

# Institutional Racism in Canada: Indigenous Lived Realities

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## **Abstract**

The Indigenous experience in Canada unveils contexts regarding forceful removal from their land through colonization as well as the occurrence of subsequent problematic indignities which have placed this marginalized group in a position of severe continual disadvantage. Based on a review of existing academic sociological literature, evidence displays how institutional racism, seen through legislative changes or healthcare practices, has facilitated continuous oppression in the communities of Indigenous peoples. Utilizing the 1876 *Indian Act* and reference to the *Canadian Indian Residential School System*, the claims will be supported by displaying how these examples of institutional legislation have provided the groundwork for seemingly covert racism of Indigenous peoples as compared to their White counterparts. Findings suggest that references to the *1876 Indian Act* and the *Canadian Indian Residential School System* display continual institutional racism which refutes the Canadian ideology of inclusivity and equality. Although both factors are abolished, evidence gathered in the article displays that institutional racism persists in both legislative and social levels for Indigenous communities.

Racism in Canada is a contentious, and oftentimes disregarded, topic of discussion in academic literature. This paper will examine how Indigenous peoples experience racism within Canada, despite the Canadian guise of being multicultural, diverse, and colour-blind. Based on a review of existing sociological literature and additional non-academic sources, this paper will establish how Indigenous peoples experience racial discrimination within Canada. Additionally, I will examine how said discrimination transcends into lived realities, both in contemporary contexts and throughout Canada's history. Given that there seems to be a belief that racism does not exist within Canadian borders, it is fundamental to examine how this belief is unfounded and contradicts the lived experiences of Indigenous peoples through institutional and societal racism. This paper will contextualize these claims through an analysis of the 1876 Indian Act and the Canadian Indian Residential School System to demonstrate how these events have established a foundation for institutional racism against Indigenous peoples, such as through health care at both the legislative and social levels.

## **Inferences of Anti-Indigenous Racism**

Racism is a pervasive, multidimensional practice that has spanned and tainted Canada since the beginning of its formation. Despite race being a social construct, it has served as an effective tool to determine and reinforce paradigms of which racialized identities are superior, which are inferior, and has legitimized

inequalities and hierarchies based on these notions (Backhouse 1999). Furthermore, racism has also been used as an effective tool in the justification of prohibiting racialized communities from "maintain[ing] their own identities, cultures, and spiritual beliefs" in comparison to the privileges accorded to the dominant White race (Backhouse 1999:15). Canada, in particular, has been built on the foundations of racism and the entitlement accorded to the non-racialized White race, further entrenching their privileges within Canadian society (Allan & Smylie 2015:5). Through these undisputed practices, racism informs how people of colour experience the world around them—be it in the past, future, or the present. Anti-Indigenous racism is defined as the continued discrimination of Indigenous peoples based on their race and state-constructed identities, which fortifies the continuous struggles that these communities face (Government of Ontario 2019). It maintains itself through the notion that Indigenous peoples are inferior to non-Indigenous Canadians, which in and of itself allows racism to flourish through the barriers imposed from Canada's racist past, as well as entrenched, discriminating practices within the present (Government of Ontario 2019). These practices remain continuous because "Canadians are not used to the framing of their past as violent and ongoing. [Canadian histories have been written] as a benevolent, peaceful and ... [as a] natural progression from a resource-rich hinterland to a modern multicultural state" (McCallum & Perry 2018:5-6). Thus, ignorance to the true racialized formation of Canada allows these practices to remain continuous—all the while burying the racist and discriminatory foundation of Canada.

### ***Historical Context of Indigenous Colonization in Canada***

To understand the origins of racism inflicted upon Indigenous peoples, it is fundamental to examine the colonization of Aboriginal land. Canada was founded through colonization, through which European political power exerted control over Indigenous land and claimed ownership of that domain. Colonizers used ideologies of race as a justification for the pitiless exploitation of Indigenous peoples, who were deemed as inferior and defined as savages—needing to be controlled and turned into a 'civilized population' (Backhouse 1999:5). For Indigenous peoples, this meant being forced to leave their lands, break apart their communities, and dissipate their culture to assimilate into mainstream Canadian life (FemNetNorth 2016). According to McCallum and Perry (2018), "Indigenous people in such renderings of history have a very little role—removed or erased from the land to facilitate settlement and resource extraction" (McCallum & Perry 2018:5-6).

Subjected to the unquestionable power of the European colonizers, Indigenous peoples were victimized, and continue to be victimized, through the need to define Indigenous communities as the 'other' and/or as peoples in need of being controlled and civilized.

### ***The 1493 Doctrine of Discovery***

The extermination and displacement of Indigenous peoples from their land was first validated under the 1493 Doctrine of Discovery, whereby European colonizers were permitted to claim ownership of land if non-Christians inhabited the space, and to, therefore, consider the land "free to be taken" (FemNetNorth 2016:3). This was the case when the Europeans first arrived at Turtle Island, known today as North America, and claimed ownership of Indigenous land (FemNetNorth 2016:3). Prior to the Doctrine, it is fundamental to note that Indigenous peoples had their own governing apparatuses as well as treaties with other Indigenous nations to share the land while maintaining a sacred relationship with Mother Earth (Lindberg 2010:89). Despite the Doctrine ruling that European colonizers could presume the land was available to take, Indigenous peoples have inherent rights to Canadian land because these lands were inherited from their ancestors throughout generational lines with specific "meanings, philosophies, world views and laws" applicable to Indigenous life (Lindberg 2010:90). Of course, the presumption that this land was free to be taken if not occupied under the mandates of the European, Christian colonizers is racist in and of itself.

This presumption continues to subjugate Indigenous peoples through the notion that their lives, bodies, spirit, religion, and culture are of lesser value than the dominant White race. Upon the arrival of non-Indigenous peoples to Turtle Island in the 1500s, the two populations attempted, and were successful for the most part, to co-exist. This was also evident through The Royal Proclamation of 1763 acknowledging that First Nation communities have rights to their North American lands and that treaties would be the most appropriate legal measure for First Nations "to release control of their lands" (FemNetNorth 2016:3). Nevertheless, Lindberg (2010) states that when European "economic, numeric, or military power" surpassed that of the Indigenous peoples, European powers became the most robust in governing and taking control of the land (Lindberg 2010:92). Furthermore, Indigenous peoples did not abide by the superior European settlers' religions, economies, laws, or governing matters, which cemented the notion of Indigenous peoples being deserving of fewer rights under European rule (Lindberg 2010:94). However, it is fundamental to note that because Indigenous laws were attached to the land before European settlement, "colonizers broke and continue to break Indigenous laws" (Lindberg 2010:90). European settlers, however, saw themselves

as superior and bearing some sort of righteousness to the land, which continues to serve as the basis for the constant subjugation, victimization, and traumatization of Indigenous peoples and their lands. The aforementioned attempts at co-existing were purposely broken apart at the time of Canadian Confederation in 1867. This period marked a time when the British Crown deemed that Indigenous peoples were now a barrier to inhabiting Canadian land, and forced treaties upon their communities to displace them from their domains in order for Europeans to claim ownership of, and extract resources from, Indigenous land (FemNetNorth 2016:4). During this time, Indigenous peoples were vulnerable because the Europeans were bringing foreign, overseas illnesses onto their lands, which was wiping out their population (FemNetNorth 2016). In addition, these communities were suffering from severe impoverishment and famine (FemNetNorth 2016). Out of this sense of hopelessness, Indigenous peoples signed the treaties that exterminated them from their land and subsequent resources—in an attempt to keep their communities strong in the face of European power that was ruthlessly working to ‘rid themselves’ of Indigenous peoples altogether.

### ***The 1876 Indian Act***

In 1876, the Indian Act was created to govern and control all aspects of Indigenous life concerning their reserves, bands, as well as who can and cannot obtain the status of 'Indian', in an attempt to assimilate Aboriginals into mainstream Canadian life (Coates 2008). It mandated that Indigenous peoples were to be separated until prepared to assimilate into the dominant culture, allowing the government to take a paternalistic, racialized stance on governing their lives (Coates 2008:2). For instance, Indigenous peoples were forced onto reserves to allow European settlers to reside on their land for resource extraction and could be forced off without approval to build infrastructure (FemNetNorth 2016:4). The Act also prohibited Indigenous peoples from voting, and mandated that their status can be revoked if the legal requirements of the Act were not complied with. Likewise, their status can be ‘granted’ at the hand of the government once the 'Indian' was prepared to assimilate into the mainstream Canadian life through, for example, educational avenues (Coates 2008:3-4). Furthermore, the Act "disrupt[ed] traditional economies [through] cutting off sources of food and [therefore] manufacturing food dependencies on colonial authorities" (Allan & Smylie 2015:2). The embodiment of the Indian Act, as well as the fact that it is still in effect (although amended) in the present, demonstrates the fundamental notion that Indigenous peoples are inferior to nonIndigenous Canadian citizens, and how these beliefs have remained constant throughout time.

### ***The Residential School System***

One must understand that this ongoing traumatization is fundamental to the process of settler colonialism "as a structure, not an event; as ongoing and diffuse rather than historical and contained" (McCallum & Perry 2018:7). The need for Canada to first form a White settler state, to enforce White Supremacy, and to continue to reinforce the ongoing process of colonization propping up Canada's inherent White foundation, is evident through the forceful removal and "discipline" of Indigenous peoples into the Canadian Residential Schools (McCallum & Perry 2018:16). These racist roots continue to weave themselves throughout Canadian history into the 1870s when the need to separate the inferior and savage 'Indians'-to "kill the Indian in the child"- was justified under Residential Schools (Allan & Smylie 2015:7). The inherently racist purpose of the Residential Schools was to further assimilate Indigenous peoples into Canadian culture, to convert them to the dominant religion of Christianity, and to encourage these traumatized children "to despise their Indigenous identities" (Wolford & Gracek 2016:404). These institutions were the voice of the Canadian government articulating the need, once again, to continue attempting to destabilize and destroy the Aboriginal peoples.

Indigenous children were to be enrolled in these schools from the ages of 4 until about 19 and to spend a total of ten to twelve months separated from their families (Wolford & Gracek 2016:404). Within these schools, children suffered from physical and sexual abuse, were expected to work to afford their education as well as to support the Christian church, and suffered from malnutrition, illnesses and a lack of health care, amongst several other atrocities (Wolford & Gracek 2016:404). Until the closure of the final Residential School in 1996, 150,000 Indigenous children were entered into these schools and about 6,000 children died within its walls (Wolford & Gracek 2016:404). These merciless deaths occurred under the terrible conditions within these institutions under the failure of the Canadian government. What is of importance to note is that the deaths have been considered to be a manslaughter of the Indigenous peoples at the hand of governance that is meant to protect all citizens (Milloy & McCallum 2017). Seeing as though the government is responsible for ensuring the protection of its peoples, these realities for Indigenous peoples are a fundamental failure of the Canadian government in being held accountable for said protection. Indigenous children who survived left feeling traumatized, detached from their cultures, and unable to return home as a result thereof, while also not feeling closer to the dominant White culture that each of the children were expected to conform and assimilate into (Wolford & Gracek 2016:404). Thus, the Canadian Residential Schools served as an explicit and blatant

attempt to re-enforce Indigenous peoples being inferior to the dominant White Canadian, and in doing so, Canada had to sacrifice Indigenous children to systematically reinforce these racist ideologies. These laws and policies to subjugate Indigenous peoples and to force them into the Residential Schools provide the unquestionable political material foundation to demonstrate Canada's desire to rid themselves of the Indigenous peoples and future Indigenous generational lines.

### ***Institutional Racism within Health Care***

As a result of these aforementioned racist histories, Canada's legislation has forced Indigenous communities to suffer from disparities in health care, both at the legislative and social levels. Canada's legislation has placed Indigenous peoples at a disadvantage since the beginning of European settlement. Blatant attempts to clear Canada's name and to prop itself up as colour-blind are ineffective, and according to Lindberg (2010), it would be a fundamental mistake to assume that "de-racializing the surface de-systematizes the system which perpetuates itself based upon Indigenous (rights, claims, laws, peoples) inferiority" (Lindberg 2010:93). Therefore, it is fundamental to examine the disparities in Indigenous health care at the legislative and social levels as an ongoing process of colonization and continuous racism at the hands of the Canadian government, and what these racist histories have done to destabilize Indigenous peoples.

From the legislative level, colonialism has entrenched racism towards Indigenous peoples and has shaped the policies that seek to control and restrict their communities. Under the Indian Act, ideas of who can and cannot be included as status 'Indian' restricts non-status 'Indians' from adequate health care, despite encountering the same disparities as status 'Indians'. For example, the Non-Insured Health Benefits (NIHB) Program provides health care services to those identified under these state-constructed identities (status First Nations and Inuit peoples) but not to Métis and non-status First Nations (Allan & Smylie 2015:9). Moreover, the NIHB Program in and of itself is inadequate, as issues remain pertaining to accessing health care on-reserves, in remote communities, as well as being approved to receive these medical services (Allan & Smylie 2015:23). Nevertheless, adequate data on the inadequacies in Indigenous health care is scarce due to "inconsistent, inconclusive, and unreliable documentation" which also excludes non-Status First Nations and Métis peoples (Kitching et al. 2019:2). Thus, an adequate change in these realities is unable to be made due to a lack of prioritization and care in addressing these individuals. This ongoing process of colonization manifests itself through the notions of which Indigenous identities are 'allowed' to receive Canadian healthcare under these state-constructed identities.

Therefore, these processes "involved a much broader social, cultural, and political agenda that involved the organization of special [healthcare] services and programs for Indigenous peoples" (McCallum & Perry 2018:15). The legislation also serves to disregard and replace "Indigenous knowledge related to health," disregarding the need for a separate "Indian Health Services" apparatus (McCallum & Perry 2018:15). These restrictions operate to ensure that Indigenous peoples' health continues to deteriorate under continuous displacement and removal. Moreover, the Residential Schools have left Aboriginal peoples suffering from "rippling multigenerational effects" and with extreme disparities in their health care in comparison to non-Aboriginal peoples (Allan & Smylie 2015:7). This has left these communities more susceptible to higher levels of sexual and/or physical violence, substance abuse, as well as health issues and mental health issues that remain difficult to treat due to this fundamental discrimination (Allan & Smylie 2015; Wolford & Gracek 2016:404). When these disparities are not met with the crucial understanding that these stem from practices of racism, these notions "re-centre and privilege Whiteness as the normative perspective" (McCallum & Perry 2018:13). Through this, remedial attempts by the Canadian government to address their failure, albeit limited, continue to undermine these communities and disregard their traditions and knowledge—putting a band-aid on a deeply-rooted situation without an acknowledgement in destabilizing the racist root of these disparities.

From the social level, Indigenous peoples suffer from the racism inflicted on them amongst non-Indigenous populations based on their appearance and identification as Indigenous. Kitching et al. (2019) argues that Indigenous peoples face these discrepancies due to racist beliefs that "contribute to procedural neglect (care behaviour that falls short of the standards that constitute good care) and caring neglect (care behaviour that leads to the belief that health care staff "do not care")" (Kitching et al. 2019:2). Furthermore, Aboriginal peoples face inequalities within these settings through "negative behaviours such as insults and unfair treatment" as well as "non-verbal communication" that discriminates against them and subjugates them to deteriorating health (Kitching et al. 2019:2). Brian Sinclair's case, amongst several others, is one example of this neglect. Brian Sinclair was a non-Status First Nations man residing in Winnipeg, Manitoba. In September of 2008, Sinclair wheeled himself into the Health Sciences Centre (HSC), a hospital in Winnipeg, to be treated for a bladder infection (McCallum & Perry 2018:1). When Sinclair arrived, he was not registered properly by the Triage Nurses, despite each individual who arrived after Sinclair being properly registered (McCallum & Perry 2018: 20). Sinclair then wheeled himself to the corner of the emergency room, where he remained unattended for 34 hours, despite other individuals having expressed their concerns for his wellbeing (McCallum & Perry 2018). Even after

Sinclair had vomited on himself several times, the hospital staff refused to check up on him because it was assumed that he had been discharged, was homeless, or was intoxicated (McCallum & Perry 2018:22). After 34 hours of being unattended to and several denied requests from other patients to check up on Sinclair, the hospital staff decided to fulfill the request of one woman who believed he was dead (McCallum & Perry 2018). Sinclair was, in fact, dead. Despite several unsuccessful attempts to revive him, he died from a treatable and ignored bladder infection. Brian Sinclair was "not [visible] as a patient—despite being in a wheelchair, in an ER, with obvious signs of medical distress that were recognized by other patients" (McCallum & Perry 2018:26). Rather, Sinclair was visible as a presumably intoxicated or homeless Indigenous man, not deserving of care because being intoxicated or homeless are viewed as 'decisions' by Indigenous people and not framed through overarching structures of racism. In fact, the autopsy stated that Sinclair had not a single trace of drugs or alcohol in his body at the time of his death (McCallum & Perry 2018:25). The death of Brian Sinclair is not an isolated incident and cannot be treated as such. Sinclair's death is evidence of, "a particular structure of indifference born of and maintained by colonialism," being "the result of racism, of indifference, of a lack of empathy, and of staff choosing consistently to refuse care to an Indigenous person" (McCallum & Perry 2018:1, 192). Separating the death of Sinclair and other similar racialized failures of Canadian health care seeks to "misunderstand and underestimate the context—the structures—that shape [racialized Indigenous] experiences" (McCallum & Perry 2018:14). These overarching structures maintain themselves as Canada willfully ignores its continuous victimization of Indigenous communities.

This form of institutional racism against Indigenous peoples is extensive and longstanding, impacting whether or not these communities trust healthcare providers in tending to their concerns. For instance, Indigenous peoples have "strategize[d] around anticipating racism before visiting the [ER] or, in some cases, avoid care altogether" as a result of the subsequent racialized effects of their appearance, and that appearing Indigenous coupled with the belief that their communities are poorer than, and inferior to, non-Indigenous peoples can result in "a lack of credibility and/or negatively influence their chances of receiving help" (Allan & Smylie 2015:2-3, 9). Within health care settings, health care providers have also expressed negative perceptions toward Indigenous peoples, toward their abilities to decide what should and should not be done to their bodies, and whether or not their healthcare needs are being met (McCallum & Boyer 2018:190). In fact, discrimination amongst health care providers is a major determinant of whether or not Indigenous healthcare needs are being met (Kitching et al. 2019:7). For example, about "27.3% of the Indigenous population in Toronto has self-reported unmet



health needs" versus the "national estimate of 16.2% of Indigenous peoples" having unmet health needs (Kitching et al. 2019:8). These disparities, despite being under-researched, occur under the ongoing process of colonization, restricting these communities from adequate care specific to Indigenous communities and culture, and speaking to a larger issue within Canadian health care that systematically and racially places these communities at a disadvantage (Kitching et al. 2019:8; McCallum & Boyer 2018:190). Without extensive research into these inadequacies, change is impossible to make, and Indigenous communities will continue to suffer.

### ***Conclusion***

As a whole, Indigenous peoples do, in fact, experience racism in Canada through the victimization of European colonialism, the 1876 Indian Act, as well as the Canadian Residential Schools. However, these are few in a plethora of instances through which Canada's assertion of being multicultural, diverse, and colour-blind is in direct contestation with their actions. Despite this pretense, Indigenous peoples are a prime example of how racial discrimination continues to occur within Canada, despite the unfounded belief that said racism does not exist within Canadian borders. These issues persist, in the same manner that "Indigenous experience exists in spite of efforts to remove and destroy Indigenous peoples, or more casually, to ignore or singularly pathologize them" (McCallum & Perry 2018:7). Understanding how the Canadian government has allowed these disparities to occur over time, in the past and in the present, is fundamental to understanding how people of colour, and Indigenous peoples, in particular, continue to experience systemic racism within Canada.

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