education

Education is one of the most critical aspects to handle seriously for the First Nation after everything happened. The province aims to improve the presence of indigenous cultures and languages for the student by supporting them. Teachers need to teach that part to their students. (Indigenous Education in British Columbia, 2022, par.1). Although, current issues do not fit with the reconciliation and the province’s project and create a gap. Ironstand (2020, p.4) exposes that the schools for First Nations are vulnerable to political change because they are under federal jurisdiction and national policy. They must adopt the curriculum of British Columbia, which is under provincial legislation. This does not answer the First nation’s needs; indigenous legislation is not recognized. But the province is on the right track when we see the agreement signed in 2018 that allows the First Nation to establish and control their educational system and institution as a principle of their right to self-governance. (“BC Tripartite Education Agreement,” 2018, p.1). This fundamental aspect needs to be more seriously seen because agreements and treaties need to be actual and be reviewed currently as the provincial “common” education system. The First Nation’s history and culture must be taught because they should be ignored as a significant part of the history and development of the country. Even if it is not always linked to good memory, Province must respect and pursue its effort to allow the First Nations to have an equal system that conforms to their needs.

# **Quebec's handling of First Nations issues**

In Quebec, numerous actions have been done for the First Nation toward many patterns such as health, education… Although the feeling is that when the government takes one step forward, it takes three steps back.

## Systemic racism:

Multiple events occur in Quebec, showing an issue with racism toward the First Nation in the province. This was the case with the Joyce principle. The opposition proposed to the minister Lafrenière to adopt this principle to guarantee equitable access to all the social and health services without discrimination. It was created after the dramatic event of Joyce Echaquan, who died at the hospital because of inadequate treatment due to her ethnicity. However, this principle will not be adopted because it means for the government to admit that systemic racism exists in Quebec. This is a problem that the government doesn’t want to assume. (Boustros & Sioui, 2021, par. 5-6). In addition to this, the “Viens” commission exposes that the problem is not only in the health system but also everywhere. Chouinard, & Lévesque (2019, par.7-10) affirms that Quebec has failed with the first nation. According to the United Nations, the Commission claimed new measures to better recognize the Indigenous right because there is a lack of consideration of their culture, geographical, and social reality. Because the services are missing and left these communities alone. Moreover, Fletcher states that the minister doesn’t show compassion toward the First Nation recommendation. (2020, par.13-17) The opposition states that the CAQ doesn’t do enough for the First Nation. If it doesn’t accept the systemic racism problem, then it can’t find a solution to solve it. Moving forward and accepting is the best way to make the situation evolve and follow the area of reconciliation. Despite all of this, Minister Lafrenière affirms that he will take real actions, especially through the health system, and consider the recommendation. Although, the problem remains, and only providing an action plan in the health system is insufficient. Systemic racism is a societal issue, not a health issue. Chouinard & Lévesque (2019, par.15) also show that the province is responsible for treating indigenous girls and women killed and missing in Canada. Quebec has often been ignoring and disdainful. In the commission, multiple calls to action have been proposed in different areas: youth protection in concordance with the First Nation tradition, the collaboration with the indigenous authorities for the communities, and the scholarly curriculum that should include the First Nation history; this is a problem that is everywhere… (Chouinard, & Lévesque, 2019, par.27-35)

## Education

Quebec government try to make a move for the First Nation toward education. “Quebec to include Indigenous perspectives” (2021, par. 1-2) states that the government will invest money to improve their integration and provide better formation for teachers through the learning of First Nation history. But some decisions make the process slow down and even back off. Indeed, as Parillo (2022, par.1) stated, The Bill 96 project will force the student who speaks English at CEGEP to pass some program in French to graduate. The government wants to improve the system with new material on Indigenous people and support the young generation to reduce the dropout and give more learning on first Nations to Quebecers (Quebec to include Indigenous perspectives, 2021, par. 4-5). But, despite all of this, we see with the Bill 96 that for the First Nation, the other inequalities and this new amendment are not a good thing for them. And the dropout is already higher for the First Nation than for the Quebecers. Indeed, the FNEC exposes that this amendment could affect more than 200 Indigenous students. The fact that French is the First Language spoken by many first Nation students let us imagine that Bill 96 would make students struggle with their course or even fail. (Parillo, 2022, par.4-5)

# **The federal government handling of First Nations issues**

In addition to Quebec and British Columbia, the federal government has problems with the First Nations. This concerns multiple areas such as Water access, the residential school, or the right and integration of First Nations in the country.

## Water Access:

For many years, access to water for the First Nation has been a problem. Different consequences, especially concerning health, have been displayed because of the inadequate access and treatment of water in the country. These well-known issues have been a concern for the government. According to Backer (2022, par.1-5), the federal government is giving eight billion$ to the First Nation individuals and communities to have a better water quality. These measures have been taken to follow the law case of 2019 when lawsuits were filed. An agreement has been approved to compensate those who don’t have reliable access to clean water. It has also been asked the government to work more with the First Nation to create real access to clean water because it is a problem that touches almost all the communities. However, Stefanovich et al. (2021 par.1-6) add that the federal government has not done enough. It has been exposed that numerous First Nations will continue to live without clean water cases and long-term solutions to their lack of water system, despite the commitment of Trudeau during the 2015 election. As stated by the authors, J. Trudeau says that he wanted to eliminate the “long term drinking water advisories on the public water system of First Nations reserves by March 31, 2021”. The deadline is far from being respected because, despite the 100 advisories lifted, 60 are still working in 41 First Nation communities. This is a problem that not all the persons on the Canadian territory have not access to this fundamental right that is safe drinking when Canada is a developed country. The objectives are not going to be respected. Indeed, despite its contribution to chronic issues, the money can’t fix all the problems of water from which the First Nation suffers. It is mentioned that the pain caused would never be compensated by the funds. These issues added to the delay impact on physical and mental health because some people decide to move from their home communities to go somewhere with water access. (Backer, 2022, par.10-12). The slowdown in the lift boil water advisory process is caused by the policy that hasn’t been renewed for 30 years and the absence of legal protection. Despite the crisis, the delay still exists since 2020, and it was sure that the liberal government wouldn’t respect the deadline of 2021. (Stefanovich et al., 2021 par.9-10). It is sad to see that incidents, terrible conditions, and danger are necessary to make the government evolve the life of First Nations even if they have known the problem for a long time. If the federal government had taken the issue seriously and on time, the delay for the First Nation toward water would not be as long as now.

## Residential School

The federal government and many provinces struggle with residential schools. This dark moment of history still remembers the memory of horror these last few years—the discovery of unmarked graves or the movement of information through social media. The federal government of Canada tries to manage this with multiple engagements and agreements.

Indeed, the government to apologizes to the survivors and their descendants. Some efforts have been made through the Indian Residential School Settlement Agreement or, more recently, the truth and Reconciliation Commission (“The residential School System, 2020, par.5). Hudson (2021, par.2) stated that a National Day for Truth and Reconciliation had been created for residential school survivors. For the many Chiefs of communities, it is seen as a new hope for the survivors for which the day is a synonym of pain but also respect and duty of remembrance. The goal of this day is to highlight what really happened in residential schools. It is a way for them to be relieved despite the pain and the dark memories. (Hudson, 2021, par. 7-8). According to MacDonald (2021, par. 9-14), the Primer, Justin Trudeau, is ready to have a real partnership with the Frist Nation Assembly to fix the historical wrong and progress in the reconciliation process. After another discovery of unmarked graves near a residential school, a decision was taken. On the one hand, these events testify of the discrimination, racism, and injustice toward the indigenous people that must be known and shared to really began the reconciliation. But on the other hand, these events that the federal government has tacking care of is a message welcomed by the First Nation as a hope for them to see the future generation informed and aware of the struggle that Indigenous people had going through. This is from the past that the federal government can move forward and doesn’t repeat the same mistakes. (Hudson, 2021, par. 11-13). Although, the problem is far from being solved because the government has difficulties in not making mistakes. According to MacDonald (2021, par. 18), despite this engagement from the federal government, for some people, this is not enough; the apologies and though are not sufficient, action is needed. However, it is going to take time because the federal government is in Cout against the Canadian Human Rights Tribunal to fight the emancipation of the Jordan Principle that refers to the right of First Nation children to not wait for the services that they deserve, such as vital social services because of the incapacity of the government to decide on what it should pay for them. Moreover, “The past is not the past for Canada’s Indigenous peoples.” (2021, par. 3) argues that the first nation continues to have worse health or live with the legacy of their traumatic history that harms their health. Colonialism has taken all the sovereignty and the right of the First Nation, and this does not stay in the past. Indeed, in 2019, it has been proved that les rights of the Indigenous people have been violated through the inquiry into the missing and murdered Indigenous Women and Girls. Some deep racism and discrimination cases of today come from the colonialism era.

## Rights and Integration of First Nation

First Nations, like every citizen, have fundamental rights, but the difference is that these rights are violated because of their specific status and the ways they are considered. By looking at the question of the election, Cowie (2021, par.10) exposes that for the First Nations, the nation-to-nation ideas were not recognized to integrate them as citizens but not for a good reason. This citizenship allows the government to fix the socioeconomic problem and keep ignoring the first Nation’s autonomy. For the Indigenous people, citizenship was not linked to belonging to the country but to a deterioration of their rights and recognition. Canadian citizenship was used to help the Canadian sovereignty and legitimization despite the colonial legacy. For the First Nation, participating in the election is not a citizen who wants to express themselves but shows that they exist and are essential. However, for this population, many choose not to vote. This manipulation doesn’t allow the First Nation to feel integrated and considerate. (Cowie, 2021, par.16-20)

On the other hand, even if the progress is slow, some steps are done and are a good omen. Indeed, recently, the First Nation obtained the right to use their real name on official documents and not the European one assigned to them during the indigenous culture hunt. (Cecco, 2021, par.1). This recent decision is an evolution in reconciliation despite the dramatic events that people have endured. This can be seen as cultural acceptance because the First Nation’s name has enormous significance. This new right seemed to be a sign of hope for this rejected population who never really lived as people of the nation who is respected for their differences. (Cecco, 2021, par.10).

# **Comparison between Quebec, British Columbia, and the Canadian government to handle the First Nation.**

## British Columbia

The government of British Columbia has made many mistakes toward the First Nation. The NDP parties would instead prioritize the Gaslink than the reconciliation with First Nation and agreement where the consultation and consent of First Nation are mandatory to do a project. This event has exposed the government’s vision and preoccupations: economy over climate and First Nation. It might be linked to the NDP orientation that a kind of opportunism or hypocrisies exists. Zussman (2020, par.1-5) states that the Premier will achieve his project despite the opposition; this proves that First Nation is the priority when it brings advantages. However, after all, the province has made considerable efforts because, despite the economic interests of the NDP’s, their centrist politics doesn’t forget the social. They have made numerous advancements toward First Nation, for First nation by First Nation. Effectively, according to Annual Report 2021 (2021, par. 38), The Treaty Commission has been created to facilitate the reconciliation process through better recognition and protection of Indigenous rights. It assures the implementation of the UN Declaration in the negotiations, and other treaties always consider and include the First Nations in the talks between the government of British Columbia and Canada and the First Nations in British Columbia. The main goal is reconciliation and recognition. Everything is done to protect that by assisting the Parties in solutions and solvation of disputes, giving support funding to First Nations, and educating everybody about the history and the treaties. In addition, Sterritt (2021, par.8) states that British Columbia was the first to achieve the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Prime seemed engaged, but some rights were still not respected. The province has made many efforts and evolution, but it is on the right track to change and give the First Nations what they deserve. Moreover, British Columbia is very close to the federal government by their perception and sharing of political values, especially political orientation. As the Annual Report 2021 (2021, p 38-39) states, the federal government is part of this. It counts for British Columbia through the First nation issues, even if the basis of their relationship is basically economic at the beginning.

## Federal Government

The Federal Government has a liberal policy toward economics, and the social is very important. However, the government has moved forward with the First Nation because it first presented excuses for what happens, contrary to Quebec, which doesn’t recognize systemic racism. Indeed, the Prime Minister doesn’t miss one occasion to apologize, as stated in Radio- Canada (2019, par. 1). He apologizes for what he said to indigenous protesters and thanks them for their sacrifices. As in Paas-Lang (2021, par.1), he apologizes for not answering an invitation from a First Nation community to a vastier her in honor of the National Day for Truth and reconciliation. But apologizing for errors and facing the previous year’s errors are enough. Although the federal government has the responsibility and humility to recognize the mistakes shows a real desire to advance and move on. Secondly, according to “INDIGENOUS RIGHTS RECOGNITION” (2022, p.37-38), The government of Canada wants to implement a renewed nation-to-nation that recognizes the right and assumes cooperation to make a change. The relationship between Aboriginals and the crown is identified in section 35 of the *Constitution Act,* which promises fairness. In addition to the UNDRIP, this act is based on many Principles from section 35 that respect the Government of Canada’s relationship with indigenous people. Canada based its evil found on the Constitutional front is a sign that they are in a straight line to have a good relationship with First Nation. But the federal government, even if it is close to British Columbia, is entirely independent of its provinces and follows in direction. Still, it keeps looking, as mentioned by Zussman (2020, para.12); Trudeau states that it is the province’s responsibility because it is a local issue, but he is still going to involve the government.

## Quebec Government

Quebec has the worst policy toward First Nations among the three. Indeed, the simple fact that the government doesn’t assume systemic racism shows that the desire for reconciliation is not a priority. This can be explained because of the conservatism ideology that constitutes the political party of Legault. The government prefers live in denial of the situation rather than accept and learn from the past. The conservatism ideas were less radical than before, exposing the persistence of a refusal of the nation-nation relation and to see the first Nation as it should. As stated by Chouinard & Lévesque (2019, par.15), the government is more ignorant than active. The commission Viens has very smart and coherent ideas, but no updates have been made to this. The government doesn’t seem ready or inclined to make a real change.

According to the previous comparison, the government of British Columbia has a better policy and behavior toward the First Nations. Despite a bit of hypocrisy, the movement in which it is more deeply into the reconciliation and the improvement of the situation for the First Nation.

# **What could / should British Columbia do better to deal with First Nations issues?**

## Education:

Education is one of the best ways to face the problem and find a solution. Better education of people through their curriculum would have made them aware and conscious of the history of their country. They need recognition and acceptance. This process must begin with an actual instruction on what happens with the First Nations and what they have done for Canada and colonialism. It should be a part of the scholar cursus and work formation. The government wants to escape from the new policy to increase the people’s rights concerning the First Nation. The past is not the past for Canada’s Indigenous peoples” (2021, par. 5-6) also suggests this solution. The lack of compassion and understanding from the non-indigenous people is a huge problem when you share the same territory. The painful history of the previous indigenous generation must be known and understood. A collective effort is necessary to eradicate racism and discrimination and improve cohabitation. In addition to the school that exists for the First Nation on their territory and the out their authority it should be possible for them to go to regular school if they want without being hurt by what they learn or how it works. A formation of professors could be done to have a good approach with the First Nation in regular school. The professors should know who they are and what they have gone through that they endure today. Moreover, the most important should be a new curriculum that introduces and integrates the First Nation's history as a regular subject in a history course, for example. But also, having classes to inform about the current issues could raise awareness among the teenagers and even the children and avoid or diminish the racism or other problem from an early age. The diversity between Canadian and First Nation at school from the first years of school could change the mentalities of future generations because the differences will be less seen.

## Mental health Support

Health represents one of the more significant problems for the First Nation. It exists many inequalities and issues with the treatment of people. However, it is necessary not to forget the mental health of the First Nation. Support exists in British Columbia to give information on the services available for every age and indigenous people. B.C Mental health support (2021, par2). This is the first step toward mental health support, but this is maybe not sufficient. Indeed, according to Khan (2008, par.9), the rate of mental health problems is higher for the First Nations than for the Canadians, for example, for the depression, the rate is 16% for First Nations compared to 8% for the Canadian in 1997, and this percentage could undoubtedly raise with the pandemic period.

The website created by British Columbia is a good guide for those who want help for the first time and need to be understood. (B.C Mental health support, 2021, par.5). However, I think that a specific formation of professionals in the mental health area for the First Nation could be an excellent way to provide clear answers to their particular needs, given their history and what they must live in their daily life. The campaign could be done to inform them that they have access to the same help and that they can use it because they have the right too. Aid from the government for the payment of the specific additional support could be created because this population is one of the most traumatized in Canada. It will be fair for them to have compensation for this kind of specific help.

## Unemployment issue

Unemployment also represents an issue in Canada and British Columbia. According to Chiang (2020, par.7-9), the rate of First Nations employed is 51.4%, but compared to the non-indigenous communities, this number is still lower. A gap persists between the two populations. Better employment perspectives should be created for the First Nation to propose more and different work carriers. Even if British Columbia is one of the better provinces in a matter of First Nation employment, it is always possible to do more. Indeed, the government could allocate a certain number of places for the First Nation as a quota to companies or workplace to favor the inclusion in the labour market and make them more ambitious because they know that even without the same culture and education, they can have a good job that they love. At university, someplace are already allocated to the First Nation. If it has been done there, it could be done for the work world.

## Political place of First Nation in the British Columbia ‘s government

The First Nations has their assembly in the province called The British Columbia Assembly of First Nation (BCAFN), an organization that represents all the First Nations of the province. Their goal is to make their right, jurisdiction, culture, identities, a system of government, law, territories, programs, and policies… recognized and respected by the provincial government. Vision & Mission (2022, par. 1-2). Despite their assembly, we have observed that some of their rights are not respected, such as with the Gaslink case. In addition, in the legislative assembly, there is no First Nation. (Member, 2022) This could be a good solution to allocate someplace to the first nation in the assembly to the First Nation, no matter the political party elected. The representatives of the First Nation from the BCAFN could have these seats and represent their interests. Indeed, directly having First Nations in the assembly would make it easier for everybody to make decisions. The non-indigenous could directly consult the First Nation and make proposed laws and motions with their agreement and based on them. To avoid the unfairness toward the other parties’ attribution of seats, the number of seats could be expanded by the number of seats allocated to the First Nation to keep the same number of seats of the other parties.

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