

**An Interdisciplinary Journal** *Honouring the Voices, Perspectives and Knowledges of First Peoples through Research, Critical Analyses, Stories, Standpoints and Media Reviews*

## Editorial: Touchstones of Hope: Still the best guide for Indigenous child welfare

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### Origins of the Touchstones of Hope

In 2000, the authors of this editorial, along with a group of child welfare experts and allies, initiated a series of meetings and one conference as part of a project sponsored by the Centre of Excellence for Child Welfare, based at the University of Toronto in Canada. As a group, we represented the principal national child welfare organizations in the United States and Canada: NICWA (National Indian Child Welfare Association), CWLA (Child Welfare League of America), FNCFCS (First Nations Child and Family Caring Society), and CECW (Centre of Excellence for Child Welfare). The purpose of our gatherings was to conceptualize and develop a new perspective on child welfare that would be more appropriate for Indigenous children, their families, and their communities. The Touchstones of Hope was a document we produced in 2006 to share our new perspective.

In the sections that follow, we revisit the origins and development of our thinking. Ten years after the publication of the Touchstones document, we look at how far we have come, at what we have accomplished, and at the difficulties we have encountered. We also look to the future, and to how Touchstones might continue to influence what we think and what we do. Using the analogy of a journey down a river, we look at the waters behind us, beside us, and in front of us.

### Finding the headwaters

When a system fundamentally fails over many years to meet the needs of Indigenous children, you don't try to make it culturally appropriate – you build a new system. The imposition of the mainstream child welfare system on Indigenous families in Canada and the United States has resulted in the mass removals of Indigenous children from their communities, while failing to improve the safety and well-being of the children or their families.

A small group of Indigenous and non-Indigenous allies banded together in the year 2000 to develop a strategy to create a new child welfare framework for Indigenous children, because we were tired of the tragic stories from children who were removed from families only to be placed in a system that too often failed to give them the childhood they deserved. This small group, many of whom are authors of this editorial, quickly realized that this new child welfare framework needed to be a process that Indigenous and non-Indigenous peoples could engage in together based on reconciliation principles that were drawn from the collective wisdom of traditional knowledge keepers, community members, young people, experts, policy makers, and service providers. These principles also needed to be capable of adapting to various contexts and cultures. The group decided to bring together key knowledge holders to ask them what a new child welfare system would look like. The group was challenged by an enriching but complicated task of deciphering how to draw out the collective wisdom to develop the reconciliation principles and process once we had brought them all together. In our initial small group planning meetings, we realized that we really did not understand reconciliation well enough, and if we were going to host a gathering with reconciliation as the theme, then we would have to undergo the process ourselves. This involved courageously talking about colonization, working through our differences in worldview and more than one bout of tears. Processing these struggles provided us with clarity of thought and closeness of relationship that none of us have ever experienced in an event process before. Our own experience of reconciliation helped us realize that truth telling, an essential feature for reconciliation, is not just about putting facts on paper, it is hearing multiple interpretations of the truth, struggling for meaning, and then situating our joint learning in a new relationship.

Our reconciliation experience was like a river, sometimes curvy and slow, sometimes straight and quick, sometimes turbulent, and sometimes calm, but it all began with the headwaters of the truth. The river analogy became the running analogy for the 2005 gathering of 220 Indigenous and non-Indigenous Elders, youth, child-welfare professionals, stakeholders, and leaders from American and Canadian child welfare who were brought together to design a new child welfare framework. More specifically, the participants were challenged to create principles to guide child welfare for Indigenous children and families and a process of reconciliation to strip child welfare from its colonial roots. This was accomplished by critically examining child welfare in pre-colonial, and historical and contemporary colonial times. This would require acknowledging the colonial dichotomy cloaking child welfare, which gives preference to “civilized” western practices whilst relegating Indigenous practices to nihilism or irrelevance.

Consistent with Indigenous worldviews and practices, symbolism was integrated into the event with each participant bringing a small stone from their territory as a symbol of inclusiveness and connection with the community back home. The gathering anticipated conflict and different interpretations of the role of social work in the harms experienced by Indigenous children and families, but instead of backing away from this conflict we embraced it as a necessary step in truth telling to prepare for a shared journey of reconciliation down a metaphoric river.

The stones that people brought became symbols of the brief time we spent together along the river to share the truth of what had happened up river, acknowledge that past and the consequences of that time apparent today, and together to find a path that could restore Indigenous peoples to wholeness and heal the relationships between mainstream and Indigenous child welfare. Through a process of truth

telling and reconciliation, the participants collectively articulated a set of principles and a process for reconciliation in child welfare that became known as the Touchstones of Hope.

This event was a unique cross-border collaboration dedicated to finding common ground to reinvent child welfare for Indigenous people and moving it from a source of oppression to a catalyst for hope. Ten years ago when we wrote the Touchstones document, we closed by saying that we were paddling on a new stream. So, how has the journey gone so far? How far have we come? Have we reached our goal, or are we held up behind a logjam? This editorial and this issue of the Journal address these questions and call on the field to do more because we have learned that our journey down this river is longer and harder than we could ever have imagined. We have also learned that principles are not enough.

## Navigating the waters

To say that the Touchstones came only from the 2005 gathering would be misleading. To be sure, the gathering was a game changer, forever changing the dynamic in Indigenous child welfare, at least for those who attended. The status quo of using children as a vehicle of colonial control and assimilation is no longer acceptable at the macro policy level, as a program objective, or in practice standards. However, the vestiges of the post-colonial era are still alive and operating by default at every level of the system. In terms of how the process of reconciliation in child welfare is doing: the truth telling is incomplete, acknowledging the past lags behind, restoring is yet a dream, and relating is not yet foreseeable. The general map provided by the Touchstones is still relevant and true, yet the goal remains elusive.

The event did lay the groundwork for a decade of work and resulting progress. It did this by naming child welfare as an ongoing colonial undertaking, forging key relationships, opening lines of communication and articulating the Touchstones principle and reconciliation process. At the public policy level in the United States, the major national child welfare advocacy organizations forged an alliance that would together lead to key legislation to fund tribally operated child welfare technical assistance to support tribal programs. The Fostering Connections Act of 2009, which opened access to federal foster care funding for tribes, would not have been possible without this broad coalition. In 2013, 23 non-Indian child welfare advocacy organizations came together to file an amicus brief with the Supreme Court defending the Indian Child Welfare Act in the *Adoptive Couple v Baby Girl* case. This unprecedented move can be directly traced to commitments made to uphold the Touchstones. Also, in the United States projects to reinvent child welfare to align with the Touchstones – including the Western and Pacific Implementation Center Disproportionality Reduction Project in Alaska – and several tribal child welfare redesign projects have reduced the use of foster care, increased structural support for tribal families, and decreased state court roles with tribal children. Despite these efforts, long-needed changes have only just started to take shape.

Apologies occurred on both sides of the border, one in the United States from the Child Welfare League of America and in Canada with the Prime Minister's apology for the residential schools. These apologies raised awareness and marked a point where perhaps non-Indigenous peoples were willing to learn more about their pasts, but the apologies on their own are not enough to create the necessary systemic change. In many ways, apologies only signal intent to set things right – the meaningfulness of the apology is borne out in the actions that follow. A set of guiding principles would be needed as a foundation for a reconciliation movement within child welfare. This movement would require a deep

respect for the rich diversity across various states, provinces, Tribes and First Nations, necessitating cross-cutting principles that could be interpreted locally to reflect distinct Indigenous cultures, languages, and traditions. The principles would also have to apply to non-Indigenous child welfare systems and social work education providing guidance for both healing and equity.

In the United States, the Touchstones were imbedded under “decolonization” and disproportionality reduction projects. In these projects, Tribes worked to implement the Touchstones to reinvent their own services. One tribe dramatically reduced its foster care placement rate by taking over their own services.

In Canada, the Touchstones were embraced with enthusiasm in several regions of the country. For example, five First Nations in northern British Columbia partnered with that province’s government to re-vision child welfare delivery for Indigenous children and build implementation plans based on the Touchstones principles. The undertaking was evaluated by the University of Toronto and noted significant and positive changes in levels of understanding about colonialism and the ability of social workers to make better decisions with and for families. The evaluation also described the germination of fundamental policy and funding shifts in the mainstream child welfare community that were substantially improving practice. Unfortunately, despite the positive evaluation, a new provincial deputy minister cut funding for the Touchstones of Hope support team, replacing it with a regime of western organizational reorganization strategies. The latter failed and, while participating communities continued to implement the Touchstones of Hope strategic visions in their communities, their capacity to do so was fettered by the reduced support levels.

The First Nations Child and Family Caring Society of Canada (FNCFCS) embeds the Touchstones of Hope as a guiding philosophy for its work. On a practical level, this has translated into building a social movement for culturally based equity around a human rights case filed against the Canadian government for its flawed and inequitable child welfare funding on reserve. The case is filed with the authority of all First Nations in Canada and aims to ensure First Nations children receive culturally based services that target the structural causes of the over-representation of First Nations children in child welfare care. The social movement also embeds the Touchstones principles in the “I am a witness” campaign. The Canadian Human Rights Tribunal is expected to rule on this historic case shortly.

The FNCFCS also developed and implemented training using curriculum based on the Touchstones document – one for workers and one for youth. There was a very positive reception from both groups of trainees. The train-the-trainer sessions were popular and participants showed enthusiasm for this approach. The training was also offered to trainees in the United States but, unfortunately, few trainees were actually able to do their own training in their communities. Where they did, the momentum dwindled once people were left on their own. The lesson on both sides of the border was that there was an important need to have a champion to continue the work, coaches to support and motivate trainers, as well as dedicated resources to support the practice changes necessary to change the system. Change does not come easily. Looking back on the training, presentations, and projects, it became apparent that, despite the relevance of the values, many could not see the end. Even using the DREAM process of facilitation (where people put their ideal notions first and built their plans and systems towards that, it was a challenge to imagine a world where the new vision provided for in the Touchstones was possible or realistic to achieve.

In Canada the Touchstones also gave structure under the theme of “reconciliation” between Indigenous people and mainstream Canadians thanks to the work of the Truth and Reconciliation Commission of Canada (TRC). The TRC collected statements from over 7,000 witnesses regarding Canada’s residential school system that aimed to assimilate Indigenous children into mainstream society. In its final report released in 2015, the TRC said the prolific loss of culture and language, coupled with the preventable deaths of thousands of children and the horrible abuse of many others, amounted to cultural genocide. The schools operated for over 100 years with the last one closing in 1996. It is important to note that the top call for action issued by the TRC was equity and reform in Indigenous child welfare – the same goal the Touchstones aimed for in 2005. However, as one of the Touchstones authors points out, reconciliation is like a “unicorn” – people talk about it as if it exists, but it’s currently a fiction and will remain so not only until the mainstream engages with the material, but also when the necessary structural changes and interventions follow.

On both sides of the border, the Touchstones gathering fostered decolonization thinking and strategies among Indigenous peoples engaged in child welfare. We realized we needed to move alone if mainstream child welfare was not ready to move with us and we could not let the struggle to move them consume all of the energy. We realized we need champions to embed the philosophy of the Touchstones. That meant that as Indigenous leaders we needed to foster the reinvention of child welfare in our own communities. Following the Touchstones meant moving Indigenous-operated child welfare toward a holistic approach and away from the rescue and police approach of the mainstream. Also, we found that it was vital that people thought of this as a social movement and guiding philosophy. The Touchstones are most valuable when applied to all aspects of the field (education, administration, services, etc.) versus being implemented as an event or restricting the approach only within services to Indigenous peoples. Following the principles of the Touchstones, our advocacy efforts focused on greater resources for tribal services, greater autonomy supporting self-determination, and holding others accountable for discriminatory practices. These moves have taken us closer to decolonizing ourselves and our own services.

Although implementation of the Touchstones has been slower than we all would have hoped, we have been uplifted by the robustness of the Touchstones principles and reconciliation process. We expected more from our respective federal governments in moving to implement the Touchstones, but the slow movement means we have had to pursue other means to address past wrongs and strengthen the Touchstones as a social movement, such as the courts, international mechanisms, human rights mechanisms, and public awareness campaigns. In Canada, in many ways we were ahead of our time and now – with the TRC report and the pending Tribunal decision – we have a new window of opportunity to compel non-Indigenous child welfare to implement the many solutions that could substantially improve the well-being of Indigenous children in care. In the United States, progress is slower, as Native American and Alaskan Native Tribes continue the important but more difficult task of broadening the important public dialogue on racism and discrimination toward African-American and Hispanic communities to include the Native American story. However, the recent process to develop regulations, based on community consultations, for the Indian Child Welfare Act for the first time since enacted is a promising sign, despite the backlash from mainstream adoption agencies.

## Around the next river bend

Thanks to the TRC, reconciliation is beginning to catch a strong current in Canada but we need to work strenuously to avoid the public seeing colonization as a tragic black mark on Canada's history versus a contemporary challenge that will require the engagement of every Canadian to put right. As relevant as the Touchstones were in 2005, they are even more relevant today given the building reconciliation movement. Canadian child welfare must embed them quickly while the public spotlight remains because once it dissipates, and it will, it will be much more difficult to move the mainstream child welfare mountain.

In the United States, a backlash against the Indian Child Welfare Act has emerged that has both complicated and fragmented reconciliation and decolonization efforts. The backlash is centered in a very narrow part of the child welfare field, private adoption. Mainstream child welfare has rallied to the cause of tribes and tribal children. The coalition, relationships, and commitments forged in 2005 are holding firm and that is a good sign for the future of the Touchstones. It is difficult, however, to focus on reinventing tribal services when one part of the field is attacking the sovereignty of tribes to operate child welfare programs just to meet their own ends, access to our children for adoption.

Additionally, more Indigenous leadership in both countries (elected, grassroots, organizational, and youth) is coming around to the idea that children's matters are important on the larger public scale. Child welfare issues are becoming more a part of the public vocabulary but, unfortunately, structural interventions are still lacking as are the skills to create change, particularly in a social movement context.

Moving forward, we know that more can be done with the Touchstones. This document was written ten years ago, but the process guided by the principles contained in the document, are just as relevant today as they were in 2006. Upon reflection, what has stalled the implementation of the Touchstones has more to do with capacity and awareness than flaws in the ideas. More effective communication about the issues is needed both to the mainstream public in Canada and the United States. Data collection and analysis in both countries on the issues around Indigenous child welfare are very sparse.

To their credit, advocates and communities have done what they can with the funds and resources available to them, and they are doing the best that they can. We know the major factors driving the over-representation and we know what will work – we just need to do it.

Regardless of what the mainstream does or does not do, we have the power to change ourselves to make sure the failure of child welfare of the past is not repeated in our own services as we grow them. The Touchstones still provide a valid path forward and inform the continuing efforts after ten years. The value of the collective wisdom of a group of committed individuals coming together in healing and acknowledgment of past wrongs continues to resonate, affirming their continuing validity and relevance.