

## An Interdisciplinary Journal

*Honoring the Voices, Perspectives and Knowledges of First Peoples through Research, Critical Analyses, Stories, Standpoints and Media Reviews*

## Editorial: Special Issue on Custom Adoptions

Sandrina de Finney<sup>a</sup> and Jeannine Carrière<sup>b</sup>

a School of Child and Youth Care, University of Victoria, British Columbia, Canada

b School of Social Work, University of Victoria, British Columbia, Canada

Corresponding author: Sandrina de Finney, [sdefinn@uvic.ca](mailto:sdefinn@uvic.ca)

The legacy of state-controlled adoption of First Nations, Inuit, and Métis children in Canada has been catastrophic. It has also been completely unnecessary, writes Grace Atkinson (2010) in *Aski Awasis/Children of the Earth: First Peoples Speaking on Adoption*, “given the longstanding history of custom adoption in many First Nation cultures and communities across Canada” (p. 37). *Custom adoption*, also known as *customary*, *cultural*, or *traditional adoption*, is a broad concept that refers to the cultural practices of adoption and caretaking of children that have always taken place in Indigenous communities. We realize that customary adoption has not been pursued in many communities for some time, for many reasons. One contributing factor is that cultural protocols and practices regarding caretaking and child rearing are different in each community, resulting in a schism between customary laws and provincial and federal policies, practice standards and funding formulas. In some communities, these practices may not be widely known or frequently used. An additional factor is that the terms and concepts related to “adoption” and “custom adoption” are Euro-Western, English-language ideas that do not translate easily—or at all—into Indigenous languages and worldviews.

Despite these complexities, custom caretaking and child-rearing practices that are rooted in nationhood and customary laws are resurging across Canada as part of community movements toward self-determination. Communities are looking at urgently needed community-driven and community-controlled ways to keep their children in the community, such as custom adoptions, culturally grounded caregiving, and initiatives for children and youth in care that support cultural safety and continuity and ancestral rights. For instance, two First Nation agencies<sup>1</sup>—Yellowhead Tribal Services Agency in Edmonton, Alberta and the Q’ushintul’s tse’ Adoption Program at Lalum’utul’ Smun’eem (LS) Child and Family Services (Cowichan Tribes, Vancouver Island, British Columbia)—made great strides in revitalizing the concept of customary adoption when they creatively engaged First Nation communities to proceed with customary adoptions that are recognized by tribal and provincial laws. Yellowhead Tribal Services Agency (YTSA) was a leader in this practice from 2000 to 2013 with their open and custom adoption program. Over 100 First Nation children were adopted through the sanction of the YTSA open custom adoption ceremony, which was given to the agency by Elder Bluestone Yellowface and other Elders who participated on the advisory committee for the

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1 We acknowledge that many other agencies, such as Mi’kmaw Child and Family Services in Nova Scotia, have spearheaded work on custom adoptions and many of these agencies consulted with LS and YTSA (when it was open).

adoption program. The program's most prominent success is that none of the adoptions it arranged have broken down or dissolved. In BC, the Cowichan Tribes' Lalum'utul' Smun'eem Child and Family Services trailblazed old and new territory with its tribal adoption program Q'ushintul's tse'. LS held its first adoption ceremony in 2008 and developed some innovative practices, such as Nation-based policy and practice guidelines for cultural planning. YTSA and LS demonstrate how reviving traditional practices and customary laws can generate a range of culturally relevant options for permanency planning with Indigenous children.

Through our work and this special issue, we hope to center discussion of how custom adoption can be rejuvenated in many more Indigenous communities across Canada, supporting the return of children to their peoples, territories, and ancestral relations. For the past six years, members of the Siem Smun'eem Indigenous Child Well-being Research Network (ICWRN) at the University of Victoria have worked to document custom adoption traditions. ICWRN ([web.uvic.ca/icwr](http://web.uvic.ca/icwr)) is a provincial interdisciplinary network of researchers, service providers, community members, and policy makers with an interest in using Indigenous research to transform child and family services. Aiming to address the dearth of research on custom adoptions, the network provides both a space for critical dialogue about Indigenous research related to child, youth, and family well-being and caretaking, and opportunities for research-related training, knowledge transmission, and resource sharing. ICWRN initiatives assist communities to document and implement custom adoption frameworks that reflect their unique contexts, traditions, and cultural values.

With this vision and these goals in mind, we embarked on a series of projects and initiatives related to custom adoption. In November 2011, more than 80 participants gathered at First Peoples' House at the University of Victoria to participate in a forum on Indigenous custom adoptions<sup>2</sup> hosted by ICWRN. The forum's purpose was to document custom adoption traditions to ensure that adoptions support the cultural safety, continuity, and well-being of Indigenous children, families, communities, and Nations. A full report about the forum is available online at <http://icwrn.uvic.ca/wp-content/uploads/2014/01/Honouring-Our-Caretaking-Traditions.pdf>

Two subsequent events were held in northern BC, the first in Prince Rupert in August 2013 in partnership with Northwest Inter-Nation Family and Community Services (NIFCS), a delegated Aboriginal child welfare agency serving nine communities from three First Nations on BC's northwest coast, and a second, much larger event held in Terrace in October 2013 in partnership with NIFCS and the same three Nations: Tsimshian, Haisla, and Tahltan. The forums included youth, practitioners, community and Elder speakers who shared their vision and collective memories about customary adoption practices. Their purpose was to assist communities in collecting stories of customary adoption with a view to reviving the practices. Highlights of the Terrace forum have been captured in a video that is available online at [http://www.youtube.com/watch?v=-QM\\_\\_547uoQ&feature=youtu.be](http://www.youtube.com/watch?v=-QM__547uoQ&feature=youtu.be)

At every forum we have hosted, sacred cultural knowledge was shared that will sustain the cultural rights and well-being of children and youth in the communities. Many participants across communities emphasized that this knowledge was not often shared. Many said they were engaging in these conversations for the first time to ensure that their children and youth can access and sustain their

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2 Our forum and related research was funded by the Canadian Institutes of Health Research (CIHR), the BC Ministry of Children and Family Development (MCFD) and the Lex Reynolds Adoption and Permanency Trust Fund (Victoria Foundation).

cultural rights and enhance their well-being through partnerships with Elders and service providers in their communities. The most important lesson we have garnered from our work on custom adoption is that Indigenous communities and leaders are finding new ways to promote child and family well-being using their own Indigenous knowledge, protocols, and community systems.

This special edition of *First Peoples Child and Family Review* is an outgrowth of these forums and the collective and individual work of ICWRN members. We invited submissions that address the cultural, practice, policy, and research dimensions of custom adoptions and related customary caregiving practices, including (but not limited to) customary law and custom adoption traditions and ceremonies, custom adoptions in Indigenous and non-Indigenous families and by delegated agencies, kinship care, permanency planning, cultural continuity and cultural planning, legal considerations, and case studies of successes and challenges in custom adoption. We sought research articles, agency experiences, and personal stories from individuals, community groups, organizations, academics, and students who could share their experiences with customary practices in a variety of contexts to highlight custom adoption from historical or contemporary perspectives.

The special issue begins with a two-part discussion by Lara di Tomasso and Sandrina de Finney that provides a historical overview of child welfare and custom adoption practices, traditions, and policies across Canada. The first part of the discussion paper, “Severed Connections,” zeroes in on the entangled histories of adoption and colonization. It outlines a short history of adoption in Canada, examines the impact of forced, closed, and external adoptions on Indigenous adoptees, and traces the move toward more open statutory adoptions and greater cultural connection and continuity in adoptions. The second part, “Honouring Our Caretaking Traditions,” highlights the connections between customary laws regarding caregiving and the resurgence of Indigenous authority over child welfare within a context of Indigenous self-determination and self-governance.

Next, Jeannine Carrière describes the Yellowhead Tribal Services Agency’s engagement with custom adoption in Alberta and some aspects of their program planning and delivery. The article underscores how Y TSA consulted with Elders and made historic contributions to notions of traditional child care resurgence through customary adoption and ceremony in a contemporary landscape.

Shelly Johnson then offers an intergenerational narrative about how pandemics and poverty create implications for urban Indigenous custom adoption practice, policy, teaching, and research. Johnson uses the seven principles of Archibald’s (2008) storywork to demonstrate the importance of knowing our own family histories, and how historical, cultural, and current contexts can be forces with which to advocate, influence, and teach for change.

Next, de Finney and di Tomasso collaborate again in “Creating Places of Belonging: Expanding Notions of Permanency with Indigenous Youth in Care.” Drawing on community-based studies with urban Indigenous youth, the paper contrasts Western understandings of government care, guardianship, and adoptions with Indigenous practices of customary caregiving and cultural planning for cultural permanency, such as naming and coming home ceremonies, custom adoptions, and kinship care.

In “Adoption is (not) a Dirty Word,” Damien Lee proposes a number of evocative ideas in his article and contends that adoption not only makes family, but actually creates citizens. He argues that Indigenous

orders of belonging have been affected by Canadian settler colonialism. He concludes with the point that whereas settler colonialism has forced disconnection from relationships with land, a citizenship legal order informed in part by adoption can re-orient movements meant to reclaim control of Indigenous citizenship towards the goal of anti-colonial reconnection.

The last two articles were developed from our partnership with NIFCS. In the first of these, Kathleen Bennett, the agency's executive director, discusses cultural permanence for Indigenous children and youth from the perspective of the Northwest Coast agency's goals. Through increasing cultural knowledge, NIFCS aims to ensure that the children and youth in their care maintain connections with their families, extended families, and communities and are given opportunities to know about and learn their languages, spiritual teachings, and cultural traditions from their Elders, families, and communities.

Our final article is an inspiring reflection by the Na gan ts'i'stk Grandmothers' Group of Lax kw'alaams, BC, who dedicate their lives to honouring and reconnecting with their community's children in care. The article draws on video and audio documentation from ICWRN forums at which the Grandmothers presented their vision and ways of supporting children and youth to stay connected with their communities and ancestral inheritance in accordance with customary laws.

We are deeply honoured to include these papers and authors in this special issue on custom adoptions. They are holding up sacred ways of caring for children, youth and families and strategizing for cultural permanence and customary caregiving.

In closing, we offer a brief note about the terminology we use in this special issue. Where possible, the names of individual Nations and Peoples are cited. When referring to First Peoples more generally, both in Canada and globally, the terms "Indigenous" and "First Peoples" are used instead of "Aboriginal" except in instances where the discussion concerns federal and provincial government policy and programs. "Aboriginal" is a term defined under the Canadian constitution to classify First Nation (both on and off reserve), Métis, and Inuit Peoples. We avoid this term where possible because it reflects a settler state-produced construction, mobilized in the *Indian Act*, and imposed on Indigenous people to highlight their constitution as colonial subjects.

We hope you enjoy this special issue. We thank the team at *First Peoples Child and Family Review* for their outstanding work and support of this important topic.

In good spirit,  
Sandrina de Finney  
Jeannine Carrière

*So all my former foster kids better ride  
'Cause they say the hope for my future has died  
But you're wrong, ha ha, it's still alive  
So whoever is holding my case file they better hide  
'Cause I'm living proof that real love can never die.*

—Chris Tait, former youth in care,  
keynote address at the 2011 forum  
"Recentring Our Caretaking Traditions: Indigenous Custom Adoptions"