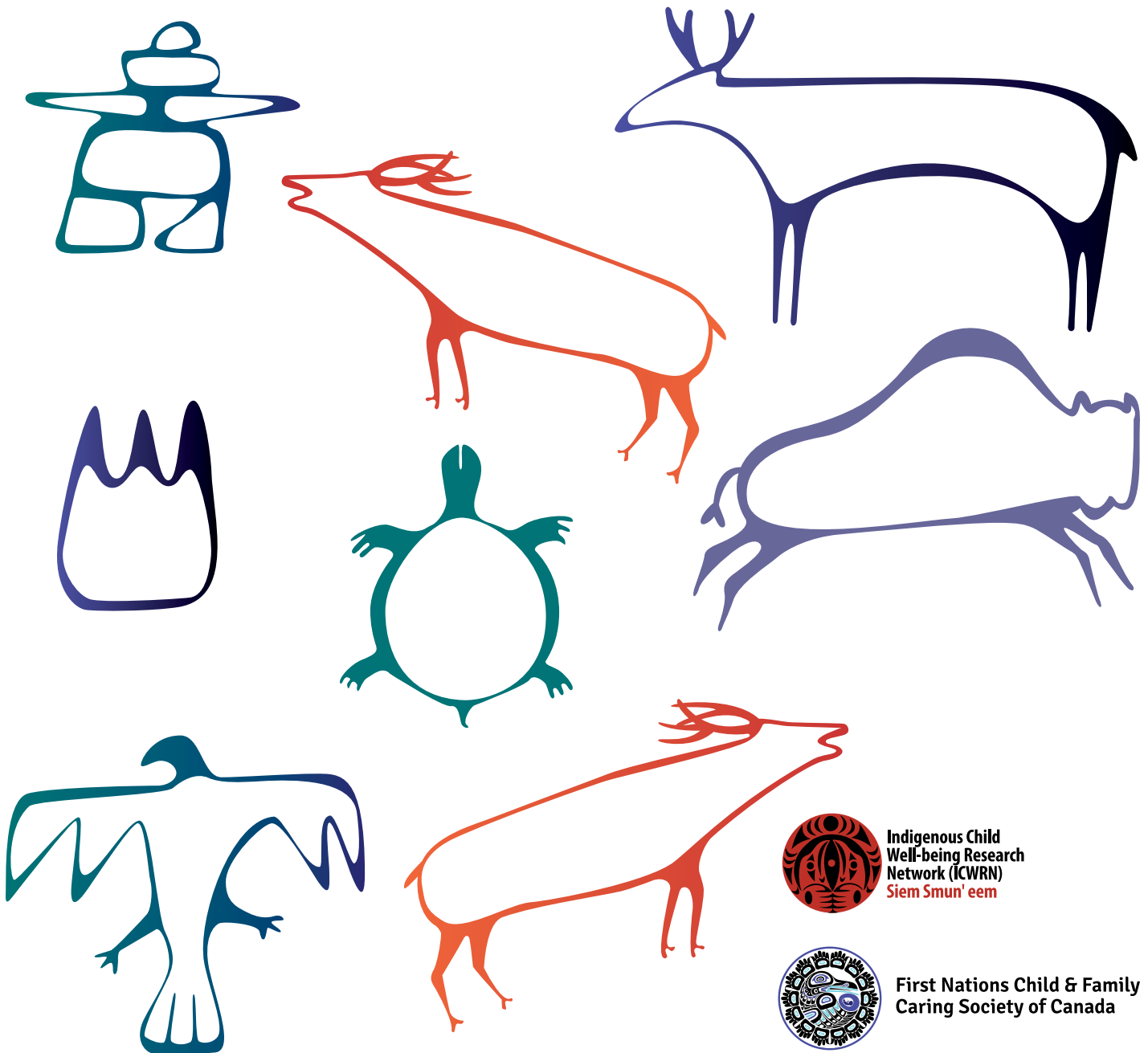


First Peoples Child & Family Review

An Interdisciplinary Journal

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

2015
volume 10
number 1



Indigenous Child
Well-being Research
Network (ICWRN)
Siem Smun' eem



First Nations Child & Family
Caring Society of Canada

An Interdisciplinary Journal

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

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We would like to acknowledge the generous support of SSHRC and the University of Alberta for the FPCFR.

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Foreword

In gatherings, conversations, and dialogue focused on Indigenous children and their wellbeing, a recurring theme often emerges: “children knowing where they come from.” There are those who do not understand the significance this holds for many Indigenous peoples in Canada. Since before the residential school system, through to the 60s and Millennium Scoops, and resonating into today, Indigenous children have been removed from their homes in a systemic attempt to assimilate. Because many sacred familial, communal and cultural bonds have been broken, there exist chasms in many communities throughout this beautiful country we call Turtle Island. Indigenous children and young people have been negatively affected by Canada from seven generations ago and now find themselves “at the head of every line you don’t want to be at the head of, and in the back of every line you don’t want to be at the back of.”¹ Children have been, and continue to be, displaced and many do not know where they come from or who they belong to.

At the same time, communities have shown strength and resilience in the face of adversity. Many communities want to ensure that traditions, teachings and ways of life from seven generations ago continue to thrive and grow in Indigenous Nations across the country and are passed down to future generations. Indigenous communities have asserted their rights to provide services to children and families in a way that reflects their needs and in ways that reflect Indigenous cultural traditions and practices.

The *First Peoples Child & Family Review* proudly presents this Special Edition on Custom Adoptions in partnership with the Siem Smun’eem Indigenous Child Wellbeing Research Network at the University of Victoria. This edition contains research articles, agency experiences, cultural perspectives and personal stories that highlight custom adoption from a historical and contemporary perspective.

We hope that you will enjoy this edition as much as we do.

Sincerely,

Andrea Auger & Brittany Martell
Co-ordinating Editors
First Peoples Child & Family Review

1 *Memorandum of Fact and Law of the Complainant First Nations Child and Family Caring Society* (Caring Society Tribunal Closing Submissions). p. 107. Retrieved from: <http://www.fncaringsociety.com/sites/default/files/Caring%20Society%20-%20Closing%20Submissions.pdf>

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

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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 agencies¹—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

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) 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 adoptions² 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

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

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"

An Interdisciplinary Journal

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

A Discussion Paper on Indigenous Custom Adoption Part 1: Severed Connections – Historical Overview of Indigenous Adoption in Canada

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Abstract

This paper forms Part 1 of a two-part discussion paper on Indigenous custom adoption. Zeroing 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. This historical review sets the stage for Part 2 of our discussion paper, "Honouring Our Caretaking Traditions," where we highlight 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.

Key words: adoption, closed adoption, Indigenous child welfare, custom adoption, cultural planning

To continue to exist as Peoples and as Nations, the connection between Indigenous Peoples and our children must remain unbroken. (Union of BC Indian Chiefs, 2002, p. 5)

Adoption tends to be a dirty word in Indigenous communities in Canada, and with good reason. *Adoption* is an imposed English-language, Euro-Western term that is difficult to translate into relational, kin-centred Indigenous languages and worldviews. The impacts of this deep ideological schism have played out on the backs of Indigenous communities that are struggling against hundreds of years of deliberate cultural genocide implemented through a systemic dismantling of Indigenous child-rearing, family, community, and kinship structures. Child welfare interventions and secretive external adoptions on a massive scale in what are known as the Sixties and Millennium Scoops are merely more recent iterations of colonial strategies of removal, abuse, and theft, not only of Indigenous children, but of their culture and land. The historic and contemporary adoption of huge numbers of Indigenous children into non-Indigenous homes has resulted in many Indigenous people and communities understandably viewing adoption with suspicion (de Finney & di Tomasso, 2015).

As part of this special issue on customary caregiving and adoption, we want to revisit the mistrusted word *adoption* and explore what traditional, customary adoption, caregiving and caretaking look like in Indigenous communities. We see enormous potential in community-sanctioned, culturally grounded adoptions and other relational, temporary, and permanent caretaking arrangements to address the urgent needs of Indigenous children and families today. In this paper, Part 1 of a two-part series on custom adoption, we focus on the impact of “severed connections” in adoption in order to confront the entangled histories of colonization and adoption. We begin by presenting a short history of adoption in Canada and then examine the impact of forced, external, and closed adoptions on Indigenous adoptees, families, and communities. Next, we trace the move toward more open statutory adoptions and greater cultural continuity in adoptions. The purpose of this historical review is to make the case for further Indigenous research, policy, and community discussions on adoption; it sets the stage for Part 2 of our discussion paper, “Honouring Our Caretaking Traditions,” where we explore custom adoption traditions, practices, and policies. In particular, we are interested in the connection between customary laws regarding caregiving and the resurgence of Indigenous authority over child welfare within a context of Indigenous self-determination and self-governance.

The Historical Context of Indigenous Adoption in Canada

The *Indian Act* of 1876 rendered Indigenous peoples wards of the state and was designed to give the federal government complete control over their lives, their societies, and their territories. The passing of the Act targeted Indigenous women and children for loss of status, thus rendering them the primary targets of cultural genocide (Fournier & Crey, 1998; Thobani, 2007). The removal of Indigenous children from their families and communities through enforced residential schooling was the first chapter in a long history of removing Indigenous children from their families and communities as an intentional strategy aimed at preventing them from inheriting their language, knowledge, and culture (Milloy, 1999). Trerise (2011) refers to this pattern of targeted removal as an effort to “extinguish Aboriginality” and explains:

The government of Canada not only used the rule of law to remove the decision-making power with respect to the children of “Indians,” it also relied upon the rule of law to actually remove the children and take them into the care of Euro-Canadian society as a primary methodology to try to extinguish Aboriginal culture as a presence within the Canadian policy. (p. 72)

Even as residential schools began to close, First Nations, Métis, and Inuit children continued to be taken from their families and communities under the guise of “child protection.” In 1951, child welfare jurisdiction was significantly altered for First Nations families living on reserve; through an amendment to the *Indian Act*, the federal government transferred jurisdictional power for welfare services on reserve, including services to children and families, to provincial governments (Trerise, 2011). In practice, this meant that “from the 1950s to well into the 1980s, especially in provinces with fewer resources, there would be no preventive or supportive services available for First Nations families, but only child removal in severe situations” (Trerise, 2011, p. 29). This policy change was an important factor in sustaining the phenomenon of the “Sixties Scoop.” Between 1960 and 1990, 11,000 status Aboriginal children, and many others without status, were taken from their families by child welfare authorities (Carrière,

2008). Between 1969 and 1979, 78% of Aboriginal adoptees were adopted by non-Aboriginal families (Fournier & Crey, 1998, p. 3). When Indigenous leaders in the 1980s demanded action regarding the staggering number of Indigenous children in care and the treatment of Indigenous children as an “export product” (Kimelman, 1984, cited in Carrière, 2005, p. 26), the Manitoba government established a review committee on Aboriginal and Métis adoptions and placements (Carrière, 2005). The committee chair, Judge Kimelman, concluded that a cultural genocide had taken place (Fournier & Crey, 1998). Despite changes to policy and legislation, a disproportionate number of Indigenous children continue to be apprehended by child welfare systems across Canada, leading many to refer to the current child welfare era as “the Millennium Scoop.” Sinclair (2007) points out that the biggest difference between the Sixties Scoop era and today is that,

currently, Aboriginal children are being institutionalized through long-term foster and institutional care with little chance for adoption. This is perhaps the most deleterious outcome of the moratoria on transracial adoptions. Long-term childcare and foster care statistics for Aboriginal children have skyrocketed while transracial adoption statistics have plummeted. (p. 68)

Clearly there is a need to approach adoptions of Indigenous children differently. First, to understand how little has changed in terms of the numbers of Indigenous children removed from their families and communities, we need to look at the history of closed, external adoptions that Indigenous children have been subjected to. Statutory adoptions (i.e., adoptions through colonial/Euro-Western legal adoption standards and policies) have until very recently meant forced (i.e., against the will and wishes of Indigenous parents), external (i.e., to non-Indigenous families outside the child’s family and community), and/or closed adoptions (in which ties to birth families and communities and to cultural heritage were severed and which were often secretive). The more nuanced caretaking approaches that Indigenous children need, including customary and cultural approaches, are only now being explored and sanctioned. We discuss these historical shifts below.

The first statute concerning adoption in Canada was passed in 1871; it effectively terminated almost all of birth parents’ legal rights and obligations and handed over these rights to predominantly biological strangers (Baldassi, 2006). It was not until the 1920s that the “best interests of the child” became the primary consideration of child welfare agencies in North America (Carrière, 2010). At the time of its inception, the concept of best interests focused mainly on economic and social advantages and did not yet include an acknowledgement of cultural rights and the importance of cultural connectedness. This socioeconomic focus meant that for Indigenous children, living with their families and communities of origin was not often constructed as being in their best interest, primarily because ongoing colonial ideologies had condemned many Indigenous families to land dispossession and poverty, and the social issues resulting from intergenerational traumas and the genocidal residential school system were interpreted as failings on the part of Indigenous parents, families, and communities. These dynamics effectively stripped most Indigenous families of legal and parental claims to their children. In addition, aside from the broad colonialist belief that Indigenous children needed to be “saved” from tribal life, ideal adoptive parents were constructed as “white, middle-class couples of conventional behavior and values with good material standards” (Bagley, Young, & Scully, 1993, cited in Bertsch & Bidgood, 2010, p. 98).

Few Indigenous families were judged as meeting these criteria, and the resulting perception that adoptive Indigenous families are sparse has been pervasive. Ultimately, the adoption of Indigenous children by white families has been a form of “whitewashing” that can be seen as another way to extinguish Aboriginality.

Discriminatory child welfare and adoption practices and policies, and public attitudes all contributed to the continued harmful impact of forced, closed, and external adoptions. As noted above, Indigenous leaders in the 1980s demanded transformation of child welfare laws regarding Indigenous children. For example, in the province of Québec, “leaders of the Cree communities denounced the difficulties faced by certain of their members due to the application of the YPA [*Youth Protection Act*]” (Working Group on Customary Adoption in Aboriginal Communities, 2012, p. 12). A decade later, the First Nations of Québec and Labrador Health and Social Services Commission (FNQLHSSC) held a consultation concerning application of the YPA in their communities and noted that:

the First Nations saw the [Department of Youth Protection] as belonging to “a foreign authority and intervened following a logic which was foreign to them.” As well, a brief submitted by the Atikamekw communities raised two particular problems: one concerning the notion of abandonment and the other concerning adoption. In the first case, the Atikamekws maintained that “when parental responsibilities are shared or transferred,” it does not mean that the child has been abandoned within the meaning of the YPA and the Civil Code. In the second, they stated that anyone who assumes parental responsibilities toward a child who is not his own should be involved in all proceedings concerning that child, including his adoption. (Working Group on Customary Adoptions in Aboriginal Communities, 2012, p. 14)

As in other provinces and territories in Canada, state interventions like those detailed above “led Québec’s Aboriginal peoples to demand greater autonomy over adoption and child services” (Working Group on Customary Adoptions in Aboriginal Communities, 2012, p. 12). According to the Working Group on Customary Adoptions in Aboriginal Communities, “customary adoption is at the very centre of these demands” (p. 12). We explore a range of customary adoption and caretaking practices in Part 2 of our discussion paper. Below, we look at the impact of closed adoption on Indigenous adoptees and then trace the move toward more open adoptions and greater cultural continuity in adoptions.

The Impact of Closed Adoption on Indigenous Adoptees

For its first one hundred years in Canada, legal, or statutory, adoption tended to be a closed practice, meaning that adoptees had no access to their adoption records and no information about their birth, birth families, cultural backgrounds, or communities of origin. Only in the 1970s, “when a small number of adoptees began demanding personal access to their background information and the identities of their birth parents,” did provinces create registries to facilitate reunions between adoptees and birth families (Baldassi, 2006, pp. 67–68). Closed adoption, which is based on the “clean break” theory, runs counter to many Indigenous peoples’ values and customs, in which “natural laws of interconnection prevail” (Carrière, 2005, p. 179). The closed adoption of Indigenous children into non-Indigenous families during the Sixties Scoop and beyond, effectively ruptured the transfer of ancestral knowledge, culture,

and language. Not only did this rupture destabilize the strength and vitality of Indigenous communities, it led to a palpable sense of loss in the lives of Indigenous adoptees (Sinclair, 2007; Trocmé, Knoke, & Blackstock, 2004). Children were separated from their families, often when they were very young. Their names were changed, and they were sent outside of the community, province, country, or even continent, barring any possibility for adoptees to reconnect with their cultural identities, ancestral relations, and land. An Elder quoted in Keewatin's (2004) study of adoption from an Indigenous perspective, referring to the adoption of children during the Sixties Scoop, explained that "one of the reasons that a lot of those children get lost is because the white people change the child's name and they give them different names. They don't remember their real names" (p. 76).

The severed connections that resulted from closed and external adoptions continue to impact generations of Indigenous survivors. In her study with adult Indigenous adoptees, Carrière (2005) found that "the broken connection to one's ancestors, birth family and land of origin creates a profound sense of loss for First Nation adoptees, who descend from a tribal background" (p. 179). Carrière (2005) and others (Locust, 2000; Nordlund, 1993; Sinclair, 2007; Sindelar, 2004; Stevenato & Associates & Budgell, 1999) have found that feelings of loss, shame, disconnection, and abandonment surrounding identity and kinship were particularly salient for Indigenous adoptees placed in non-Indigenous homes. These feelings can be exacerbated by non-Indigenous adoptive parents' failure to recognize and engage with Indigenous realities and cultural systems in ways their adopted children can relate to.

Due at least in part to these issues, the breakdown rate of adoptions of Indigenous children into non-Indigenous families tends to be high. For example, when reviewing the population served by Native Child and Family Services of Toronto, its director, Kenn Richard (2004), noted that a significant number had experienced adoptive breakdowns (p. 106). An adoption is considered to have broken down if the placement is unsuccessful and custody of the child is transferred back to the government authority, particularly when the adoptee/adoptive parent relationship is severed before the age of majority (Richard, 2004). The Toronto organization provides child welfare, treatment, and healing services to about 300 women at a time. Richard estimates that "almost 200 of these women will have been raised in places other than their own home or community. Of these 200 women, at least half have experienced breakdowns in their placement" (p. 107).

While estimates of breakdown rates vary greatly, Sinclair (2007) points out that "adoptions that do not break down are going to be a hidden statistic since a forum for those statistics to be compiled has not yet been created" (p. 65). However, in a study with 37 Indigenous youth living with non-Indigenous families, Bagley (1993) concluded that "the extreme marginalization of Native people in Canada means that there is little possibility for a Native child to adapt successfully in a white family" (p. 237, cited in Keewatin, 2004, p. 84). Many studies (e.g., Carrière, 2005; Locust, 2000; Nordlund, 1993; Sinclair, 2007; Sindelar, 2004; Stevenato & Associates & Budgell, 1999) highlight identity issues among Indigenous adoptees adopted into non-Indigenous families. Sinclair (2007), however, argues that adoption breakdowns are less about identity issues and more to do with intrafamilial and social racism. She asserts that "by defining racism as an adoptee identity issue, the burden for the problem is placed upon the already-burdened Aboriginal child, adolescent and adult" (p. 105). Given that racism and colonialism are prevalent features of Canadian

legal, child welfare, and other systems, we believe it is important to emphasize that the responsibility to effectively challenge processes of colonialism such as systemic discrimination and racialization extends far beyond individual adoptive parents. It must be noted, however, that adoptive parents have a role to play in countering the social racism Sinclair discusses. However, their willingness and capacity to do so depends in large part on the child welfare system—how adoptive parents are matched with adoptees, support for family members to enter into customary arrangements, training provided to non-Indigenous parents, and so on. Therefore, individual adoptive parents and broader systemic issues are inextricably linked.

Due to the advocacy of Indigenous leaders, practitioners, and scholars, as well as the publication of two sobering reports in the early 1980s on Indigenous children and child welfare policy (Johnston, 1983; Kimelman, 1985), several provinces and territories passed moratoria on Indigenous adoption. Most provincial and territorial legislation now stipulates that preserving an Indigenous child's cultural identity must be considered in determining the child's best interests, and most legislation also includes provisions for notifying the child's community of any child protection orders and prioritizing the child's placement with extended family or within the community. In the case of the potential adoption of a First Nations child, most provinces and territories now require consultation with the child's band (Bunting, 2004). Despite these policy changes, however, external factors such as funding limitations and flawed Eurocentric notions of attachment and stability usually override the preservation of identity and cultural connectedness in cases where custody is disputed. Funding limitations may impact every aspect of adoption planning, such as limiting how much is invested in connecting with the child's extended family and community in terms of funds for travel and visitations or financial assistance for extended family who would be available to adopt but may lack financial resources to manage post-adoption care, particularly when a child has special needs. Furthermore,

the “superficially neutral” (*R. v. Sparrow*, 1990) time limits on foster care and the requirement of permanent life plans imposed by provincial law bring de facto risks of First Nations' children being frequently adopted into non-Aboriginal homes (pursuant to the provincial regime) outside of their communities and consequently becoming permanently cut off from their family, extended family and heritage. (Working Group on Customary Adoptions in Aboriginal Communities, 2012, pp. 79–80)

For these reasons, we believe that Indigenous children need a wide range of permanency options that include more openness and greater cultural continuity, as we discuss briefly below and in greater detail in Part 2 of our discussion paper.

Moving Toward Open Adoptions and Cultural Continuity in Adoptions

Since the 1970s, policy and legislation have increasingly acknowledged the importance of openness, extended family, connection to cultural heritage, and the role of Indigenous communities in child welfare decisions and custom adoptions (see, for example, Kozlowski, Sinha, & Levi, 2011, for the New Brunswick context; Kozlowski, Sinha, Petti, & Flette, 2011, for the Manitoba context; Ontario Ministry of Children and Youth Services, 2013; Province of British Columbia, 2013; (Québec) Working Group on Customary

Adoption in Aboriginal Communities, 2012). It must be noted, however, that the term *open adoption* encompasses a spectrum of openness, from birth parents selecting adoptive parents from profiles that contain identifying information, to “full ongoing contact” between birth and adoptive families after the adoption has been completed (Baldassi, 2006, p. 68). Although the move toward open adoption records set the stage for changes in adoption policy and public discourse, open records and open adoption are not the same thing. Whereas an open record allows adoptees to access information about their adoption at a certain age, an open adoption usually involves the birth family’s input into the adoption process itself (Carrière & Scarth, 2007). In addition, open adoption does necessarily mean ongoing or frequent contact with one’s birth family.

Despite movement toward more open statutory adoptions in Canada, openness is not enforceable by law and openness agreements may be breached, often by the adoptive family (Baldassi, 2006). Baldassi (2006) writes: “The usual scenario is that the member of the birth family has been exercising access, or was promised post-adoption access and therefore consented to the adoption expecting to receive access to the child” (p. 94). Openness agreements, even those made in good faith, can fall apart due to a number of factors, including underlying racial discrimination and cross-cultural disconnect, a family’s relocation, a lack of communication or commitment, failure of the relationship to thrive, or lack of follow-up on the part of one side or the other. The on-the-ground realities of adoption are much more difficult and fraught with tension than is acknowledged in theory and policy.

The move toward open adoptions has initiated a broader dialogue about how the everyday realities of racism and colonialism come to bear in individual adoptions. This dialogue, in turn, is part of a move toward greater cultural continuity in adoptions and in permanency planning for Indigenous children and youth in care. Cultural planning, like openness, is intended to mitigate adopted or foster children’s separation from their community, culture, and territorial affiliations. When it is conceptualized from an Indigenous perspective, cultural planning is rooted in relational and kin-based identity formation, which are understood as requiring relationships with Elders and other knowledge holders, whose “stories are our identity statements” (Graveline, 1998, p. 64).

In child welfare practice, a cultural plan is an agreement made by (typically non-Indigenous) foster or adoptive parents who commit to maintaining the child’s cultural roots and supporting the development of the child’s cultural identity. These agreements vary significantly and range from basic education and exposure to information, to attendance at cultural activities, to something much more comprehensive that evolves during the life of the child. For example, a cultural plan might include visits to the child’s territory, participation in traditional ceremonies, and maintaining relationships with members of the extended family and/or community. Carrière (2010) asserts that meeting a child’s cultural needs can have a positive impact on the likelihood of adoption success.

One of the primary limitations of cultural planning is that, by its very process, it invites reduction and essentialism. We have heard this criticism in our own research on Indigenous adoption. Too many cultural plans, even when they are developed in good faith, focus on limited, stereotypical information about First Peoples’ cultural practices that do not represent the child’s ancestry or community, including items such as “plastic totem poles made in China,” “a book about Indians from Mexico when this child was

Cree,” and “native music from a pow wow they got online” (personal communication, NONG SILA urban adoptions, 2012). The concern is that prescriptive, stereotypical cultural planning can actually serve to amplify disconnection and shame in foster and adoptive placements by trivializing the child’s Indigenous culture and disregarding diversity within and among Indigenous societies.

In addition to the limitations of packaging and appropriating cultural traditions, the scope, expectations, and legal enforceability of the agreements made as part of a cultural plan vary greatly depending on the province/territory and the type of agreement (e.g., kinship care, foster care, adoption). Furthermore, cultural planning involves navigating multiple challenges, including identifying and connecting with family members in a meaningful way, covering travel costs for family and community visits, reconciling varied levels of commitment and availability, and lacking information, resources, and supports to develop and execute a cultural plan. These limitations are significant and are compounded by the difficulty of adapting a plan as the child ages and/or when life conditions change (e.g., when a family moves for work), the complexity of devising a cultural plan for a child who may have mixed Indigenous and non-Indigenous ancestry and/or Indigenous ancestry in two or more separate communities, and the resources and commitment required to build relationships with birth families and home communities, particularly if the adoption involves non-Indigenous families (or, in some cases, Indigenous families) who possess little to no knowledge of Indigenous history and culture.

While cultural plans increasingly form part of foster care arrangements, they are much more difficult to plan, implement, enforce, and evaluate in the realm of adoption. This limitation is at the heart of the difficulties of ensuring cultural continuity in adoptions. While child welfare legislation in most provinces makes reference to the importance of cultural continuity, adoptive parents are not legally obliged to implement a plan, and they are typically provided few, if any, resources to do so. Furthermore, it may be that cultural planning only begins during the adoption phase, which can be confusing for a child who has lived in care for several years without exposure to their culture or traditions (Carrière, 2005). Kenn Richard (2004) of Native Child and Family Services of Toronto points out that in the context of non-Indigenous adoption of Indigenous children, cultural planning efforts may make it more difficult for the child or youth to form a sense of Indigenous identity:

Adoptive parents of Aboriginal children inevitably agree to make efforts towards nurturing the child’s cultural self as an Aboriginal person. While well intended this is almost impossible to achieve and may in fact exacerbate the problems of identity. Culture is complex but its transmission is simple. Put a child within a certain cultural milieu and an organic process of acculturation occurs. It is through everyday living that the values, beliefs and culturally prescribed behaviors are learned. This immersion in culture is the vehicle of acculturation. The agents of it are primary relationships in the child’s life, parents, relatives, educators and the like. (p. 106)

Many of these tensions can be addressed through more holistic, relational approaches to cultural continuity. One promising approach in this regard is the notion of culturally safe adoption practice, which increasingly involves more critical and decolonizing frameworks of cultural safety planning than the traditional essentialized cultural planning approach. The National Aboriginal Health Organization (2006) explains that cultural safety “moves beyond the concept of cultural sensitivity to analyzing

power imbalances, institutional discrimination, colonization, and relationships with colonizers” (p. 1). A culturally safe planning approach is uniquely suited to the histories and needs of individual children and their families. A holistic, integrated conceptualization of culturally safe planning avoids an essentialist approach to *learning* culture and focuses instead on *living* culture as an integrated part of life—as a way of being instead of a “thing” that can be “practiced” at special events or through resources such as books or crafts. One caveat to this approach is that cultural safety plans are typically conceived in a bounded time period, at the time and age when a child or youth first comes into care, during a significant transition to a new care setting, and/or at the point of adoption. It may be difficult or overwhelming for both parent and child to invoke cultural safety plans during a significant and often stressful transition period (like the point of adoption). Further, a child’s needs will likely change over time, so cultural safety plans must be flexible and evolutionary rather than static. It is important to integrate holistic, flexible understandings of cultural identity development at every stage of our work with children and families rather than only during adoption planning.

To avoid one-off plans, cultural safety needs to be intimately entwined with the idea of cultural continuity and customary caregiving. As we explore in Part 2 of this discussion on custom adoptions (di Tomasso & de Finney, 2015), cultural planning can become something more comprehensive, more deeply embedded in community customary laws and systems. Custom adoption “is a complex institution by which a variety of alternative parenting arrangements, permanent or temporary, may be put in place to address the needs of children and families in Aboriginal communities” (Trerise, 2011, p. 2). It presents Indigenous alternatives to the wholesale separation of families and communities that has been perpetrated throughout colonial settler states through enforced residential schooling and the apprehension of children through child welfare interventions. Custom adoptions strengthen relationships and can provide opportunities to address gaps and tensions openly before they threaten the adoption placement. They also follow customary law and foreground access to land as well as self-governance and resurgence—goals that are at the centre of these discussions.

Rather than focusing on formulaic plans, a strong vision for a child’s cultural continuity can expand and grow along with the child, along the continuum of customary caregiving practices and principles upheld by a community. In cases of transracial adoption of Indigenous children, custom adoptions can also be meaningful, in that they take a family- and community-oriented approach instead of simply focusing on the child as an isolated component. This inclusive approach goes far beyond the content of many of the cultural plans currently being conceptualized in adoption policy and practice. A more holistic approach to customary cultural planning in adoption requires the supporting agency and stakeholders to invest time in building and nurturing sustained relationships, providing meaningful cultural supports, and being present to assist children, families, and communities in enacting connections through the child’s life. Complicating this task, however, are several limitations. Cultural practices and protocols vary from one community to the next and overlap greatly in urban areas, making it difficult to develop meaningful plans, particularly for children in urban settings and of mixed backgrounds. Also, the feasibility of holistic cultural planning is severely threatened by chronic underfunding, jurisdictional disputes and limited resourcing and training, among other structural limitations. Further, current provincial and territorial adoption policies do not even begin to fully integrate the cultural practices of distinct First Peoples—even

though such practices would strengthen the provision of cultural planning in adoption services and serve the best interests of Indigenous children, families, and communities.

Conclusion: Moving Toward Our Customary Laws in Adoption

It is evident from the experience of Indigenous agencies (see, for example, Carrière, 2015; di Tomasso & de Finney, 2015; de Finney & di Tomasso, 2015) combined with a review of the literature that supporting Indigenous families and communities to have control over the care of their own children is best for Indigenous children, families, and communities. Indigenous communities can play an important role in supporting the ongoing connectedness of a child to land, community, and family. For instance, some bands have culturally adopted both Indigenous and non-Indigenous adoptive families into their community; some communities provide language and cultural classes and events for the whole family; some agencies travel with families to the child(ren)'s community and set up open adoption meetings and ceremonies with the extended family. All of the approaches detailed above fall under a customary caretaking banner because they work to facilitate more flexibility, creativity, and opportunities to follow good practices that are community centred and culturally congruent. Unfortunately, while these approaches work well, they too often fall outside the scope of legal adoption policies and funding formulas. These vital practices are also drastically underresearched in adoption research.

In Canada, Indigenous Nations and delegated agencies seeking to support custom adoptions and cultural permanency planning urgently need information about how to integrate such frameworks into their current programs and policies. In Part 2 of our discussion, "Honouring Our Caretaking Traditions," we explore these traditional forms of adoption and caretaking and summarize international, Canadian, and provincial legislation regarding them. We hope that this historical overview of external, closed, and statutory adoption of Indigenous children in Canada has provided context for moving toward more culturally grounded adoptions and other caretaking arrangements that honour and preserve the vital connection between Indigenous communities and our children.

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An Interdisciplinary Journal

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

A Discussion Paper on Indigenous Custom Adoption Part 2: Honouring Our Caretaking Traditions

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Abstract

This paper forms Part 2 of a two-part discussion paper. Part 1 outlined a short history of adoption in Canada, examined the impact of forced, closed, and external adoptions on Indigenous adoptees and families, and traced the move toward more open statutory adoptions and greater cultural continuity in adoptions. Having zeroed in on the entangled histories of adoption and colonization in Part 1, here we explore traditional and contemporary practices of Indigenous custom adoption and caretaking. We first recount Western understandings and impositions, then feature Indigenous perspectives that centre spiritual and ceremonial protocols, values regarding child well-being and community connectedness, and the importance of kinship and customary forms of caretaking. We consider both the promises and complexities involved in designing and implementing custom adoptions, and the urgent need for adequate, equitable funding and supports to ensure their feasibility and sustainability. Finally, we highlight the resurgence of Indigenous authority over child welfare within a context of Indigenous self-determination and self-governance.

Key words: adoption, Indigenous child welfare, custom adoption, permanency planning, customary law, Indigenous self-determination

Introduction

Custom adoption, also known as customary, cultural, or traditional adoption, refers to practices of caretaking that have always taken place in Indigenous communities. Custom adoption is “much more than an Indigenous way of doing adoption; it is a complex institution by which a variety of alternative parenting arrangements, permanent or temporary, may be put in place to address the needs of children and families in Aboriginal communities” (Trerise, 2011, p. 2). We begin our discussion by acknowledging that the concept of custom adoptions is both loaded and contested. Indigenous languages typically have

no equivalent word for *adoption* because Indigenous ways of caring for children do not estrange children from their birth families, communities, and cultures (Bertsch & Bidgood, 2010). Adoption is typically conceptualized in relation to the Euro-Western nuclear family—a kinship form that does not exist in Indigenous communities. The very words *custom* and *adoption* are English-language, Euro-Western concepts that are difficult to translate into Indigenous languages and worldviews. In many ways, these Eurocentric concepts cannot capture the powerful spirit, deep relationality, and inherent diversity of Indigenous caretaking values and practices.

Despite the limitations of English-language terminology, the customary caretaking practices we refer to in this paper (and in this special issue) under the broad banner of custom adoption are rooted in Indigenous worldviews, including, and perhaps most importantly, the honouring of children as sacred gifts. Whatever they are called, these practices are well known to Indigenous Peoples the world over (Arsenault, 2006; Baldassi, 2006; Carrière, 2005; Keewatin, 2004; Quebec Native Women Inc., 2007, 2010) and warrant further exploration. As we discussed in Part 1 of this discussion paper, historic and contemporary realities of the adoption of huge numbers of Indigenous children into non-Indigenous homes has resulted in many Indigenous people and communities understandably viewing adoption with suspicion (de Finney & di Tomasso, 2015). However, custom adoption presents Indigenous alternatives to the wholesale separation of families and communities that has been perpetrated throughout colonial settler states through enforced residential schooling and the apprehension of children through child welfare interventions. Many Indigenous communities, child and family serving agencies, and, to some degree, provincial and territorial adoption policies are beginning to recentre customary caretaking practices and protocols. Still, much work remains to be done.

Our purpose is not to provide a definitive approach to custom adoption, but rather to highlight its intricacies and foreground the need for a resurgence of customary laws and systems in raising Indigenous children. Broadly, our aim is to explore what has been written to date on traditional and contemporary practices of custom adoption. Indigenous perspectives and experiences of custom adoption are, of course, of paramount relevance to this review; however, non-Indigenous scholars in the fields of anthropology and legal studies have produced most of the literature on the subject.

In Part 1 of our discussion paper, “Severed Connections – Historical Overview of Indigenous Adoption in Canada,” we introduced Canada’s history of damaging adoption and child welfare policies that were aimed at dismantling Indigenous families. We examined the impact of forced, external, and closed adoptions on Indigenous adoptees and traced the move toward more open statutory adoptions and greater cultural continuity in adoptions. Now, in Part 2, we turn our focus to custom adoption. First, we look at practices of Indigenous custom adoption, both through recounting Western understandings and impositions, and from Indigenous perspectives. Next, we summarize jurisprudence on custom adoption, beginning with a glance at international case studies and ultimately focusing on the legislative landscape in Canada. Finally, we describe the resurgence of Indigenous authority over child welfare within a context of Indigenous self-determination and self-governance. Here we highlight both the promises and complexities involved in designing and implementing such programs and the urgent need for adequate, equitable funding for them.

What is Custom Adoption?

No singular, concise definition of and approach to Indigenous custom adoption exists. Custom adoption is a broad term used to refer to the traditions, practices, and customs of diverse Indigenous communities. Acknowledging this diversity is critical to understanding the complexity of custom adoption policy, practice, and research, and is therefore central to designing programs and services that support custom adoptions. In the context of contemporary child, youth, and family service delivery and governance, the practices and traditions of customary caretaking and adoption that have always existed in distinct communities need to be recentred and reinterpreted. This entails honouring and reinvigorating ancient traditions, and addressing the challenges inherent in balancing provincial and federal policies with First Peoples' self-determination and customary laws. Yet, custom adoption remains a drastically underresearched focus in adoption research. In Canada, Indigenous Nations, organizations and delegated agencies seeking to support custom adoptions and permanency planning lack information about how to integrate such frameworks into their current programs and policies. Complicating their task, the purposes and protocols of custom adoption vary from one community to the next, and current provincial and territorial adoption policies do not begin to fully integrate the customary cultural practices of distinct First Peoples—even though such practices would strengthen the provision of adoption services and serve the best interests of Indigenous children, families, and communities. These complexities warrant further exploration. This section considers some of the broad definitions of custom adoption that have shaped our understanding and informed evolving recognition of these practices in Canada.

The Royal Commission on Aboriginal Peoples (Government of Canada, 1996) commissioned a background paper on custom adoption in 1995. After reviewing all available ethnographic literature on the topic, the paper's author concluded that customary adoption in Canada could be understood as “transactions in kinship” that reflect economic contexts and cultural values. Custom adoptions rarely occur outside the extended family but function within a network of *generalized reciprocity* (i.e., preexisting relationships of sharing and support) to reinforce existing family ties (De Aguayo, 1995, p. 2).

In purpose and practice, custom adoptions and other customary care arrangements differ in four important ways from non-Indigenous statutory adoptions:

1. They rarely involve strangers and often involve relatives or kin.
2. They are not about parenthood, but about kin relationships that concern the entire community.
3. In addition to the needs of the child, they consider the needs of adults and relatives, such as siblings.
4. Birth and adoptive families develop an agreement together. The birth family's needs are important, and contact between both families and the child is encouraged. (Trerise, 2011)

Scholars who have studied this practice emphasize that adoption is rarely about severing ties; instead, it is aimed at strengthening family, kin, and community relationships (Baldassi, 2006; De Aguayo, 1995; Keewatin, 2004; MacDonald, Glode, & Wein, 2005; Trerise, 2011).

Custom adoption was traditionally practiced for a number of reasons that extend well beyond the Euro-Canadian model wherein children are “given up” because their parents cannot take care of them. While statutory adoption is marred by a history of disconnection, forced assimilation, secrecy, and shame, custom adoption has served a number of important purposes in Indigenous societies. According to the limited information generated on this topic, traditional custom adoptions included five broad types: political, economic, mourning, permanent, and temporary¹ (Terrise, 2011, p. 170). In 1948, McIlwraith (cited in Carrière, 2005) documented mourning adoption in Bella Coola, BC, where babies who were believed to be reincarnations of community members who had recently passed on would be given to the families of the deceased. Keewatin (2004) notes that mourning adoption was also practiced by the Blackfoot, the Plains Crow, the Plains Ojibwe, and the Winnebago (p. 19).

Temporary and permanent adoptions occurred for a plethora of reasons. For instance, Keewatin reports that the Tlingit of the Northwest Coast would send their 10-year-old boys to live with their maternal uncle to learn clan lineage (Keewatin, 2004). Child rearing was often viewed as “a reason to live,” and Elders gained respect for raising children (Baldassi, 2006). Grandparents among the Blood people would often raise one of their grandchildren because “closeness between Elders and grandchildren” exposed children to the same values the child’s parents were raised by (Smith, 2009, p. 15). In Haida custom, a woman who was unable to bear children could approach any of her sisters and ask for a child to raise (Smith, 2009). Several other reasons might precipitate a custom adoption: parents might desire more gender balance in the family or wish to forge social alliances with others; children are considered gifts, so receiving a child through adoption could provide honour and prestige to the adoptive parents; birth parents were unable or did not wish to raise a particular child at that time (because they had too many young children, were not prepared to care for twins, were ill, etc.); or, in rare cases, a child wanted to choose its own parents (Baldassi, 2006, p. 74). Custom adoptions were frequently practiced to benefit people other than the child’s birth parents, and in some communities protective measures were built in to allow for reclaiming an adoptee if the adoptive parents subjected the child to abuse (Baldassi, 2006).

Among the Haida, a potlatch and sometimes a pole raising would be held to celebrate a custom adoption, and the adopted child would maintain close ties with the birth family (Smith, 2009). In Nuu-chah-nulth communities, the adoptive family gave a naming feast so that the child would be associated with the adoptive family from that moment forward (Smith, 2009). Nordlund (1993), in her master’s research on custom adoption with the Stó:lo and Thompson people of Seabird Island in BC’s upper Fraser valley, observed that traditional adoption was informal and verbal in nature, with no exchange of money or gifts. It entailed full inheritance of dances, masks, names, and property of the adoptive family, and was recognized by the community, who played a key role in socially and symbolically constructing the adoptive parents’ roles. In such adoptions, the child knew who the birth parents were and could choose to have a relationship with them, but the birth parents did not interfere in the child’s upbringing (pp. 13–14). Nordlund (1993) also highlights that customary care arrangements could involve the child moving from one relative’s home to another.

1 Elsewhere in the literature, permanent custom adoption is referred to as *jural* and temporary as *fosterage* (De Aguayo, 1995). Once again, it is important to highlight that these words are grounded in Euro-Western legal terminology.

Despite variation in specific customs and practices, Trerise (2011) draws from De Aguayo's work to explain that custom adoption was historically utilized:

to ensure that children could be properly cared for, adults who needed youthful assistance in the tasks of daily life had that support, the task of teaching young persons the spiritual and traditional knowledges was assigned, and children had trusting relationships with a wide range of adults and other young people all functioning within a web of obligations and responsibilities to each other. (Trerise, 2011, p. 173)

Customary care arrangements do not always unfold without a sense of loss and rupture. For example, an Elder in the NONG SILA research (de Finney, Johnson, Coverdale, & Cowan, forthcoming) shared that her daughter was given to her sister through a customary adoption that included cultural practices and ceremonies. When the daughter grew up and had children of her own, the Elder was heartbroken when the children called her "Auntie" rather than "Grandma." She shared that her experience was shaped by grief and a significant sense of secrecy that she felt she could never address in her community, despite the fact that the adoption was culturally grounded and that she maintained close contact with all of her relatives in her community. We heard similar stories from other Elders in other communities during the course of our research. They are important reminders to resist the over-simplification and romanticizing of these approaches and instead seek out realistic, holistic understandings.

Referencing Benet's 1976 research, Keewatin (2004) underlines that while adoption was considered an aberration in Euro-Canadian culture, it was the norm in many Indigenous cultures. Among Inuit in Nunavik, for example, 2003 statistics show that one in five children were adopted, and most of those adoptions were customary ones; "the statutory adoption process was used only in a few situations" (Working Group on Customary Adoptions in Aboriginal Communities, 2012, p. 17).

In one of only a few first-person narratives of custom adoption recounted by Indigenous adopters or adoptees, Keewatin shares his story as an adoptee in his master's thesis. He writes:

I am of Cree ancestry and was born in 1962. At the age of 18 months, I was given to my present parents who are also of Cree ancestry. My natural family and my adoptive family were not related by blood, but they were from the same region in Saskatchewan.... The arrangement was made between them to have me raised by my adoptive family.... My extended family also practiced custom adoption.... Within this extended family, eight of the grandchildren were given at birth to families who were better able to care for the child, or who wanted a child. These children have been raised in the homes that they were given to at birth, but all of the children move freely among the homes. There has never been any legal intervention, and all extended family members accept and are comfortable with the agreements. (p. 5)

This description highlights the flexibility of custom arrangements and the freedom of movement among various homes. This kind of fluidity is still very much the norm in many Indigenous families. For example, a Gitksan woman who lives in Tseshaht territory in Port Alberni with her husband shared that they took over raising his nephew as a teenager because he didn't want to move when his mother found a new job. Her husband explained, "His roots are planted here. It's my responsibility as he is my eldest sister's son and in our culture, he is my son. More importantly he became an older brother to [our kids] to a degree.

We also took in my aunt for awhile as she was my father's closest sister, would be like my mother." Also, for two months every year, the couple's "summer daughter" (who is the same age as their daughter and is the great-granddaughter of the same aunt who lived with them) comes to live with them while her mother goes to live with other family members (Mike and Renee Watts, personal communication, September 2014).

The literature explored in this section strongly attests to the diversity and complexity of Indigenous custom adoptions and reflects the way these practices are rooted in particular conceptions of children, families, homes, communities, and relationships. Next, we discuss custom adoption as rooted in worldview.

Custom Adoption as Rooted in Worldview

When speaking of custom adoption, it is important to consider how Indigenous worldviews conceptualize childhood, parenthood, relationship, and community in ways that stand apart from Western notions of rights, attachment, permanency, and the "best interests of the child." Three of the values that inform the practice of custom adoption are explored below: honouring children; kinship; and fluidity.

Honouring Children

Much of the literature on custom adoption references De Aguayo's (1995) observation that Indigenous people believe that homes need children as much as children need homes. Children are seen as sacred gifts and are made to know that they are important (Keewatin, 2004). Leroy Little Bear (2000) asserts that children, from birth, are objects of kindness and love from a large circle of kin and friends. Roger Paul, a member of the Passamaquoddy Tribe in the United States and the Maliseet Nation in Canada, shared the following regarding children's place in society:

When children are born, they are born into the community. The community is responsible for protecting and nurturing all children. There is no word in our language that is equivalent to "nuclear family." There is no defined line of who is the parent. Children are seen as real people, not property. Parents are whatever adults are around the child at the time. Children are welcome wherever they go in the community, so they are always at home. Young boys are called "qoss" to show they belong to the community, and young girls are called "tos." These are terms that show affection and communicate belonging. Our children understand through our words, our body language, and how we treat them and each other that they are loved and have a place among us. (Morrison, Fox, Cross, & Paul, 2010, p. 113).

Paul's description says much about the values that inform custom adoption.

In Nordlund's (1993) study with the Seabird Island Band in the Upper Fraser Valley of BC, one Elder shared his experience of non-Indigenous people questioning his commitment to raising his grandchild: "I've got some white friends say, 'What are you doing with all these children? Why do you look after them?' Well it's our job. It's what we're put on earth for ... children. That's the only resource we have, you know.... We got to keep it going. Our love for our children is a big part of it" (p. 91). In another study on urban Indigenous customary care, an Elder shared that she was always taught to "put another potato in the pot" and that "we just take in the children, it's what we do, we would never turn away a

child, it's not our way" (de Finney, Johnson, Coverdale & Cowan, forthcoming). Indigenous worldviews tend to honour and value children as gifts and resources that are meant to be shared to promote community strength, bonding, and caring (Bertsch & Bidgood, 2010). Later in the paper, we explore the significant contemporary constraints on these values, such as high rates of poverty, lack of housing, and intergenerational trauma.

Kinship vs. Attachment and the “Best Interests of the Child”

Little Bear (2000) describes kinship as a “spider-web of relations” that includes humans and the natural world and necessitates complex arrangements of rights and obligations that surpass the boundaries of Western notions of the nuclear family. Western attachment theory, for example, was not developed through research with Indigenous people and does not reflect their worldview. In Carrière's (2005) work with Indigenous adoptees, she uses the term *connectedness* as an alternative to attachment. Connectedness represents “a broader grounding in a person's total environment” (p. 31), including family, community, the natural world, and the spiritual.

Attachment theories are often employed by the courts to determine a child's “best interests” based on the notion that the main objective of the child welfare system is preserving continuity of care with a primary caregiver (Richard, 2004). It is crucial to understand that Indigenous cultures conceptualize “best interests” altogether differently (Kline, 1992): the best interests of the wider community are often inextricably linked to the best interests of individual children (Bunting, 2004). Justice William Morrow, a strong supporter of custom adoptions in his tenure as a judge in the Northwest Territories, wrote the following in regard to Inuit custom: “The original inhabitants of Northern Canada have attained this goal [of the child's best interests], they have practiced it over the years without any need to have it written down. It is by custom alone” (cited in Baldassi, 2006, pp. 77–78). In other words, traditional Indigenous custom care arrangements have historically operated in the child's best interests.

As previously mentioned, adoption practices based on kinship relations as opposed to individual rights do not require a severing of ties. The Supreme Court of the Navajo Nation in the United States speaks powerfully to how the values explored in this section come together in custom adoption: Navajo law is not concerned with terminating parental rights or creating legalistic parent/child relationships; “those concepts are irrelevant in a system which has obligation to children that extends beyond the parents” (Atwood, 2008, pp. 47–48). When parents are unable to look after a child, the child is adopted by family members in arrangements that may be temporary or permanent, depending on the circumstances. Under Navajo law, custom adoption is “informal and practical” and based on “community expectation founded in religious and cultural belief” (pp. 47–48).

Fluidity vs. Permanency

Permanency is a key child welfare concept. It is important to note, however, that Indigenous perspectives on caretaking differ significantly from mainstream Western notions of permanency. For example, caretaking arrangements in Indigenous communities tend to be fluid and flexible. Writing about the American context, Atwood (2008) states that “while tribes often endorse the concept of achieving

permanent family placements as a child welfare goal, many tribes do not accept the Anglo-American permanency option of severance and adoption and instead prefer a less absolute form of adoption than that mandated under state law” (p. 45).

Morrison, Fox, Cross, and Paul (2010) stress that at the heart of permanency lies one’s sense of belonging, which they define as a set of interdependent relationships with family, community, tribe, and the land itself. The rich possibilities that custom adoptions open up render the subject of permanency planning integral to any discussion of custom adoption, and di Tomasso and de Finney explore it in detail in “Creating Places of Belonging: Expanding Notions of Permanency with Indigenous Youth in Care” (2015).

We see that Euro-Western and Indigenous worldviews conceptualize child, family, and community well-being very differently. The following section examines how legal systems have attempted over time to reconcile themselves to the idea and practice of Indigenous custom adoptions.

The Evolution of Jurisprudence² Regarding Custom Adoption

This section looks at legal custom adoptions in three settler states (i.e., states whose existence hinges on “the elimination of Indigenous peoples, politics and relationships from and with the land”) (Wolfe, 2006, cited in Snelgrove, Dhamoon, & Corntassel, 2014, p. 8): Australia, the United States, and Canada.

Australia

Despite the prevalence of custom care arrangements among Australia’s Indigenous Peoples, no legal recognition is currently given to these practices under Australian law; Nicholson (2009) notes:

No Australian case has addressed this issue and the conventional view has been that the law does not recognise customary adoption. Strangely enough this non recognition did not present a particular problem until 1988, because the relevant Queensland government officials had a practice of recording customary adoptions as lawful adoptions if requested to do so. However, that practice then ceased and since 1989 the Torres Strait Islander communities have unsuccessfully lobbied the Queensland government for recognition. (p. 13)

Nicholson adds that “officials took a similar approach in Quebec, until that practice also met with disapproval” (p. 13). One explanation for the lack of legal recognition of customary adoptions in both jurisdictions may be found here:

One of the problems about discussing [customary adoptions] is the use of the word “adoption,” which does not adequately describe these customary practices. It does however tend to obfuscate and confuse the discussion because once customary adoption is correlated with statutory adoption, various misconceptions arise. In particular, recognition of the customary practice tends to attract the current modern criticism of statutory adoption, which leaves legislators unwilling to deal with it. (Nicholson, 2009, p. 5)

2 The term *jurisprudence* is used throughout this section to describe “the course of court decisions” (Merriam-Webster Online, 2014).

According to Paul Ban, an Australian scholar who has studied customary adoption in the Torres Strait, the term *adoption* was used “by anthropologists when trying to understand and define aspects of the child rearing practices of people from kinship-based societies. Although the term proved useful in helping westerners make sense of the transfer of children amongst extended family and close friends on a long-term basis, it has also become a stumbling block when government services have tried to understand and regulate the practice” (2008, cited in Nicholson, 2009, p. 5).

The United States

The *Indian Child Welfare Act* (ICWA), passed by the US Congress in the 1970s, was drafted in response to increasing recognition that cultural bias had caused Indigenous children to be removed from parents characterized as unfit due to extreme poverty or the interpretation of alternative caretaking arrangements by child welfare authorities as neglectful (Atwood, 2008). The Act affirms Indigenous courts’ central role in child welfare matters and requires that before a child is removed, authorities show that “*active efforts* have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful” (Atwood, 2008, p. 10, emphasis in original). ICWA also articulates that in adoption cases, the child should be placed with a family member, tribal member, or another Indian family—in that order (Atwood, 2008).

Unfortunately, the emphasis on the preservation of family, community, and culture under ICWA was compromised by the *Adoption and Safe Families Act* (ASFA) passed in 1997. As Atwood (2008) explains, ASFA responded to the perception that children were spending too much time in foster care in the name of family reunification; it represents a shift from parental rights to a best interests of the child paradigm. Under ASFA, permanency hearings must be held one year after the child is removed “and the state ... must petition to terminate parental rights if a child has been in state care for 15 of the past 22 months” (Atwood, 2008, pp. 19–20). Atwood (2008, citing Cross & Fox, 2005) argues that “the accelerated move toward termination of parental rights in ASFA may conflict with tribal worldviews. When a child’s parents are unavailable or incapacitated, many tribes endorse a communal response of shared childrearing—through kinship lines, clans, villages, and other relational bonds” (pp. 30–31). While still maintaining that adoption constitutes the ideal permanency plan, the *Fostering Connections to Success and Increasing Adoptions Act* (FCSIAA) of 2008 states that kinship guardianship is an appropriate arrangement when family reunification and adoption are deemed impossible; the act explicitly authorizes assistance for this type of guardianship arrangement (Atwood, 2008). Atwood concludes that “through such time-honored arrangements as kinship guardianships, open adoptions, and customary or traditional adoptions, state courts may be able to satisfy the Indian child’s need for familial security in a placement that comports with the child’s tribal heritage” (pp. 58–59).

From this brief look at American adoption legislation, we can see that custom adoption practices interface with mainstream systems in complex ways and are subject to the evolution of both jurisprudence and policies of dominant, non-Indigenous society. Next we look at the Canadian legal picture.

Canada

Legal recognition of custom adoption in Canada varies in degree, with the Northwest Territories and Nunavut having the most amenable legal frameworks and British Columbia making more headway than other provinces in this area. Although child welfare and adoption fall under provincial jurisdiction, rulings and policies passed at the federal level, or in a different province or territory, can impact jurisprudence across the country. Additionally, child and family services on reserve typically fall under federal jurisdiction and funding formulas, which can complicate the process of provincial authority over adoptions (Sinha & Kozlowski, 2013).

Court cases pertaining to Indigenous custom adoption emerged in the 1960s, when decisions found that “this element of customary law has been continuous within Indigenous families and communities, is effective to create alternative familial status and is included among the unwritten laws recognized within Canada” (Trerise, 2011, p. 123). In many court cases, the recognition of custom adoption is based on the principle of continuity, which asserts that if the practice of a specific customary law was continuous prior to contact with Europeans and has not been specifically struck down in Canadian courts, then the law will be recognized (Trerise, 2011). Section 35(1) of the *Constitution Act, (1982)* states: “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.” Several rulings since 35(1) illustrate the many tensions that arise when a mainstream, non-Indigenous legal system attempts to delineate and determine what constitutes an existing Indigenous right.

In *R v. Van der Peet*, which established criteria and tests that are still in use today for determining the validity of Indigenous rights, Justice Lamer concluded (among other things) that “the test for identifying the aboriginal rights recognized and affirmed by s. 35(1) must aim at identifying the practices, traditions and customs central to the aboriginal societies that existed in North America prior to contact with the Europeans” (cited in Trerise, 2011, p. 138). As dissenting judges McLachlin and l’Heureux-Dubé pointed out at the time, the emphasis on preexisting Indigenous tradition was articulated at the expense of the contemporary relevance of Indigenous practices. Borrows (2002), in his critique of the test laid out in *Van der Peet*, writes, “Chief Justice Lamer has now told us what Aboriginal means. Aboriginal is retrospective. It is about what was, ‘once upon a time’ central to the survival of a community, not necessarily about what is central, significant, and distinctive to the survival of these communities today” (p. 60). As Borrows argues, customary caretaking practices are adaptive rather than static. They hold potential to provide an invaluable resource to address contemporary realities such as the Indigenization of child and family services.

Before we summarize important Canadian rulings on custom adoption, it is important to note that many custom adoptions are not documented, which makes it impossible to know to what extent traditional caregiving or kinship arrangements are being practiced both in provinces and territories that legally recognize custom adoption and in those that do not. Furthermore, the diversity of practices of custom adoption adds an additional layer of complexity to the task of thoroughly considering how adoption is enacted in Indigenous communities. Cases that bring the issue of custom adoption to the legal fore often centre around instances where one or more parties involved in a caretaking arrangement that had been made years earlier approaches the court to overturn the agreement, perhaps in order that legal benefits and inheritances can be conferred to family members.

Re Deborah (1972) was such a case, and it set an important precedent by recognizing custom adoption as an essential part of Inuit social structure. Relying on the principle of continuity explored above, Justice Morrow upheld the adoption and remarked, “In my observation ... I would say [adoption] is the most outstanding characteristic of their (Eskimo) culture and appears to outrank marriage and hunting rights” (*Re Deborah*, cited in Trerise, 2011, p. 178).

A second significant ruling, also in the Northwest Territories, came out of the *Re Tagornak* adoption petition case in 1983. Importantly, the court established its role as declaratory, meaning that it would not judge if and when a custom adoption had taken place, but would legally certify the existence of custom adoption (Nicholson, 2009). Justice Marshall laid out four criteria necessary for the court to recognize a custom adoption: (1) that both natural and adopting parents consented; (2) that the child had been voluntarily placed with the adopting parents; (3) that the adopting parents were Indigenous or entitled to rely on Indigenous custom; and (4) that the rationale for Indigenous custom adoption was present in the case (cited in Nicholson, 2009, p. 18).

Shortly after *Re Tagornak*, in 1985, Indian status was allowed to be passed down to children through custom adoption (Smith, 2009). Then, in 1994, the Northwest Territories passed the *Aboriginal Custom Adoption Recognition Act*, which gives formal legal recognition to custom adoptions. Nunavut took on the legislation when it became a separate territory in 1999. In both the Northwest Territories and Nunavut, the families involved in a custom adoption need only file a one-page form with the local custom adoption commissioner, who then verifies the information and sends the application to the court for approval (Baldassi, 2006). Families do not need to visit court, nor do child welfare authorities perform a home study.

The context is very different in the rest of Canada. British Columbia, for example, only began conferring rights through custom adoptions in 1995 when it revised the law pertaining to adoption (Smith, 2009). The case that precipitated the recognition of custom adoption in BC was *Casimel v. ICBC* (Baldassi, 2006; Lomax, 1997; Nicholson, 2009; Trerise, 2011), which concerned whether a parent through custom adoption could be listed as a dependent on their child’s insurance policy. In *Casimel*, Justice Lambert (cited in Trerise, 2011) concluded that “a well-established body of authority” existed in Canada to justify the court’s recognition of the status conferred by customary adoption.

After *Casimel*, BC amended its *Adoption Act* to state, in section 46(1), that “the court may recognize that an adoption of a person effected by the custom of an Indian band or Aboriginal community has the effect of an adoption under the Act.” Further, Section 46(2) provided that 46(1) “does not affect any aboriginal rights that a person has.” Baldassi (2006) explains that although custom adoption was officially recognized through this legislation, the province requires a court hearing involving affidavits and other materials before the adoption can be legally approved, and the word “may” in the legislation also leaves room for the court to rule on whether a custom adoption has taken place (Baldassi, 2006, p. 88). This tension between legal recognition of custom adoption and the traditions that inform the practice will continue to underscore the intricacy of custom adoption policy and implementation.

This brief review of relevant legislation paints a picture of a complex, emergent landscape. The next section highlights how Indigenous organizations are reclaiming custom adoption for their children and families.

Indigenous Child and Family Agencies and Custom Adoption

Since the early 1980s, many Indigenous communities in Canada have actively sought to take back responsibility from government to care for their own children. Communities have an important role to play in supporting the ongoing connectedness of a child to community and family. Some bands have culturally adopted adoptive families into their community; some provide language and cultural classes and events for the whole family; some Indigenous agencies travel with families to the child's community and set up open adoption meetings with the extended family. All of these approaches fall under a customary caretaking banner because they work to facilitate more flexibility, creativity, and opportunities to follow good practices that are community centred and culturally congruent. They strengthen relationships and provide opportunities to address gaps and tensions openly before they threaten an adoption placement. They also follow customary law and strengthen access to land as well as governance and resurgence—goals that are at the very centre of these discussions. Unfortunately, while these approaches work well, they too often fall outside the scope of legal adoption policies and funding formulas. However, we can learn a great deal from the experiences of Indigenous agencies and organizations that have collaborated with communities to pioneer approaches to custom adoption. Below we look at some of their promising strategies.

Promising Strategies

One example of a community that reclaimed traditional protocols to develop a custom adoption program is Yellowhead Tribal Services Agency (YTSA) in Alberta. In the mid-1980s, the chiefs of the Yellowhead Tribal Council became concerned at the number of children who had been taken from their communities and placed in government care (Peacock & Morin, 2010). The chiefs, Elders, and community members envisioned an organization that would work to keep children in their communities. As a result, YTSA was developed (Peacock & Morin, 2010) and it now provides a range of community-based child and family services to the four member communities (the Enoch Cree, Alexis Nakota Sioux, O'Chiese, and Sunchild First Nations). The custom adoption program that YTSA developed, and the lessons they learned in the process, are highlighted by Jeannine Carrière in another article in this special issue. Here, we want to highlight some of the strategies the agency employed to develop its groundbreaking program. These include consultation with community Elders; placing ceremony and ceremonial protocols that support the adoption process at the heart of the program; centring the sacredness of children; and acting within a spirit of openness at every stage of the adoption process.

Consultation with Community Members, Particularly Elders

Elders are the keepers of wisdom and knowledge surrounding custom adoptions (Keewatin, 2004), and tapping into their knowledge in the design of custom adoption programs is a matter of urgency. Nevertheless, engaging with Elders to learn this knowledge takes time and care. For example, YTSA's custom adoption program took several years to develop because the agency was committed to taking the time required to consult with Elders and gather knowledge about custom adoption ceremonies. Other organizations have also done extensive research and community consultation as a first step in developing

custom adoption and cultural permanency practices (see, for example, the NONG SILA model, de Finney, Johnson, Coverdale, and Cowan, forthcoming). Often organizations create committees of community members to guide policies and practice pertaining to adoptions. For example, Lalum'utul' Smun'eem (LS) Child and Family Services on Vancouver Island instituted an adoption committee to replace the BC government's exceptions committee, which exists to sign off on adoptions of Indigenous children into non-Indigenous homes. The LS committee's role includes the following:

- provide cultural guidance in the development and implementation of our cultural ceremonies,
- support the implementation of adoption policy and protocol,
- support program development by providing cultural context,
- consider recommendations for adoption made by LS social workers, and
- provide support to the adoption team for the adoption plans, suggest alternative plans, and make recommendations for follow-up by LS social workers. (Lalum'utul' Smun'eem Child and Family Services, n.d.).

A similar model entitled NONG SILA Adoption Council is being explored by Surrounded by Cedar Child and Family Services, a delegated agency in Victoria, British Columbia (de Finney et al., forthcoming.)

Ceremonial Protocols

Ceremony and ceremonial protocols that support the adoption process are at the heart of many custom adoption programs. YTSA, for example, consulted extensively with community Elders to earn the right to conduct the custom adoption ceremony. The agency began by following the traditional practice of offering Elders tobacco; in return, the Elders gave the agency the teachings of the medicine wheel to enable them to develop “a holistic and culturally sound program based on traditional teachings for children to experience cultural connections” (Peacock & Morin, 2010, p. 75). Keewatin (2004) explains that Elder Bluestone Yellowface had been given the custom adoption ceremony by her people, and YTSA made a formal request for this knowledge. Elder Bluestone Yellowface offers important knowledge about the power of ceremony:

Ceremonies are very important.... It was something that was very important that had been lost. If it hadn't been lost, none of those kids would have been apprehended and adopted out and taken away. Our people forgot how to take in their nephews and cousins and grandchildren into their houses. We lost it. Children were very much a part of the societies and tribes.... Then we wonder, why did all those children disappear? Why are people drinking and leaving our children? Because we've lost the power the ceremonies have. We have lost that power because we didn't maintain the ceremonies that we were supposed to. It kept our families safe.... And with the power that's in this ceremony, we will start being able to hang onto those children and keep our children in our community. (Keewatin, 2004, pp. 65–66)

Custom adoption ceremonies hold potential to bring whole communities together under a process of spiritual purpose and ceremonial sacredness to support the community's children and families.

Centring the Sacredness of Children

The custom adoption programs developed by both YTSA and LS hold the sacredness of children at their centre. In the case of YTSA the child is viewed, not as the parents' responsibility, but as a member of a caring community that plays an important role in affirming the child's cultural identity and the adoptive family's role (Keewatin, 2004, p. 44). A custom adoptee and adoptive father through the YTSA program, Keewatin (2004) shares his perspective on the traditional practice of custom adoption:

We know that [my adopted daughter] is a gift from the Creator. Adoption is not about possession. We and her natural family have only borrowed her from the Creator. She chose us and we are responsible for giving her love and kindness and teaching her. If we are true in our hearts and our minds then she will choose to have a strong bond with us. We don't earn that bond just because we call ourselves her parents. (p. 74)

Given the sacredness of children to Indigenous people, LS aims, as part of its stated goals as a delegated agency with the authority to arrange custom adoptions, honouring "the cultural, spiritual, and holistic needs" of children placed for adoption and ensuring that "adoptive families are selected who will keep the children connected to their family, extended family, community, and culture" (Lalum'utul' Smun'eem Child and Family Services, n.d.).

A Spirit of Openness

The YTSA program was designed to thrive within a spirit of openness: Birth parents had a say in who adopted their child and they played a continuing role in their child's life. In a similar spirit of openness, LS has involved community members, leaders, and Elders in the services they provide (Lalum'utul' Smun'eem Child and Family Services, n.d.). In two cases Cowichan children were adopted into non-Indigenous homes; LS brought these families into the community and is deeply involved in supporting them to maintain cultural connectedness for and with their children (Lalum'utul' Smun'eem Child and Family Services, n.d.). LS also plays the very important role of supporting the development and implementation of cultural plans for children at the moment they are taken into care so as to maintain crucial cultural links (Lalum'utul' Smun'eem Child and Family Services, n.d.).

Programs Must Be Funded, and Other Caveats

Layers of caveats emerge in the implementation of broad policies regarding custom adoption. For example, ministry adoption teams may lack the understanding and connections with community members to pursue and implement custom adoption protocols. Few Indigenous agencies have delegated adoption mandates; therefore, they often become excluded from the adoption process once a child in their care is transferred back to the government authority when an adoption process begins. Furthermore, even delegated agency staff may not have knowledge of custom adoption values and traditions. Many delegated agencies are now embarking on researching, documenting, and reviving past customs and cultural ways of taking care of their children and youth.

Another critical conversation in custom adoption is the need to expand prevention and family reconnection for families who have lost their children to child welfare interventions. Trocmé, Knoke, and Blackstock (2004) question how much families are being called to account for systemic and structural factors such as poverty and poor housing that are considered to put children at risk, and to what extent child welfare services are committed and able to support community development efforts that would address the causal agents of child risk. Embedded as they are within a colonialist worldview, mainstream child welfare systems in Canada are complicit in dispossessing Indigenous people of their children and, by extension, their cultures. Supporting Indigenous communities to reinvigorate Indigenous caretaking practices—and, if and when it is asked for, providing legal recognition—is a means to acknowledge and redress, in part, historical and ongoing injustices (Trerise, 2011). However, Trocmé et al. stress the need for these community development approaches to be rooted in cultural ways of knowing that call on ancestral approaches to parenting and child rearing that have sustained First Nations children through the continued ravages of colonization.

Custom adoption is just one component of the much larger issue of Indigenous governance and part of the broader struggle for Indigenous communities' right to completely self-govern, not only child protection matters, but the full spectrum of child and family services. Recognizing these rights would entail supporting the balance between traditional cultural approaches and contemporary enactments of these traditional practices. It would also require provincial and territorial governments to relinquish control over child welfare to Indigenous communities. The provinces, however, remain overwhelmingly reluctant to relinquish control in this arena. Even in BC, which has recognized Aboriginal adoption since 1996, the practice still falls under governmental jurisdiction, with delegated Aboriginal agencies often having to push very hard for substantive control over their own processes. BC started the process of delegating provision of child welfare services to Indigenous service organizations in the 1990s. In 2014, delegated agencies across the province are in various stages of assuming responsibility for child welfare services; however, only a few of these agencies are able to provide “full child protection, including the authority to investigate reports and remove children” (Province of British Columbia, 2013b, para. 4). As Smith (2009) points out, delegated agencies still must comply with provincial and territorial legislation, regulations, and standards. In other words, Indigenous agencies are expected to follow rules which they had very little role in writing. This limitation has important implications for customary adoption practice and policy, since custom adoptions are grounded in the unique traditions of distinct Indigenous communities and it is difficult to generalize these diverse teachings through overarching provincial policy frameworks.

With increased urbanization, another topic gaining saliency for growing numbers of children is that their community may be too far away to access. Connections to community, culture, and land are central to customary care (de Finney & di Tomasso, 2015). Yet another layer of complexity is revealed if we imagine how urban and off-reserve agencies work to accommodate the needs of an urban child with roots in more than one First Nation or Indigenous community, and/or with other backgrounds. Indigenous children increasingly come from mixed backgrounds, and these backgrounds may include racialized/ethnic minority communities who may also have Indigenous teachings and/or who have and want to maintain their own cultural traditions, languages, and community connections. This reality troubles the traditional Native/White binary conversation in adoptions and complicates everything from cultural planning, to open agreements, to custom protocols, to family conferencing, to reconnection efforts, and so on.

Funding and jurisdictional arrangements further complicate matters. Indigenous families in Canada find themselves navigating a “legislative framework in which the federal government has responsibility for funding on-reserve health and social services for Status First Nations people while the provinces and territories fund these services for all others” (Sinha & Kozlowski, 2013, p. 1). Provincial, territorial, and federal bodies frequently engage in protracted negotiations around responsibility and jurisdiction that have devastating consequences for individual children who require quick and decisive action. Evaluations of on-reserve child welfare services point to persistent federal underfunding, especially of Indigenous child welfare agencies (Sinha & Kozlowski, 2013). It is imperative that Indigenous child welfare agencies in Canada receive fair and adequate funding to develop and run custom adoption programs. Yet, Indigenous child welfare agencies receive significantly less funding than provincial agencies for doing the same work (Smith, 2009). As Carrière (2005) writes, “This situation is the bitter irony; INAC will provide funding to First Nation agencies to *remove* children from their homes, but will not support services that keep families together” (p. 23). Carrière (2005) further emphasizes that in the context of the widespread poverty experienced by Indigenous communities in Canada, “it is no longer realistic to expect extended families and First Nation community members to take in children out of the goodness of their hearts” (p. 130). Governments should never be allowed to set up delegated Indigenous agencies to fail by inadequately resourcing their programs, or by funding an Indigenous child in care at a lower rate than a non-Indigenous child. Custom adoption is not about offering basic, minimal services and solutions, but about appropriately investing in locally developed, culturally safe programs that stand a chance at restoring wellness to communities that are reeling from the effects of sustained assaults on their spirits, bodies, families, governments, and territories. Indigenous agencies and communities need resources to consult with their people in search of creative, culturally based, and flexible responses to the complexities and inequities explored in this review.

Conclusion: Honouring Our Own Caretaking Traditions

This discussion paper has demonstrated that custom adoptions have always been practiced for a variety of reasons by Indigenous Peoples across what we now call Canada, and around the world. Despite differing reasons for, and outcomes of, custom adoptions, the many variations all prioritize kinship relationships, community wellness, balance, and community belonging. The question now at the top of our minds is, how do we continue to use these traditions in the context of ongoing colonialism in a child and family services landscape shaped by increasingly urbanized communities and changing demographics (including more and more mixed children and families), emerging political and economic challenges including poverty, lack of housing, changes to the *Indian Act*, tensions between pan-Aboriginal models and community-specific teachings, and a host of other factors that shape Indigenous Peoples’ realities today?

Honouring the inherent distinction and sovereignty of individual Indigenous Nations requires us to avoid overly determined answers to these questions. Instead, we might consider what can be gained *and* lost through the legal recognition of custom adoption. Baldassi (2006) points out that legal recognition should not work to conflate custom with statutory adoption because the result “can be a rather thin version of customary law, stripped of some of its core aspects” (p. 64). Furthermore, as Atwood (2008) points out, legal recognition may require codifying and institutionalizing customs that, by their very nature, were

meant to be not only flexible and organic, but intimately connected to the sacred. We are reminded of the dangers of institutionalizing sacred spiritual practices that nurture kinship and nationhood.

Honouring sacred caretaking traditions requires a radical shift in child welfare and adoption practice, policy and research. As De Aguayo wrote in 1995 as background to the Royal Commission on Aboriginal Peoples, “grasping the underlying complexity of customary adoption demands a philosophical change in Western concepts of the family. Customary adoption challenges the belief that biology is at the heart of parent-child relationships. It also reformulates our sense that a single household is the proper locus of child-rearing” (p. 31). Roger Paul sums it up well when he says, “Today the adoption process may be necessary to live within two worlds. But paperwork isn’t necessary to be a part of a community. Children will feel welcome where they are loved. Paper doesn’t make it real” (Morrison et al., 2010, p. 114).

Customary caregiving provides a map for caring for children in time-honoured ways. Nothing is more fundamental to the strength, well-being, and continuing existence of Indigenous communities than our capacity to live our values and traditions and to exercise our right to care for our children in the ways we have always cared for them.

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

Lessons Learned from the Yellowhead Tribal Services Agency Open Custom Adoption Program¹

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Abstract

Following a historic meeting of staff with Alberta Children's Services and the Yellowhead Tribal Services Agency (YTSA), a pilot program, the YTSA Open Custom Adoption, was developed. The agency initially researched existing adoption models in the Northwest Territories, British Columbia and in the Cheyenne Nation in the United States. An advisory committee, comprised of one Elder from each member First Nation community, was asked to provide guidance and direction throughout the project. From 2000 to 2010, YTSA placed over a hundred children in adoptive homes without any adoption breakdowns (Peacock & Morin, 2010). Although the agency has now closed its doors, there are lessons to be learned from the YTSA Open Custom Adoption program which is still viewed as an advanced model of adoption service inspired by traditional First Nation teachings and child caring. This article is a review of lessons learned from this agency and in particular, the importance of connectedness to family, community culture and nationhood for Indigenous children and adoption.

The YTSA Open Custom Adoption Program

The Yellowhead Tribal Services Agency (YTSA) Open Custom Adoption program was the first of its kind in Canada in which First Nation parents adopted First Nation children from the five communities of the Yellowhead Tribal Council in Alberta. It was the first agency to combine customary First Nation adoption practices with provincial adoption in order for families to receive post-adoption services from the federal government. The adoptions were celebrated with local community ceremonies officiated by Chiefs and Elders and many guests who were invited to witness this event. Because this was the first agency in Canada to undertake this process of combining customary and provincial laws, there were many stakeholders in First Nations adoption that wanted to know about the outcomes for children who

¹ This article is an adaptation (with permission) of chapters from *Aski Awasis/Children of the Earth* published by Fernwood Publishing in 2010.

were adopted in this manner. In response, we published a book regarding these developments. This article is adapted from the book which is still available through Fernwood Publishers. Although they are unfortunately no longer providing services, YTSA had a long and successful history with their Open Custom Adoption program and I am pleased to share some of their story in this article.

Terminology for Custom Adoption²

The adoption of children by customary protocol has been a practice of Indigenous people since time immemorial (Arsenault, 2006; Baldassi, 2006; Carrière, 2005; Jourdain, 2002; Keewatin, 2004; Littlechild in Glode, Macdonald and Wien, 2005; Lomax, 1997; National Indian Child Welfare Association, n.d.; Quebec Native Women Inc., 2007; Ward, 1984). Customary adoption is generally defined as the cultural practices of Aboriginal peoples to raise a child by a person who is not the child's parent according to the customs of the First Nation and/or Aboriginal community of the child (Arsenault, 2006; Baldassi, 2006; Jourdain, 2002; Keewatin, 2004; NWT Health and Social Services, 2006; YTSA Open/Custom Adoption Policy Manual, 2001).

There is evidence in the literature that custom adoption was practiced for many reasons including: caring for children whose parents had died; providing a child to a couple who were unable to have their own children; replacing a child that had been lost to death; or providing a child to elderly relatives who needed support (Arsenault, 2006; Auger, 2001; Keewatin, 2004; Kimmelman, 1985; Lomax, 1997; Rideout, 2000). This body of literature also indicates that customary adoption practices served to strengthen the existing relationships in the child's life and at no time were secrets kept about the child's situation. Fostering a sense of identity was critical to custom adoptions. As Keewatin (2004) notes, "Identity was also identified as playing a part in custom adoption as children who were part of a ceremony were given special status as Mother Earth's children" (p. ii).

Custom adoption can lessen the impact of racism. Being raised in their own First Nations or Aboriginal communities by other Aboriginal people enables children to learn how to survive the racism perpetrated in Canadian society. Bagley, Scully and Young (1993) state that "the extreme marginalization of Native people in Canada means that there is little possibility for a Native child to adapt successfully in a white family" (p. 237).

Although limited, the literature indicates that custom adoption was practiced by many Indigenous groups in Canada such as, the Anishinaabe, Mi'kmaq, Inuit, Cree, Tlingit, Nisga'a, Gitksan, Nuu-chah-nulth, and Haida. In what little has been written down from oral tradition, there is agreement that the process of custom care/kinship care/custom adoption started with a need and that the concept of care did not just refer to children (Auger, 2001; Keewatin, 2004; Lomax, 1997). For example the Nuu-chah-nulth tradition provided for a child to be adopted to fill a position or carry on a name (Arsenault, 2006, p. 16). There is also consensus that the caring created no boundaries, limitations or secrets (Auger, 2001; Carrière, 2005; Carrière, 2010, p. 48); and that the practice of custom adoption resulted in the "making of relatives"

2 Adapted from Chapter 3 of *Aski Awasis* by Atkinson, G.

(Auger, 2001; Carrière, 2010, p. 48). The ceremony or recognition of the adoption differs among cultural groups but the intent and outcome is the same.

In Ojibway culture, there is no word for adoption but the phrase “wenidjanissingin” translates to “like one’s own child” (Auger 2001, p. 181). This provides an example of where the process was very informal and a ceremony would not necessarily have been conducted. Auger (2001) writes:

In some circumstances the family would acknowledge the relationship at a feast, and in others, through a “welcoming ceremony.” In instances where the child was young, there might be a more formal acknowledgement in a naming ceremony, which was usually done by an Elder in the community. During ceremonies such as these, the man and woman would acknowledge the child as their own, the community would recognize the relationship, the child would be given a name which it would thereafter be known by and all people would refer to the child by that name and as the son or daughter of those particular parents (p. 182).

The Mi’kmaq used the word *ankweak* meaning “to take care of, to bring up as your own” (Glode, MacDonald & Wien, 2005, p. 21). The name for an adopted child in Inuktitut is *Tiquak*. Cowichan tribes on Vancouver Island have a tradition of a ceremony to celebrate and recognize the adoption. The Hul’quimi’num words for this ceremony is *imushs Kwun’s stsuy’elh* meaning “adoption, a journey of honour.”

The Ojibway and Cree in the Treaty 9 area of Ontario are incorporating what they call, “Mamow Obiki-Ahwahsoowin,” which is a Native child welfare service model through Tikinagan Child and Family Services. *Mamow Obiki-Ahwahsoowin* is an Ojibway/Oji-Cree term that means “everyone working together to raise our children” and incorporates the care for children according to traditional values and customs (Brubacher, 2006, p. 36).

In his study of the Ojibwe in Northwestern Ontario, Auger (2001) found that a term “fictive kinship” was used to describe a system of: “caring for” other people, which included a concept similar to the European-Canadian concept of adoption. In the process of caring for children, there was usually no distinction made between biological children and the children being cared for. In other words, caring for “creates a set of relationships between the adoptive parents and child [or the parents and a child they are caring for] that have all of the expectations of relationships that are in fact based on either descent or marriage” (Ferraro, 1995 as cited in Auger, 2001, p. 151).

Auger (2001) also found that “the only concept that was consistently used across the study group was that of caring for others ... it was used to describe a permanent relationship where children were raised by a person related through kinship or marriage,” and that “caregivers looked after people whether they were young or old, healthy or sick, related through kinship, or strangers. The length of care varied from a few days to a lifetime” (p. 179; p. 180).

Keewatin (2004) asserts that culture is passed on to First Nations children who are adopted through custom adoption:

Whether allowed by law or practiced without legislative authorization, custom adoptions are the primary means by which Native people are able to ensure the continued cultural exposure

of their adopted children. Custom adoptions are not a foreign construction of family formation. Issues of ownership and the denial of biological heritage, which are seen by Native groups to be imposed by non-Natives, are avoided through the use of rituals that have been part of Native culture for millennia' (Daly & Sobel, 1993 as cited in Keewatin, 2004, p. 106).

Similarly, Arsenault (2006) writes, "custom adoption has existed in many Aboriginal communities. It is based on the Aboriginal tradition of viewing the child as a member of a caring community, not just the sole responsibility of the parents" (p. 14).

Criteria for customary adoptions are identified by Justice Marshall in *Re: Tagornak* (as cited in Auger, 2001, p. 45) and certify that an adoption following Native custom had taken place by confirming:

- a) that there is consent of natural and adopting parents;
- b) that the child has been voluntarily placed with the adopting parents;
- c) that the adopting parents are indeed native or entitled to rely on native custom, and
- d) that the rationale for native custom adoptions is present.

In addition, Judge Morrow in *Re Deborah* (as cited in Sissons, 1961) outlined four essential criteria for recognizing the existence of a custom adoption:

- a) There must be evidence that the custom extended back in time as far as living memory;
- b) The custom must be reasonable;
- c) The custom must be certain in respect of its nature generally, as well as in respect of the locality where it is alleged to obtain and the persons whom it is alleged to affect; and

The custom must have continued without interruption until the present.

In his conclusions about the various judgments reviewed, Auger (2001) writes,

The recognition of Aboriginal law in these cases arose as a result of a judicial belief in the existence of Inuit and Indian laws which had been used by Indian and Inuit people since time immemorial and had served them well; and that their laws had not been abrogated by any legislation and should be recognized and held to be as valid as any legislation (p. 46).

There is concern regarding the practice of involving the courts in making decisions regarding customary laws. Fiske (1995) questions the right of the court to define customary rights and the central contradictions of the court's power. First Nations have the right to customary regulation of family relations however the courts have denied the First Nations the power to be the final authority for disputes regarding how to interpret, enforce or adapt customary law (p. 193). Carrière (2005) makes the point that:

Canadian provinces continue to administer adoption programs with little or no consideration to the inherent rights of First Nation children. Canadian policy places the issue of adoption and First Nation children within a context of cross-cultural adoption, failing to recognize the

contradictions in this practice. The issue is not about race, colour or national origin; it is about the preservation of First Nation self-determination within a continuing colonial context (p. 24).

Regardless of the term used to describe traditional practices in contemporary society, the aim is the same: *to recover and reclaim traditional practice*. First Nation children growing up in adoptive Aboriginal homes are not likely to have the “happy ever after” story. These children are going to experience all of the challenges that come with being Aboriginal people in Canada because “being First Nation already places them in a societal position where they are part of a marginalized population” (Carrière, 2005). What they are not going to have to struggle with, and what will provide them with the resilience to handle the bigger societal issues, is knowing who they are. These children know they are First Nation/Aboriginal people as well as they know where they fit with their families, extended families (both birth and adoptive), communities and cultures. These children do not have the “long road home” that children raised “away” in non-Aboriginal homes have. There is no road to pave for these children. They are already home where they belong. These children will not have to undergo the “search for [themselves] that led to some dangerous places” (Carrière, 2005). Hopefully these children do not feel like they are being raised in the homes of strangers. Hopefully these children know that their biological families, the Elders and the Creator blessed their placements. The fact that there have been no placement disruptions in the YTSA custom adoption program is testimony to the strength of family placement.

It is unfortunate that such a sacred traditional practice has to be so regimented by legislation and standards. Reclaiming a traditional practice and inherent right would not be attempted on the backs of children. Trusting that people are working in a good way, according to traditional custom and protocol, is a first step to decolonizing the relationships in child welfare and adoption in particular.

What Elders Have Taught Us

In Chapter 4 of *Aski Awasis/Children of the Earth* (2010) the Elders at YTSA often discussed the fact that customary adoption was our way of caring for our own.

I don't know everything but the old folks a long time ago used to take their grandchildren or other kids and raise them as their own. There were no legal ties or anything, just the goodness of their heart. Sam Burnstick, Alexander First Nation Elder (Peacock & Morin, 2010, p. 69).

The Elders wanted to see the paper trail simplified from the ministry process. Program policies were developed with the assistance of the British Columbia Ministry of Children and Family Development's (MCFD) legal counsel, Trish Kumpf. The adoption homestudy process was drafted with the support of Anne Scully from the Adoptions Regional Office and Jeannine Carrière, past Associate Director for Aboriginal Child Welfare of Alberta Children's Services. The intent was to have a process that would encourage nation members of the five Yellowhead Tribal Council nations to apply and become open custom adoption families and to reduce the numbers of children in foster care.

It's difficult to have children being born today and knowing that they could be in a foster home for the next eighteen years. I'd like to see them have a Native family, in our communities, to call their own. We have quite a few kids still in placements that are not Native. Some of them

are very young. It's hard for me as a worker. Maybe some of the talk amongst the Elders will help me understand. Is it this generation? Do we just leave it be the way the last generation was, or do we help these children find homes in their communities? Frieda Peacock, Custom Care Worker, Enoch Cree Nation (Peacock & Morin, 2010, p. 70).

YTSA supported the operation of a Child and Family Services program in each member First Nation. Each program had a Child and Family Services Advisory Committee that worked under the guidance of the Elders. They ensured that a family was found for a child in need of a permanent home and that the family shared tribal culture and history with the child. YTSA, in turn, worked closely with the Nation's programs to meet the ever-changing needs of the children, families and communities through Elder involvement and community input.

A long time ago adoption was a common practice of our people. Children were gifts from the Creator. They gave meaning to life, these children, teaching us about unconditional love, bringing joy and laughter. To a man, a child should never go without food, clothing and shelter. To a woman, a child is a responsibility whose priorities come before their own. Together a man and woman were responsible for the well-being of the child mentally, emotionally, physically and spiritually. Relatives helped in bringing up these children. Grandparents, uncles, aunts and the whole community helped each other to enhance the lives of children. These were our ways, what happened to our people. Francis Alexis, Alexis Nakoda Sioux Nation (Peacock & Morin, 2010, p. 71).

Historically, non-Native families adopted a majority of Aboriginal children through a closed adoption process that essentially severed the child's ties to birth family, culture and community of origin.

I personally know many First Nation people that are lost from culture, identity and belonging. Many of my friends have no idea who their relatives are or where they came from. They were adopted by non-Aboriginal families and some were raised in twenty-five to thirty different foster homes. Louise Russell, O'Chiese First Nation (Peacock & Morin, 2010, p. 71).

Withholding birth information from adopted children was a misguided bureaucratic attempt at integrating them into the adoptive family. The children were thought to be too young to understand the truth, and were often told that their family was deceased. Today, many of these children, now adults, are finding their way home to their roots and families. However, the quest to reconnect with birth families or communities of origin has not been an easy journey for some. The YTSA Open Custom Adoption program originated from the customary practice of Aboriginal families keeping and/or raising a child in need and essentially changed the adoption process for First Nation children in the Province. The Elders encouraged and supported the agency in seeking traditional customs around these practices.

One of our tribal customs, when you see a kid that has no parents it was customary to bring these kids into your home and look after them as your own. You feed them, you clothe them. You don't get Child Welfare involved you don't get Social Services involved. Francis Alexis, Alexis Nakoda Sioux First Nation (Peacock & Morin, 2010, p. 74).

YTSA also faced a number of obstacles during the evolution of the Open Custom Adoption program. The one constant throughout was that it was no longer acceptable for non-First Nation organizations to decide what

was in the best interest of First Nation children. Residential schools, the sixties scoop and a child welfare system that supports stranger care over family care for First Nation children are all testaments to this fact.

For years and years, the white people have taken our children from us through apprehension and adoption without our permission or even notifying the families. So because of this, many of our children have lost their identity. My heart breaks for each child who has gone through this tragic thing. It is about time we did something, like opening our hearts and homes to our children. The Open Custom Adoption program is there to protect and ensure our children's future. We must never give up on our precious children. O'Chiese Caregiver (Peacock & Morin, 2010, p. 74).

The Agency began its journey into program development by following the cultural protocol of offerings of tobacco and print to the Elders to ask for their prayers and guidance. In return, the Elders gave the teachings of the Medicine Wheel that formed the basis for all programs that were yet to come. Open custom adoption offered opportunities for children to develop a sense of connection, family belonging, and community ties.

Custom adoption provides opportunities for the child to receive family, culture, community, values, beliefs and practices. Adoption is accepting the child and extended family no matter what happens, it is the same as raising your own biological child. Louise Russell, O'Chiese First Nation (Peacock & Morin, 2010, p. 76).

Over time YTSA became a pioneer in the development of First Nation specific programs such as Custom Care that offered an alternative to provincial foster care. The Caring for Our Own Community Support Services offered preventative and family support services while the Permanency Planning and Family Enhancement used alternative approaches for strengthening families while planning for permanency for children in care. The Open Custom Adoption program was venturing into uncharted waters and a major leap of faith for all involved.

Back in the old days all you had to say was that you were going to take this child and were going to keep him and the Creator heard us. Today we have this custom adoption. We went through that, we adopted this little girl. To go through the ceremony, to use the pipe, to choose our own Elder to pray for us, that was very unique. To say we are going to raise this child till she grows up, for me that was important cause traditionally I grew up that way. I guess for us, First Nations people, that's our way of life, to care for our children. It's been handed down from generation to generation. Edwin Frencheater, O'Chiese First Nation (Peacock & Morin, 2010, p. 76).

The spirit of openness pervades custom adoption: the biological parents stay in touch with the children and the children benefit by keeping a connection to their birth family and who they are. The community is involved in supporting and affirming the important roles of the biological, adoptive and extended families. Traditional teachings from the Elders are available to the children and families who wish to learn the history of their respective community. For YTSA, this also meant returning to ceremony to honor these practices.

Open Custom Adoption Ceremony

In the past there were ceremonies to determine every aspect of life for the four Yellowhead Tribal Council member First Nations. These ceremonies included processes for every celebration. These processes were passed down from generation to generation and the passing of knowledge was carried out in a manner dictated by the old ones.

I guess how we started it was, I was talking to some Elders and they said, we should just do it the old way. There was adoption a long time ago when it was a universal ceremony that Native people practiced. It was common and it's still common today. My sister Bluestone got the information for us and we just took it from there. We did what we were supposed to do the traditional way. It wasn't hard actually and it wasn't information that was inaccessible. Anybody could have done it because the Elders have it. Cindy Yellowface, Sunchild First Nation (Peacock & Morin, 2010, p. 78).

The YTSA Open Custom Adoption Ceremony was a cultural event that was held annually since 2000. YTSA was required to follow provincial policy and legislation, fulfilling the legal process but also incorporating traditional ways by involving the Elders and spiritual keepers of the member Nation communities. YTSA had to earn the right to be the keeper/facilitator of the Custom Adoption Ceremony. It took four years for this honour to be bestowed upon the agency. The inaugural ceremony was held on November 10, 2000 at the Enoch Cree Nation. Three families adopted three children with Permanent Guardianship Order status. This was a very monumental day as it was the first and only time in Canadian history that the Alberta Court of Queen's Bench was convened on-reserve to finalize an adoption and witness the sacred adoption ceremony. These celebrations bring together Elders, family, community, staff, children and the many other resources it takes to complete the adoption. Over the years it was always an honour to witness and participate in such a special event.

Until the agency closed its doors in 2013 the YTSA Open Custom adoption program had a 100 percent success rate as none of the adoptions were dissolved or broke down. The Elders and staff of the agency attributed this success to the reconnection of family ties and how adopted children and youth felt supported in their family and communities. I believe the Elders were a critical source of strength for this program and their vision of bringing back customary child caring practices was the backbone of the success this program attained.

Bluestone Yellowface, the O'Chiese Elder who got the information about the Custom Adoption Ceremony and passed it on to the Yellowhead Tribal Services Agency, passed away in 2007. Her sister Cindy spoke of her contributions to the Agency.

Well I think she is still with us all the time. I feel her here, we all do. All the things she wanted for children, we are trying to do that and will probably be doing it for as long as we exist. That is what she wanted for children to keep them within their families, their community and their culture. Her actions spoke louder than words. She raised and adopted five children for various reasons. She also raised some of her grandkids but never went around asking people to give her money for them. She just did it out of her own heart, her own love. So she lived what she

preached and talked. I think we have a lot of her teachings. We're lucky for her to have been a part of Child and Family Services all these years. She taught us lots. Cindy Yellowface, O'Chiese First Nation (Peacock & Morin, p. 83).

What Some of the Youth from the YTSA Program Said

Some of the youth interviewed for the book sat with their parents and talked about their experiences adopted through the Open Custom Adoption program. I want to share some of their comments as important gems to inspire us to strive forward in making these adoption practices available for all First Nation children and youth.

It was great that we were all together, my little brother and sister and I. When we went to the ceremony we were all there with our grandma and excited to be a family. What I liked the most was the blanket and they gave me sweet grass.

I grew up happy knowing both my parents—knowing all four of my parents, all four of my parents. At the ceremony it was cool I had my mum there and I had my mum there [describing both his moms]. My favourite part was when they put the blanket on all of us. I felt safe. (Carrière, 2010, p. 111).

One of the youth said that after a near death experience through an accident, he dreamed of his daughter:

I was in a big open field and a girl came up to me and asked me if I was [youth's name]. I said, "yes," and then this little girl came running up to me really fast and calling me dad and wanting me to go along with her. This other girl wanted to me follow her too but I told her, "No I can't go with you—I gotta take care of something." Now I think about this dream and if I did go with her I would not be here. (Carrière, 2010, p. 112).

As Indigenous peoples we know that our dreams are another way of knowing and that often our spirit guides offer us teachings through our dreams. This young person believes that he had a spiritual teaching about his upcoming responsibilities as a parent and returned to the world to carry out that spiritual instruction. He is a young parent who feels supported in a large extended family network of relatives and friends. This is the symbol of connectedness to the spirit of First Nation people and that "Children are Gifts from the Creator" (YTSA 2005).

Adoption Options in Alberta Today for Indigenous Children

With the end of the YTSA Open Custom Adoption program came the end of custom adoption programs in Alberta. Alberta Children's Services continues to try and recruit Aboriginal adoptive families through their website and regional delivery systems. The mistrust of provincial adoption programs is historic and certainly influences the lack of First Nation participation in the delivery of adoption services however; limited funding is also a factor. "The Wen:de report of 2005 concluded that the main reason for the high rates of First Nation children in state care was due to the federal government not funding child welfare intervention and prevention programs or support services to First Nation families. Wen:de also revealed that First Nation child welfare agencies receive approximately 22% less funding than provincial agencies,

yet they carry a higher case load of child welfare files” (Assembly of First Nations, 2013, p. 1). In 2010 the First Nation Caring Society of Canada prepared a Submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities on adoption and First Nation children. In this publication Dr. Cindy Blackstock writes, “any efforts to collaborate across agencies must be taken from already stretched child welfare budgets or from First Nations. Clearly these are not viable resource options for the majority of First Nations in Canada” (First Nations Child and Family Caring Society of Canada, 2010). Bertsch and Bidgoodg (2010) discuss the need for government ministries to make adoption a friendlier process for Indigenous families interested in adoption (p. 102). I propose that these collaborative efforts and community involvement should extend to private adoption agencies that remain fairly independent in the administration of adoption of First Nation or Indigenous children.

The Alberta *Child, Youth and Family Enhancement Act* requires private adoption agencies to consult with the band if the Director “has reason to believe that a child who is being placed for adoption is an Indian and a member of a band” (Alberta Children’s Services, 2014, Section 67 (2)). However, if the guardian who is surrendering custody of the child is not a resident of a reserve, the director or officer shall “request the guardian who is surrendering custody of the child to consent to the involvement of a person designated by the council of the band in decisions relating to the adoption of the child” (Alberta Children’s Services, 2014, Section 67 (2)). This discretionary policy may place some undue stress for the birth parent, usually a birth mother who may choose to withhold that information or disagree to any band consultation and eventually may cause some challenges to the adoptee who wants to pursue repatriation with their nation.

Policy and legislative directions stem from provincial and federal government bureaucrats and may eventually find their way to some consultative process with First Nation agencies and communities where there remains a desperate need for changes that keep First Nation children connected to their families and communities. We know how disconnection has impacted our peoples and none of us wish to return to how child welfare systems were administrated in the 1950’s or 60’s. The truth remains, however, that our children are the largest representative group involved in child welfare services today. Rising numbers are evident across the country (Kozlowski, et al., 2012). Custom adoption may not be the answer to all child welfare needs but it is a community based traditional approach that requires the will of a community and the love of a family. I keep hoping that more First Nation agencies will step forward and follow what YTSA began in this country and that we can include this approach in the continuum of options that are necessary to address the needs of connectedness for First Nation and other Indigenous children in Alberta and across Canada.

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

Pandemics and Urban Child Survival: Pulling Together in the Adoption Canoe

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Abstract

This article tells an intergenerational narrative about how historical pandemics and family adoption stories can influence urban Indigenous custom adoption practices, policies, teaching and research. It uses the seven principles of Archibald's (2008) storywork to link the importance of knowing our own family histories, and how those historical, cultural and current contexts can be a force to advocate, influence, research and teach for change. The "canoe" is a metaphor for re-conceptualizing adoption narratives, and emphasizes the idea of an "adoption journey" or a shared learning process.

Key words: pandemics, custom urban adoption, narratives, Indigenous storywork

Introduction

The goal of this article is to link family histories, pandemics and adoption stories with contemporary and emerging urban Indigenous custom adoption policy, practice and research initiatives in British Columbia (BC). As an Indigenous social worker, I placed many children into adoption homes; yet the adoption story that most profoundly shapes my thinking about Indigenous custom adoptions is not based in my professional experiences. Instead, the most influential adoption story belongs to my grandmother and her four older sisters, who, in my Saulteaux cultural ways, were all my grandmothers. As children aged newborn to nine years of age, they were orphaned by the death of both parents in the 1919 Spanish Flu pandemic, and separated by the Canadian state into five unrelated adoptive homes.

A second critical influence to be discussed in this article is the Nong Sila (many grandparents, many grandchildren) urban Aboriginal custom adoption research project funded by the Lex Reynolds Permanency and Adoption Fund, and housed within the Victoria Foundation. The Nong Sila research project was guided by an Advisory Council comprised of many elders, adoptees, adoptive and biological parents. Together they helped an Aboriginal child welfare agency, and an Indigenous researcher from the university, begin to understand how to create restorative adoption policies and practices in the urban community of Victoria.

The isolating experiences of my grandmothers in Canada's early 20th century adoption program on the prairies stands in stark contrast to the inclusive approach of the Nong Sila research project in BC in the early 21st century. Their experiences identify one of the worst kinds of inhumane adoption policy and practice that can be perpetuated against vulnerable children. The Nong Sila project is an example of the opposite; a collective gathering of wisdom from around the adoption circle developed for the benefit of urban Aboriginal children and families.

Unfortunately, my family adoption story is not unique, and the death of parents who left behind surviving children began long before 1919. A letter written to my grandmother in 1974 from her oldest sister includes the comment that "We weren't alone. Many other children were orphaned because of the Spanish Flu, and we all ended up in the same boat" (Annie Kotelo, personal communication, March 12, 1974). Her quote from 40 years ago about ending up in the "same boat" as other pandemic orphans, is what encouraged part of the title of this article, "pulling together in the adoption canoe." Still today, my grandmother's adoption experiences of almost 100 years ago have something of value to teach. It is practice wisdom gained through the hardship, grief and loss of small children. It is wisdom that remains alive in stories and storytelling; something that will be examined in the context of Jo-Ann Archibald's (2008) Indigenous storywork principles at the end of this article. The next section of this article articulates a personal family experience with historical pandemics, family adoption narratives and other Canadian pandemics, in order to set the context for a more detailed discussion of their connection to an urban adoption custom research initiative.

Historical Pandemics and Familial Adoption Narratives

The formal Canadian education system was not the source of my learning about influenza pandemics and their ways of shaping Indigenous or Canadian adoption histories; rather the authority on the subject was my grandmother. Her life and the lives of her four older siblings were profoundly affected by the global influenza pandemic known as the Spanish Flu of 1918-1919. Nearly 100 years later, their life stories continue to inform my social work practice, and influence my teaching, writing and research. A quote from epidemiologists Taubenberger and Morens (2006) in the *Journal of Emerging Infectious Diseases* provide a clinical Euro-Western account of the 1918-1919 influenza as opposed to my Indigenist family storytelling approach. Their article describes that:

An estimated one third of the world's population (or 500 million persons) were infected and had clinically apparent illnesses during the 1918–1919 influenza pandemic. The disease was exceptionally severe ... Total deaths were estimated at ~50 million and were arguably as high as 100 million ... Overall, nearly half of the influenza-related deaths in the 1918 pandemic were in young adults 20–40 years of age, a phenomenon unique to that pandemic year (p. 1).

The high death rate of people in their child-bearing years had significant global implications for millions of children, extended families, clergy and governments of the day. In Canada, the deadly Spanish Flu also disproportionately affected young parents. My grandmother was one of the pandemic-surviving children, born on January 9, 1919 in the city of Winnipeg, Manitoba. The death of both of her young parents within two days of her birth, and her adoption stories, as told from her childhood recollections, were soul

wounding to relate and to hear. Neither she, nor I, ever claimed to be bias-free or neutral in recounting the stories. Even 80 years later, just before she died, she re-told the story of the loss of her parents, sisters, family and community as if the pandemic had occurred recently. Her stories were told in consistent ways, and provided her dying evidence of all the unresolved grief, cultural knowledge disruptions and isolation that other Indigenous and non-Indigenous children of the pandemic may have also experienced. To the day she died, she yearned for a maternal relationship. She never spoke of her adoptive mother, but she often spoke with great sorrow for her biological mother, and with love for the woman that gave her life. Her experience of rupture from parents, siblings, extended family and culture laid the groundwork for change in the lives of many more children that experienced parental loss.

And so it became that her parental loss and adoption experience is not just her story, it is the critical story of our extended family. It belongs to all of us, and the outcomes continue to shape our family relationships and structures. More than just influencing family decision making about children, her adoption stories continue to influence my professional child protection practices, adoption social work practices, policy implementation and research choices. Personally, it shaped my decision to become the adoptive parent to my son, encouraged me to accept responsibility as “Ma” to a daughter not born to me, the grandmother of a child who is not biologically related to me, and a godmother to many children born to former children in care for whom I was a legal guardian. The absence of biological markers makes no difference in my feelings or love for them. They are my children, granddaughter and god children. I am their mother, grandmother and godmother. Today my grandmother’s adoption stories and the historical pandemic continue to shape my personal and professional life-long learning, and family.

Nowhere in the Taubenberger and Morens (2006) article is any mention of the profound impact on the millions of children left orphaned by the influenza, or on their descendants. However, it exists in my grandmother’s story and lives in my teaching, writing and research today. My grandmother was orphaned on the second day of her life. In the span of three days, her parents went from healthy young adults and vigorous parents to five young children, to victims of the Spanish Flu, to dead and buried. Her father died on the day she was born, and her mother died the day after her birth. My grandmother and her four older sisters were also physically affected by the influenza, and were hospitalized for an extended period of time. Upon their recovery, child welfare authorities of the day sent them to St. Joseph’s Orphanage in Winnipeg, until they could be placed in adoptive homes. The formal, written familial account of this experience is offered by my grandmother’s oldest sister. She was nine years old at the time of her parent’s death, and her account, written fifty-five years later in 1974, is riveting. An excerpt of her letter follows:

I remember our mother asking for the midwife when she was sure you were on your way, and hearing the sound of church bells ringing. Father was so sick, he could not go, and all us little girls were sick too. The house was so cold, no one could get up to make a fire. Then the midwife came and opened all the doors and we all got worse. It was January in Winnipeg. I remember well when they put the quarantine sign on our door, after you were born, and when they took our Father’s body away, and then our Mother’s...We were wanted by our aunties and uncles. Auntie and Uncle almost landed up in jail, because they argued so much with the authorities. I remember Auntie screaming and crying like crazy, and Uncle mad. They wouldn’t let us go with Auntie because she already had a big family and only a small house. They said we would

be better off with other families who had more room, and sent three of us away from Winnipeg. Our sister Katie ended up with alcoholics who never looked after her. Sister Mary ended up with a woman who cut her finger off for reaching for a piece of cake. Mary at age five wandered around Winnipeg alone, bleeding and lost for two days until someone found her and took her back to the orphanage. The nuns kept her until she was old enough to be on her own. You and I went to people who made us sleep in granaries, barely fed us, and worked us like slaves. It was not a better choice than staying together with family, even if the house was crowded” (Annie Kotelo, personal communication, March 12, 1974).

This story demonstrates that despite extended family members that wanted to care for all the children, Canadian authorities directed that the children’s home and possessions be sold, and that the children be separated from each other, sent to live with five different families. So many people were dying in the city of Winnipeg as a result of the pandemic, that a separate section of Brookside Cemetery was established to bury the bodies. Despite dying only one day apart, my great grandparents were buried more than two rows and four people apart. Their graves, like so many others in the section, were only marked by a simple, small tin identification plate. In 2005 when I first visited the section where they were buried, I thought the attendant mistakenly directed us to an open field. The conspicuous lack of visible grave markers in the twenty acre plot suggested it may be so. It was my husband who gently spoke about factors such as the city’s haste to bury bodies affected by the pandemic, poverty and the dislocation of family as contributors to the lack of formal headstones.

Understanding the enormity of loss in that moment made it difficult for me to breathe. I was overwhelmed with the knowledge about how closely my grandmother came to never being born or giving life to my mother, and the precariousness of my own existence. A ceremony at the gravesite and the placement of formal headstones on their graves some 76 years after their death, helped me to demonstrate love and gratitude to my great grandmother, the woman whose final act on this earth was giving birth to my grandmother. The sense of purpose, that we were created for a reason, stays with me these ten years later.

Within a very short period of time in 1919, my grandmother lost her parental, sibling and extended family connections, home, community and was removed from the province of her birth. As an infant, she was sent to Saskatchewan to be raised by foster parents that became her adoptive parents. Never visited by social workers, she did not learn the truth of who her biological parents were; and took the surname of her adoptive parents. For many years, the knowledge of her culture, history and language were lost. Perhaps most cruelly, her adoptive parents told her that her biological parents “did not want her and gave her away.” Her adoptive parents became the hero in the narrative for their willingness to raise her. She would be a grandparent in her fifties when she finally learned of the deaths of her biological parents, her family name and cultural origins, and about the virulent global pathogen that killed so many people. It has taken me time to recover and heal, and to be able tell this story. Today, I am a grandparent in my fifties and the serendipitous nature of writing this article, and my connection to her age of coming to know the truth of her own story is not lost on me. In our Indigenous community, this teaching is exemplified by the belief that all things happen when the time is right.

To explain how my grandmother's adoption story began to impact family decision-making and my social work practice and research choices, it is important to tell another adoption story connected to her life. When my grandmother was 30 years old, with four children of her own, she visited her sister-in-law, who was hospitalized and dying of breast cancer. It was the late 1940s and there was little time to make decisions about the future well-being of two small children that were about to experience the loss of their mother. The young mother asked my grandparents to take both children, and to raise them together. She explained that some of her family members wanted to separate the children, and she did not want that to happen. In this instance, the child welfare authorities of the day had no decision-making role because the father of the children was alive. However, he was recognized by family members as requiring support to remain involved in the lives of his children, and not necessarily as their primary caregiver.

I heard the story many times from my grandmother, and it was always told in the same way: "We looked at one another from opposite sides of her bed" my grandmother said, referring to my grandfather. "Then we told her that what our children would eat, that's what hers would eat; and what our children wore, that's what hers would wear. We gave her our word that we would not separate the children." Our entire family is a witness to the fact that they did as they promised. My great-aunt died the next day, at the age of twenty-eight, and her two children were raised as a brother and sister to my own mother and her three younger brothers. This informal adoption process was created between two women that shared the same culture, and beliefs about the critical importance of keeping siblings together. No doubt, for my grandmother, it was a belief born in the pain of her own dislocation from parents and siblings, and her opportunity to stop others from making the same decision for her niece and nephew. It also meant that by the time my grandmother was 30 years old, she was a biological and adoptive parent to six young children less than ten years of age.

How Family History Shapes My Own Social Work Practice and Research Interests

Almost 35 years later, in 1983, I became a statutory social worker employed by the province of British Columbia. One of my duties over 17 years of employment was to prepare and place children in adoption homes. Very early in my career, and during one of my visits with my grandparents, my grandmother asked about the role of social workers in the adoption process. She was intent when she asked if I ever visited the children after they were placed in their adoptive homes. "Yes, I do," I answered. "We visit for six months after their placement. If everything is going well, we complete a placement assessment and recommend the legal adoption of the child." From her perspective, it was an incomplete response, and she pressed me to find out what happened if the child was an infant or toddler who could not talk or answer questions. Surprised by the intensity of her questions, I asked why she was so interested in this aspect of the adoption process. It was then that I learned about her adoption experience, and her story remains soul wounding. She looked at me intently and said "What you do is important. When I was a little girl, no one ever asked me anything about what was going on in that home, and I had lots to say." Then in direct and graphic terms, she told me about her adoption experiences. Her adoptive parent's gross mistreatment and violation of her as a child shocked and outraged me on many levels: as a woman, as a granddaughter, as a social worker and as a human being. In that instant, had it been possible to transport myself back in time,

I would have gone with the intent to put an end their lives long before they both died of natural causes. Her adoption experience was the most significant influence in the development of my adoption social work practice. It remains a critical teaching that influences my thinking and determination to include the child's perspective, family and community members in the development of open custom adoption practices and research. The next section of the article identifies pandemic experiences in Canada and provides context calling for the development of urban Aboriginal adoption policies, practices and research.

Setting the Pandemic Context in Canada

It is true that many Indigenous histories and stories include grief and loss due to the deaths caused by pathogens brought to the Americas by successive waves of European explorers, gold seekers, missionaries and settlers. Author Tom Swanky (2012) in his book, *The true story of Canada's "war" of extermination on the Pacific* charges that the deliberate spread of smallpox by Whites began at Fort Victoria in 1862 (now known as Victoria, BC), and is what decimated Indigenous populations all along the west coast of Canada. According to Swanky (2012), official accounts of the number of deaths were destroyed, are deliberately vague and minimized, or are missing. He contends that the goal of the calculated deaths of thousands of Indigenous peoples from smallpox, and the withholding, or provision of weakened immunization, was to make way for settler expansion and to remove Indigenous peoples from valuable lands and resources. The impact of smallpox on White populations in 1862 was designed to be minimal and also achieved that goal.

According to Swanky (2012), the Tsilhqot'in First Nations experienced deliberate smallpox infections designed to decrease their resistance and ability to limit White settlers and gold seekers that traveled through their territories in the 1860s from Fort Victoria to the interior gold fields around Barkerville, BC and beyond. Other First Nations such as the Secwepemc of the BC interior suffered a devastating population decline as a result of the 1862 small pox epidemic, and were reduced from 32 distinct village sites to amalgamations of survivors into 17 villages (Secwepemc Cultural Education Society, 2014). The Musqueam First Nation, upon whose unceded lands the city of Vancouver, BC is located, experienced a catastrophic population decline due to pathogens that reduced their numbers from over 30,000 to 100 (Musqueam, 2008, p. 4).

The Indigenous population decline did not just happen on Canada's west coast. In *Clearing the plains: Disease, politics of starvation and the loss of Aboriginal life*, historian James Daschuck (2013) chronicles the Canadian government's policies in the 1870s and 1880s to withhold food, provide rotten meat and diseased animals to First Nations peoples that were viewed as impediments to settler and railroad expansion through the prairies. Other recent research by non-Indigenous historian Ian Mosby (2013) uncovered knowledge about how the Canadian government in the 1940s and 1950s engaged in deliberate ethnocide and nutritional experimentation against vulnerable children forced to attend Indian Residential Schools, and in six First Nations communities stretching from BC to Manitoba. From the vantage point as a grand-daughter of a pandemic survivor, I cannot help but wonder "what happened to all the surviving children and how did the devastated families and communities manage to care for them through the pandemics and beyond"?

This article includes historical and recent Indigenous experiences of population decimation in Canada due to pandemics and disease, but it is not the whole story. This article also connects to new stories about survivor's adoption experiences, intergenerational changes, and implications for Indigenous custom adoption practice and policy development, social work thinking, teaching and research in urban contexts.

Connecting Personal History, Practice and Policy to Research

In 2008, a research funding opportunity arose via the Lex Reynolds Adoption and Permanency Fund (2014) housed at the Victoria Foundation. Dr. Sandrina de Finney of the University of Victoria, School of Child and Youth Care approached me in my former role as the Chief Executive Officer of a delegated urban Aboriginal child and family agency, to ask if there were any adoption or permanency issues of interest to the agency. I took her question to the Elder's Council of the agency to ask for guidance and direction. The issue of Indigenous children adopted through mainstream methods was a concern for the Elders. They wondered what an urban Indigenous custom adoption process may entail, and suggested we ask people involved in the adoption circle to help guide the project. The project was funded and implemented in the urban Indigenous community which is located on the ancestral and traditional territories of Coast Salish peoples on the west coast of Vancouver Island.

The Lekwungen project name "*Nong Sila*" was gifted by a Songhees First Nation community member and means "*Many grandparents, many grandchildren.*" The community-based exploratory research project brought together an Indigenous advisory council comprised of many peoples affected by mainstream and custom adoption practices and policies. Indigenous adoptive parents, grandparents, birth parents, adopted and foster children, siblings, service providers and social workers came together to envision the ways that an urban Indigenous custom adoption council or process might function in the city of Victoria. It is developmental work to create space for Indigenous thinking about Indigenous values and beliefs about children, extended family responsibilities and Indigenous self-determining rights. It also created Indigenous space to talk about similarities and differences between mainstream and custom adoption practices, protocols, principles, policy challenges and opportunities in urban Indigenous community contexts across Canada. It offered a glimpse into the complexity and diversity of Indigenous custom adoption practices, as well as the custom adoption policy and research implications for current and future diverse First Nations, Métis and Inuit city-based populations. Of particular concern is the disconnection of some urban Indigenous children living in foster care, far from their traditional lands, families, communities, ways of knowing and being.

Connecting Urban Indigenous Children to Custom Adoption Policies, Practices and Teaching

The time has long since passed in which my grandmothers could have been supported to remain in the care of their extended family members. The official record noted that an economic consideration in the decision to place the children with other families was that family members already had obligations to several of their own children. No mention is made of the funds realized by the sale of their family home

and possessions. No one seems to know what happened to the money or whether there was enough to support the children for any period of time. The children were not old enough to have a voice in decisions affecting them, their relatives did not speak the English language well, and there were no advocacy groups to turn for support. The resources of the church and city were likely overwhelmed by the implications of living through such a chaotic pandemic, and lacking capacity at the time to take much notice of what happened to five little children. No provision was made to ensure a relationship between the children, or between the children and their extended family members.

One social consequence of the adoption plan meant that no relationship existed between the sisters until they were in their late 50s and early 60s. While their adult children and grandchildren knew of one another, the relationships were polite and tenuous at best. Time, distance, differing child and youth experiences, adult obligations, religious beliefs, lack of access, and lack of resources interfered with the development of close familial relationships. All of my grandmothers, except one, reported being abused by each set of adoptive parents. At no time were any of the sisters supported to reconnect with their extended family members, to know their family stories, history, name, culture or language.

Alternately, the niece and nephew of my grandparents grew up knowing each other, their father and extended family members, language and culture. They lived with custom adoptive parents that were biologically related, had first cousins who became brothers and sisters and knew stories of their mother. For Indigenous children being considered for custom adoptions, these practices and policies must be a place to start. Their custom adoption was accomplished with no funds and no interference from government; which may also be an important consideration. The next section discusses some reflections about the ways in which Indigenous storywork, principles advocated by Archibald (2008) can serve as a healing guide to urban Aboriginal custom adoption policy, practice and research.

Indigenous Storywork Principles: Healing Guides for Custom Adoption, Policy, Practice and Research

If my own experience is any indication, the intergenerational impact and trauma of so much death, loss and grief on pandemic survivors, and their descendants, can remain for generations. The impetus for healing and change requires something more than a clinical restatement of demographic facts. Sometimes in order to educate and make change, the personal stories and narratives of affected people are needed to explain and influence understanding. Dr. Jo-ann Archibald (Q'um Q'um Xi'em) (2008), a Sto:lo academic in the Faculty of Education at the University of British Columbia (UBC), coined the term "storywork" to describe this type of educative process that includes the heart, body and mind and as a theoretical framework for making meaning of stories (p. ix). Sharing adoption stories and experiences through a research process can also offer important opportunities to influence custom adoption policy and practice transformation. In the developmental research process, in this article and in practice, it is critical to make the link explicit between family storytelling and our own work as researchers and/or as social workers. It assists with the circular pedagogical process of knowledge sharing, learning, teaching and doing as a force for policy, practice and research improvement.

Briefly summarized, the seven principles advanced by Archibald (2008) include (1) respect toward Aboriginal peoples' cultures and communities by valuing diverse Indigenous knowledges, (2) reverence toward research that is meaningful to Indigenous peoples rather than the researcher, (3) reciprocity by entering into a two-way process of learning and research exchange with the co-creators of the research while ensuring that the community, agencies and peoples benefit from the research relationships, (4) responsibility through active and rigorous self-reflection, engagement and consultation with the community members, (5) holism by considering how the "interrelatedness of intellectual, emotional, spiritual and physical realms of the whole person, extends and is mutually influenced by one's family, community, band and nation" (p. 11), (6) interrelatedness; and (7) synergy by considering one's own "historical, cultural and current contexts in relation to the stories being told through the use of personal real-life examples" (p. 32).

Archibald's (2008) framework and theoretical principles guide and inform the Nong Sila process and this article. Consideration of its guiding and healing principles brings hope that something of value may be gathered from devastating historical adoption stories that were born in the midst of pandemics. Indigenous storywork and stories of pandemic survivors is offered as one of the critical tools to positively influence the development of contemporary urban custom adoption policy, practice or research for Indigenous children and families today.

A final consideration is embedded in the use of stories for teaching purposes, or as Archibald (2008) terms it, the "storywork" of the process. It is critical that an urban Indigenous custom adoption process respects the inherent right and responsibility of Indigenous peoples to adhere to processes and protocols that value diverse Indigenous knowledges. Furthermore, it must respect the importance of keeping children within extended family or clan systems and connected to their lands, stories, and culture.

Secondly reverence must be demonstrated toward research processes in ways that are meaningful to Indigenous peoples, rather than the researcher. This was evident when Dr. de Finney approached the Indigenous agency offering an opportunity to research something of importance to the community, and my approach to the Elders Council to ask what that might be. The third principle of reciprocity was met when we entered into a two-way process of learning and research exchange with the co-creators of the research. It remains important to ensure that the community, agencies and peoples benefit from the research relationships. Each of us brought ourselves, our family stories, our experiences and knowledge to the Advisory Council to share with others; so that we could learn in a collective way. The responsibility for this important work continues through active and rigorous self-reflection, engagement and consultation with community members, service providers and other social workers.

Conclusion: Reaching Back to Move Forward

This article is written seven years after the urban custom adoption council was developed and almost 100 years after the adoption of my grandmothers. It is a personal, professional and political journey of self-discovery and awareness that continues to influence emerging and established urban adoption practices and policies, and by extension, child safety. By way of example of Archibald's (2008) storywork principles, the following story is offered to explain how the use of stories can be a teaching tool for change.

One opportunity to share my grandmother's story with a social work colleague happened when she was placing a small child for adoption. The social worker had some concerns about recommending the child's placement, but nothing tangible to base her assessment upon. Her concerns were what she termed "a gut instinct" that something was wrong in the home, and was negatively affecting the child in placement. The parents denied anything was wrong, the child had not divulged any concerns, and the family appeared anxious to complete the adoption.

During our conversation, I shared my grandmother's adoption story and her words that "no one asked her anything about what was happening in the home and she had lots to say." Before we parted, we created a plan that included a private conversation with the child. A few days later, the social worker returned to my office, sat down and told me a story.

She had returned to the adoptive home to visit the six-year old child, and asked to speak with her privately. As gently and directly as she could, she asked the child if there was anything going on in her home that she thought was important to know about. Was there anything that the child wanted to say but had not? As the child sat on a chair, swinging her legs, she spoke quietly about her bedroom, pets, toys and new school. At the same time, the social worker noticed that the child continued to bounce her right hand off the arm of the chair, progressively hitting the chair arm harder and with increasing force. When the social worker asked about what the child was doing, the child looked surprised and stopped. Cautiously and hesitantly, she told the social worker that she did not like it when her parents spanked her and hit her after she did "something wrong."

The child protection and adoption policy is very clear that physical punishment of children is not permitted of children in foster care or on adoption placement. An investigation was launched and more accounts of abuse surfaced in the home. The child was removed and placed in another home. Many years later, I heard that the social worker often repeated my grandmother's adoption story to others, and that it continued to influence her adoption practice for the rest of her career. I also heard that the little girl was later adopted into a loving home, where she grew to adulthood.

The holism of this life-long learning journey continues to be influenced "by the interrelatedness of intellectual, emotional, spiritual and physical realms of the whole person; how it extends and is mutually influenced by one's family, community, band and nation" (Archibald, 2008, p. 11). Even in the writing of this article, new meanings and intergenerational connections were made in my mind between space and time, the stories of my grandmother, mother, my children and granddaughter. In this time, I am both my grandmother's grand-daughter, and my grand-daughter's grandmother. I am both my mother's daughter and my daughter's mother. Our connections exist through space, time and relationships. Opportunities continue to be created through our abilities to experience Indigenous pedagogy, and to influence adoption policy, practice and research because of the wholeness of our relationships.

Reflections of the learning from family stories, pandemics, social work practice and research also helped me to better understand the hope that springs from continuing synergy, and how to consider one's own "historical, cultural and current contexts in relation to the stories being told through the use of personal real-life examples" (Archibald, 2008, p. 32). In looking forward, it helps to shape my thinking and writing about the possibilities inherent in custom or informal adoptions, choice and responsibility in our own creation of what it means to be "family."

Finally, and perhaps most importantly, through this story telling, and the Nong Sila research project, it reminds us that we all become stronger when we share family stories and our experiences around the adoption circle. All these opportunities become important tools to create safety in the lives of children, and to strengthen custom adoption practices, policies and future research. Creating safety means that we have a collective duty to pull together in this adoption canoe; to reach back into our histories and the knowledge of our ancestors, and to pass those teachings onto those creating safety for children in the future.

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An Interdisciplinary Journal

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

Creating Places of Belonging: Expanding Notions of Permanency with Indigenous Youth in Care

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Abstract

This paper calls for creative pathways of engagement that delineate places of belonging for and with Indigenous youth in care. It draws on two community-based research studies conducted in British Columbia, with urban and off-reserve Indigenous youth to contextualize and extend understanding of permanency for Indigenous youth in care. Our discussion explores permanency in relation to both Western understandings of government care, guardianship, and adoptions, and Indigenous customary caregiving and cultural planning for cultural permanency, such as naming and coming home ceremonies, custom adoptions, and kinship care.

Key words: Indigenous youth; youth in care; permanency; custom adoption; cultural planning

*Adoption is about belonging. After so many foster homes,
I just always always just wanted to know I belong somewhere. (adopted youth)*

Permanency is a complicated child welfare concept built on an elemental need for connection and belonging. As complex and multilayered as the concept is in general child welfare terms, “permanency” must be unpacked still further when it comes to the needs of Indigenous youth in government care. In Canada, Indigenous youth are overrepresented in both the child welfare and the youth justice systems, and they face particular barriers to healthy and sustainable cultural and relational connections. As Indigenous youth continue to be apprehended by child welfare authorities disproportionately to other youth (Kozłowski, Sinha, Hoey, & Lucas, 2011), they are also more likely than their non-Indigenous peers to experience multiple foster care placements and less likely to go back to their families (Bertsch & Bidgood, 2010; Brisebois & Lee, 2012; Richard, 2004). Not only are many youth severed from their cultural traditions and identities, but Indigenous communities across Canada are losing an irreplaceable piece of their social fabric—their young people, who cannot help shape their communities’ presents and futures when they are being raised in a climate of disconnection and shame. Community efforts to engage

and honour the unique perspectives and capacities of young people in care are curtailed by colonial effects of cultural and familial disconnection, uprootedness from community and land, and economic and political marginalization.

This paper is an urgent call for creative pathways of engagement that delineate places of belonging for and with Indigenous youth in care. Our young people in care sorely need us to engage with them to create collaborative, flexible practices that sustain safe, healthy, loving, and permanent caregiving arrangements.

Our discussion is inspired by findings from a series of community-based research studies conducted in British Columbia with urban and off-reserve Indigenous youth who have personal experience related to permanency. We draw on these studies and on these young people's powerful experiences to contextualize and extend our understanding of permanency for Indigenous youth. We explore permanency in relation to Western understandings of government care, guardianship, and adoptions, but also in relation to customary and kinship caregiving, custom adoptions, and other forms of cultural planning that may include cultural reconnection approaches, such as naming and coming-home ceremonies.

A note on terms and concepts used: The term “youth” typically refers to young people between 12 and the age of majority, which is set at 18 or 19 in Canada. Here, our discussion of youth in care extends beyond the legal age of majority. An expanded definition of youth is particularly salient to discussions of “aging out of care” and “permanency,” concepts that rely on Euro-Western categories that differentiate youth from adults. Such distinctions do not necessarily exist in Indigenous communities and they need to be problematized, particularly when considering cultural traditions of caretaking and adoption.

We also refer to youth being “in care,” which is an expansive term used to describe the full range of living arrangements that youth may experience while technically under the care of a government ministry, including foster care, kinship care, residential care and group homes, and youth agreements such as semi- and fully independent living. It also refers to the circumstances that bring a youth back into care following an adoption breakdown.

When an adolescent in care reaches the legal age of majority, they cease to be legal wards of the state and their formal guardianship relationship with the child welfare authority ends. This event is referred to in the literature as either emancipation or “aging out of care.” How youth transition out of care and what kinds of funding formulas and services are offered post-transition vary from province/territory to province/territory and also from youth to youth (for instance, based on the level of special needs or whether the youth pursues further education). Generally speaking, though, before a young person transitions out of government care, emphasis is placed on creating a “permanency plan” that will connect them with a permanent caregiver and/or prepare them to live independently. It is instructive to identify at the outset, however, that the concept of permanency as we discuss it here does not refer simply to connecting a young person with a caregiver. Many Indigenous young people over the age of 12 who are either in the child welfare system or have been disconnected from their families and communities through intergenerational breakdown and trauma grow up without a web of permanent connections. Disconnection from family, kin, community, culture, ancestral relations, and language necessitates that the goal of permanency include more than the pursuit of a stable “forever family.” It must also aim to

create lifelong healthy connections to community, culture, and land that can bring Indigenous youth the experience of truly belonging—of being “claimed back” as proud First Peoples.

Thus in this discussion, we use the terms “adoption” and “permanency planning” to describe a range of Eurocentric statutory and Indigenous customary arrangements and the ways these might conflict, overlap, or complement each other. The latter may include custom adoption and related practices and ceremonies, extended family and kinship care arrangements and adoption, other cultural care arrangements, such as the ongoing involvement of grandparents or family members in providing care and mentoring, and even the welcoming and adoption of non-Indigenous adoptive or foster parent(s) into an Indigenous community following traditional protocols. Most Indigenous languages do not have words for the concepts of adoption and permanency, so we use them cautiously. Indigenous societies and families have always had their own systems and approaches for caring for children who require guardianship. Thus, any cultural or customary arrangements to reconnect youth with their families and communities will involve the language and teachings of the community or communities in question, rather than Euro-Western concepts. Yet we are mindful, too, that English terms such as adoption and permanency are currently used, not only in policy and practice, but by young people. This wide usage warrants further exploration of the concepts’ complex histories and applications across policy, practice, and research realms.

Missing Research, Unheard Voices: A Need for Youth-Engaged Research and Practice

The stories and conversations presented in this article are drawn from two community-based research studies conducted with urban and off-reserve Indigenous youth and community members on southern Vancouver Island, British Columbia. The studies addressed several gaps in knowledge about how to support the cultural connectedness and permanency of Indigenous youth over 12, especially those living off reserve. We know that children who remain in foster care into their adolescence live through an average of 16 different foster placements and that most Indigenous youth will still be in care when they reach the age of majority (Bertsch & Bidgood, 2010), but we lack information about forms of permanency other than formal adoption, such as independent living, supported group care, custom adoption, and informal kinship care arrangements. We also need more information about how to increase the number of Indigenous resources and supports for youth and potential adoptive families, especially those living off reserve in urban centres, as well as about concurrent planning to support connection with and return to birth parent(s). Most importantly, the perspectives of Indigenous youth themselves are missing from the literature on adoptions and permanency planning. This gap results in part from the complexity of contacting young people in care and obtaining the consent of legal guardians (Jones & Kruk, 2005). As a result, literature that centres first-person accounts of Indigenous experiences with foster care and adoption consists primarily of studies conducted with adults who were adopted or in foster care as children (e.g., Arsenault, 2006; Carrière, 2005; Corcoran, 2012). These studies with “alumni” (Corcoran, 2012) of the Canadian child welfare system provide powerful retrospectives, but the voices of Indigenous children and youth presently in care are “virtually nonexistent” (Johnson, 2011, p. 52) in Canada and internationally (Atkinson, 2008; Ignace & Ignace, 2005). A few studies and reports generated in the

Canadian context have looked at youth transitioning out of care (e.g., Government of British Columbia, 2012; McEwan-Morris, 2006; Rutman, Hubberstey, Barlow, & Brown, 2005; Rutman, Hubberstey, Feduniw, & Brown, 2007; Tweddle, 2005); however, very few of these sources focus on Indigenous children and youth and none look specifically at urban and off-reserve Indigenous youth in care, permanency, and adoption. Further, as we discuss in our findings, our review of the literature emphasizes that even when Indigenous youth are featured in adoption and foster care research, they tend to be pathologized through a risk-centred, overly individualized lens.

Our studies engaged with these knowledge gaps by providing needed information about adoption and permanency planning for youth from an urban Indigenous perspective. Funding for the studies was provided by the Victoria Foundation (Lex Reynolds Adoption and Permanency Trust Fund) and the British Columbia Ministry of Children and Family Development (MCFD).

The first study, conducted between 2008 and 2010, focused exclusively on urban Indigenous youth currently living across British Columbia. Individual and group interviews were conducted in person or by phone and/or Skype with 22 youth and young adults aged 12–25 who were not living with their birth parent(s) and who had direct personal experience with permanency planning. Participants included youth in care, including those with youth agreements, youth living with relatives and/or in kinship placements, and youth who had been adopted and/or whose adoptions had broken down. Some had special placement considerations due to special needs and developmental challenges. All self-identified as living off reserve and as First Nations, Native, Indian, Métis, and/or with mixed Indigenous background.

The second study, the NONG SILA urban adoptions research study, explored the adoption and permanency needs and perspectives of the urban Indigenous community in Greater Victoria, BC. NONG SILA is a Lekwungen word meaning “many grandparents, many grandchildren.” NONG SILA was conducted in partnership between Surrounded by Cedar Child and Family Services, a delegated agency for off-reserve families in Victoria. Under the guidance of a community advisory group, the study involved numerous cycles of individual interviews, focus groups, and public consultations with more than 100 community members. As part of the study, we conducted interviews, focus groups, and a cultural camp with youth aged 12–18 who were living in care and/or were involved with MCFD. In addition to providing cultural leadership and peer and intergenerational connections with Elders and cultural teachers, we invited the youth to share their experiences of foster care, permanency planning, adoptions, cultural planning, and custom or cultural adoptions. In this paper, we outline what we heard only from youth participants and not from other community participants (for a full description of the whole NONG SILA study, see de Finney, Johnson, Coverdale, & Cowan, forthcoming).

In both studies, we considered two key questions:

- What are the barriers to successful adoptions and permanency planning for Indigenous youth living off reserve?
- How can we increase the number of successful, culturally respectful placements for urban Indigenous youth?

Interviews from both studies were coded by an all-Indigenous team of researchers and graduate students using a qualitative thematic analysis approach (Braun & Clarke, 2006). The collaborative analysis process involved multiple, cumulative readings of all data sources to identify patterns, connections, contradictions, and silences within and across individual and group interviews, leading to the identification of key themes and subthemes. In keeping with the principles of community-based research, collaboration and consultations at every step were key to producing transparent, balanced, meaningful results that benefit communities and other stakeholders. Since the number of youth in care is relatively small in Victoria and BC, we have opted not to identify which of the two studies the quotes used in this paper are drawn from. The way the speakers are described varies from quote to quote because we identify the youth as they requested, including how they self-identified their background, cultural heritage, age, gender, and experience with permanency, and whether they wanted their real name or a code name used.

We are deeply grateful to everyone who participated and courageously and graciously shared their stories and perspectives.

Key Findings and Discussion

We first outline the main themes identified by youth we engaged with in our studies, beginning with barriers to successful permanency and adoptions and then moving to the youths' perspectives on ways to achieve successful permanency. We cover key findings related to a range of permanency options, such as independent living, custom adoptions, and adoptions into Indigenous homes, topics that are underaddressed in the foster care and adoption literature. Throughout this section we link the youth-identified themes to trends and gaps in the literature on Indigenous youth in care and permanency planning.

Barriers to permanency for indigenous youth in urban settings

The youth we interviewed identified four barriers to successful adoptions and permanency planning for off-reserve Indigenous youth: invisibility and “unadoptability”; racism and colonial effects; oversimplification of complex youth identities; and gaps in knowledge (on the part of youth, families, communities, and service providers) about the range of permanency and customary care options.

Invisibility and unadoptability

An important theme identified by a majority of the young people we spoke with was a sense of being perceived as “high risk” or “dangerous” and thus unadoptable. A public perception that youth in care are too old and too damaged to be successfully adopted is a powerful narrative that erodes young people’s sense of worth and deservedness. Several youth talked outright about damaging stereotypes and misconceptions about the realities and needs of adoptable youth:

I totally feel like people think, “Oh, they’re too old, they’re damaged goods.” (youth in care)

The biggest thing I hear is, “Will they burn my house down?” (youth in care)

Yeah, it's like, about babies, like on TV or whatever, it's always the nice new baby ... not like me, like a hoodie and tattoos. (youth in care)

Stories like these were common among the youth. Many talked about “not feeling lovable,” feeling “like a lost cause” or “damaged goods,” being “an outcast,” and experiencing “a lot of rejection.” As a result, they experienced difficulty “really loving” themselves, “trusting adults,” and feeling “hope for the future.” Several emphasized that they feel “invisible” and “not included” in the public narrative of adoption, which tends to focus on “the nice new baby.” A focus on Indigenous youth as “high risk” impacts young people in care, youth waiting to be adopted, and youth who have experienced adoption breakdowns.

The literature confirms that Indigenous youth in care are typically less likely than other children to achieve permanency in the form of legal adoption or guardianship (Bertsch & Bidgood, 2010; Turpel-Lafond, 2014). In part this is due to narrow conceptualizations of permanency within current child welfare practices, which we discuss below. However, it is also partially due to the construction of youth in the system as “unadoptable” by service providers such as child welfare workers (Federation of BC Youth in Care Networks, 2010). This pathologizing operates through the deficit-oriented approach that is used to articulate and understand the complex challenges confronting Indigenous youth in care. Literature in this area centres predominantly on deficit and risk. A literature search with the terms “Aboriginal,” “youth,” “adoption,” and/or “foster care” between the years 1995 and 2013 yields articles covering a wide range of topics, including youth justice (e.g., La Prairie, 2002), drug use (e.g., Miller et al., 2011), gang involvement (e.g., Totten, 2009), and suicide (e.g., Strickland, 1997). Risk-centred explorations of youth in the child welfare system paint youth as “broken” and “lost causes” who lack social skills and resilience, are unable to form healthy attachments, and are deviant, untrustworthy, or dangerous.

As our participants explained, these deficit-based generalizations significantly affect how youth perceive themselves. Corcoran's (2012) master's research with foster care alumni also captures how being categorized as “foster child” or “problem child” erodes youths' sense of self. The participants in Corcoran's study used powerful images like “ghost” or “zombie” to describe intense feelings of invisibility, of being ignored, of not mattering to anyone, of not being worthwhile or even alive (Corcoran, 2012, p. 73). The sense of being dehumanized that so many youth in care describe should in itself provoke a radical reimagining of foster care, permanency, and adoption practice. Assuming that it is somehow “too late” to make positive change in the lives of Indigenous youth in care constricts vital conversations and action about permanency at a time when creative strategies are urgently needed. Understanding individual psychological risks and responding to them is important; however, it is equally or more important to focus on creating healthy, loving, lifelong connections for Indigenous youth in care. This, in turn, requires us to look beyond overly psychologized, individualistic accounts of young people in care, and into the structural systems that shape unequal outcomes for Indigenous youth, a theme we address next.

Racism and Colonial Effects

In a settler society such as Canada, any context of government care is necessarily shaped by active colonial policies and structures operating at multiple levels and resulting in persistent racial, gender, and class stratifications. Chronic racism, poverty, and the intergenerational effects of colonialism were identified

by the young people we spoke with as significant barriers to permanency on several fronts. First, these interlocking effects were named as barriers to the recruitment and retention of potential Indigenous adoptive parents and families, and to the involvement of extended family and community members in cultural planning and adoption supports for youth.

Like they looked for a Native family for me, but like they have their own, the same stuff I'm going through as a Native, they have the same issues. (Teresa, 17, youth in care)

I was told a lot by my social worker that there's no Cree family out there to adopt me because they have lots of kids already, no housing, and they're like scared of the system for how it treats us. (Anonymous, 19, aged out of care)

The intergenerational effects of racialized poverty and colonial policies are insidious. We heard that they erode families' capacity to reconnect with, invest in, and reclaim their youth, and that they impact everything from a family's emotional and cultural readiness, their financial capacity to participate in reconnection and caretaking efforts, and the funding available for staff, travel, and services to support permanency. Some youth who live off reserve, particularly those who live long distances from their home communities, expressed regret that their birth and extended families could not take part in reconnection and caretaking efforts because they were "too damaged from residential schools," "too poor, no jobs on reserve," "didn't have it together," or "didn't have the money to really meet with me."

Second, Indigenous youth described the kind of implicit and explicit racism and discrimination that manifests at systemic levels in state-driven child welfare policies and practices, and in (typically non-Indigenous) caregivers' and/or service providers' ignorance of the multiple impacts of colonization. Youth we spoke with shared stories about "the government stealing our culture from us," "getting looked down at because of my skin colour," and surviving "in a system that basically hates Natives."

During one of our cultural circles for youth in care, we invited Elders who spoke about the history of residential schools and the Sixties and Millennium Scoops. One of the circle participants, 15-year-old "Jayden," eloquently summed up the need for us to engage with young people about Canada's colonial history:

Nobody else ever took the time to even explain to me, "Hey, guess what? There was residential schools and stuff, that's what happened to your mom." Like, the Canadian government and churches forced her to give up her culture and she was so abused. And yeah, it finally made sense. It's not just, "your family had problems," but it's more, it's a whole Canada-wide problem that they forced us all Natives to give up our culture and everything that made us strong. So it's not, wasn't our fault, and they never explain it to us that way. It's just like, "Oh, your mom is messed up so we're taking you away."

Jayden was all too aware of what Corcoran (2012) describes as "the hegemonic control of the state over access to basic cultural information" that represents "a very deliberate and intimately damaging policy of colonial assimilation and forced marginalization that continues to impact thousands of Indigenous families" (p. 71). Jayden's experience shows firsthand the interlocking intergenerational damage caused by colonial policies on Indigenous families and communities, effects that are well documented in

Indigenous child welfare research (Castellano, Archibald, & DeGagné, 2008; Hughes, 2006; Silburn et al., 2006; Sinha & Kozlowski, 2013).

Thus permanency planning in an Indigenous sense is not simply about a young person in isolation, but also about healing and restoring relations in families and communities that have lost generations of children through colonial policies. This process requires vision and leadership, not only from young people and families and communities, but from agencies, service providers, and policy makers who must reimagine what cultural planning entails. This reimagining requires radical decolonizing and structural and political transformation, but it can also be enacted through creative and courageous changes in day-to-day practice. As an example, Jayden spoke about what it meant to him that a worker was willing to seek out connections to his community and background:

The first time I met her she told me what Nation I am. It was in my file the whole fuckin' time.... It took her one day to tell me more about my family, where I'm from and all, than I never heard from being in care for six years. She actually drove to my community for a coming home ceremony. She was the only non-Native person there. She stood by me.

Jayden's experience serves as a powerful reminder of the need for further training and supports for workers and agencies, a need highlighted by BC's Representative for Children and Youth in her scathing report of the province's failure to meet the needs of Indigenous children and youth in care (Turpel-Lafond, 2013, p. 5). Some youth said they wanted to be actively involved in that process:

I want to do something against the racism that's done to us as First Nations youth. I'm definitely more, like, more into not being part of the mainstream. Like, as a two-spirit woman, more into social change and things like that. (Raven, 24, aged out of care)

Echoing Raven's compelling call to action, a few youth talked about their desire to be advocates and "do more" to support youth who are "just lost in a system that is really not friendly toward Native youth." This desire can be linked to the need to connect youth so that they can take on leadership and mentoring roles and return to places of honour and purpose in their communities—wherever their communities are and whatever they look like.

Complex youth identities

Perhaps the most layered barrier to successful permanency planning identified by Indigenous youth is the multifaceted nature of young people's identities. Numerous scholars emphasize that adolescence is an important time in the formation of identity, and research with Aboriginal adoptees and youth in care has affirmed the desire of youth to connect with others and to understand who they are and where they come from (Arsenault, 2006; Carrière, 2005, 2011; Richard, 2004; Sinclair, 2007). Yet, many of our study participants discussed a lack of understanding on the part of service providers and caregivers of Indigenous youth's complex developmental and cultural realities.

First, youth in our studies shared a spectrum of experiences and perspectives about their Indigenous identities, backgrounds, and heritage. Some reported knowing "very little," "not much," or "nothing"

about their Indigenous backgrounds. Some questioned the meaning, relevance, or applicability of terms such as “Indian,” “Native,” “First Nations,” and “Métis” to describe themselves:

Not even sure, like what to call, what to say I am. Am I Native? I guess I’ve been told I am, at the end of the day it’s a label just like any other label. (“Jennifer,” 16, adopted at birth)

Saying I’m Indian, is kind of an empty, empty word at this time. So what? So. Did it mean anything for me? Not really, other than a lot of heartache. (Anonymous)

We spoke with many young people who knew nothing about their Indigenous backgrounds, who expressed deep shame or a deliberate lack of interest, who did not feel entitled to claim an Indigenous identity, and/or who said they did not want to be pigeonholed as Native. Some felt torn between a desire to know their culture and background and a sense of gratitude and loyalty to non-Indigenous families who provided care and/or an adoptive home. One youth asked, “Why do I have to choose?”

To truly understand what is at stake in permanency planning, it is critical to honour and hold up these stories of grief, disconnection, and pain. They are an all-too-familiar and heartbreaking theme across many stories, here and in the literature (e.g., Johnson, 2011; Wagamese, 2009; Windh, 2010). But to accept these stories as inevitable means we simply submit to the consequences of colonization that sustain the intergenerational outcomes of lateral and internalized racisms. Doing so would also constitute Indigenous youth as perpetually victimized, passive, culturally disconnected victims of colonization. Instead, our permanency discussion should engage with these issues head on, honestly, and with dignity, honour, patience, and profound care. We need to walk with these youth onto paths where, eventually, their ancestral and community connections will matter. For so many youth participants in our studies, particularly those of mixed backgrounds who may not identify as Indigenous or who grew up disconnected from their territories, cultures, and communities, the ability to reconnect matters greatly, even if their experience is tenuous, partial, or painful. As Krestin and Sarah, two friends who grew up in foster care, explained when they spoke with us about “not knowing our culture,” their connections to their ancestors and communities are still meaningful even if not always accessible:

It’s hard, because for me, I personally don’t have that cultural knowledge. I ... didn’t grow up knowing my culture. But it still matters to me. I mean, I do want that choice.... I wouldn’t just give that up. (Krestin, 17, raised by her aunt)

I grew up in care, and it’s so important (...) It’s just knowing, “OK, I’m not that drunk Indian” or also, on the flip side, I don’t have to live it up as a white girl. (Sarah, 19, aged out of care)

Krestin’s assertion that she would “not just give up” her connection with her community and Sarah’s celebration of not having to be either “a white girl or that drunk Indian” are powerful examples of how grief and loss can be infused with hope and possibility. So many other youth also talked about “looking,” “searching for,” and “wanting to explore” their culture, family, and community. Some held a firm sense of their Indigenous backgrounds, felt “a lot of pride,” and wanted more opportunities to engage in cultural connections and activities, a topic we explore further on.

Importantly, many participants conveyed in vivid terms how a lack of understanding or acknowledgement of their complex cultural and developmental identities obstructed successful permanency planning. Some participants—especially those with mixed backgrounds—suggested that overly rigid or one-dimensional cultural approaches fell far short of meeting their needs. One youth talked a lot about how parts of his background felt “ignored” even though he had a strong, positive placement with a First Nations family that was deemed to match his cultural background:

I’m Irish, Black, Cree, and Ojibway, but like my mom is Cree, so they were like, “Oh, you’re Cree.” And my adoptive family, they’re really Cree and it was awesome, don’t get me wrong at all. But I do have to add, just sometimes, like I couldn’t talk about other stuff in me. I felt like I really missed that part. (adopted youth)

One young woman whose cultural adoption into her birth father’s family was contested by her birth mother’s band described feeling “torn apart” by the process:

Well, like my mom’s family—I understand now, they were coming from a “we love her, she belongs to us” thing, but at the same time, the whole time they were just fighting over me. Nobody was really, you know really, really asking me how I saw, and like, where I felt I belonged. And I do truly feel, I understand now that they had the best of intentions, but it shouldn’t never be so hard, like burning bridges and all that, it should be handled in a more better way, like, for me, not their agendas or whatever. (Anonymous)

These young people are sharing the profound complexity of what permanency planning looks like in a contemporary context of mixed backgrounds and urbanization. Indigenous families and communities urgently and understandably want to reclaim their young people and honour their cultural traditions. From these places of deep commitment, love, and pride, struggles can still arise. As we can hear in the stories of the young people we have spoken with, actions in support of the most laudable goals can disempower or even alienate youth if the youth are not placed at the centre of the process. Permanency planning often takes place in the midst of intricate political situations. Nations are asserting self-determination in the context of a heavily controlled settler state colonial system, and this dominant system tends to gloss over all the complexities we highlight here. In addition, funds and other supports are completely insufficient, leading to outcomes that can fragment youth, families, and community relations. Much more attention must be paid to youth of mixed backgrounds, including those who belong to multiple Nations, to ensure that young people do not become casualties of jurisdictional wars. First and foremost, we must respect youth enough to consider how they understand their own connections and identities as a way to inform collaborative dialogue on permanency.

Along the same line of developing permanency plans that honour a young person’s perspectives on their complex backgrounds and identities, several participants stressed that placement plans should be sensitive to other facets of their identity, including age, gender, sexuality, (dis)ability, and special needs, among many others, which often impact and intersect with youths’ cultural identities. Several participants discussed mental health and special needs:

[What I would worry the most about when aging out would be] like my depression and my meds, like how to get that—not to lose that support. (Anonymous, 18, living with relatives)

My brother has that fetal disorder from alcohol, so that too. I would really like someone to help me on that end. (Anonymous, 19, adopted)

Two young people shared their struggles with rigid gender and sexuality norms while going through the foster care and adoption systems:

Okay, my family was really against me being gay and I felt like they didn't accept me at all, even though they were Native. (Anonymous, adopted)

Me too, being, like I was transitioning to being a man, when my file described me as girl and like I was treated as a girl for adoption and it was, it—I can't even explain it now how bad it was like to have that in my face every day. I felt like I did not even have, that, the basic control to say who I was, like. Even now I'm so fuckin' angry about it. (Adam, 23, Anishinabe/Dene, former youth in care)

Others, such as the young woman below who was adopted as a baby, talked about looking for mentoring to develop healthy gender and sexual identities as an integral aspect of being “strong and proud” Indigenous people:

For sure, I needed someone to show me some things around self, self-respect, my body. Protecting myself, self-respecting my body and myself (...) So someone to show me, like, this is how you can respect your body, as a Native female, like a strong proud Native female. (Anonymous, 21, adopted)

As all of these youth attest, their relationship with their Indigenous background(s) is entangled with the politics of gender, sexuality, race, social class, family background, personal histories, loss of status, and so on. We heard clearly that celebratory back-to-culture ceremonies, policies, and practice—when not done in respectful ways with the full participation of the young people themselves—can have damaging effects, not only by placing undue pressure and shame on youth who may already feel disconnected from their Indigenous backgrounds, but by pushing them even further into the margins through a lack of attention to their diverse identities. Central to this struggle is the urgent need to disentangle the threads of disconnection and secrecy that go along with intersecting colonial legacies of racialization, poverty, gender normativity, heterosexism, and other forms of violence and discrimination that Indigenous youth in care encounter. The identity formation of young Indigenous people living off reserve in urban centres cannot be extracted from these shifting forces. An important point that can be garnered from participants' comments is that even the term “identity” is in many ways insufficiently complex to accommodate the many formations that shape young people's lives. Blanket, tokenistic, decontextualized cultural reconnection policies like those found in too many cultural plans tend to erase heterogeneity among youth, their communities, and their Nations. Therefore, permanency plans must be developmentally and culturally appropriate and flexible, and take into account each youth's unique needs, strengths, and social locations. They also need to consider the length and nature of a young person's stay in care and the relationships that were forged and severed during this time, a theme we address next.

Gaps in knowledge about the range of permanency and cultural options

A final barrier to successful permanency planning identified by the youth we spoke with is gaps in knowledge about the full range of permanency options available to them that would help maintain familial, relational, and cultural connections. Youth in group homes or residential care facilities, in youth agreements such as independent living, who are aging out of care, or live in other precarious conditions (e.g., couch surfing, living in shelters or with friends and relatives) may have limited access to formal adoptions. However, they often still want formalized and/or culturally grounded connections with family, extended family, and their communities. Many of the youth in our studies emphasized this point:

If I'm not adopted I still always wanted just something, you know. Well, like my, when my mom passed I ended up in a [group] home but I wished my family was around more for even like, weekends, or for family things. Um, to do some home visits. I did really wanted to learn fishing or carving like in my culture. (Jesse, youth in care)

Just like Jesse, who said he had accepted that he was “never gonna get adopted,” many youth talked about “still always” wanting *something*. This “something” is at the heart of the complicated questions we must ask ourselves when considering the range of permanency options for Indigenous youth. In this regard, many of the youth lacked knowledge about cultural planning before and after adoption and about the availability of custom adoptions:

I know we can do like an adoption that's with Elders and stuff, like in our culture, so you can get adopted into your culture. I've heard about it, but not sure what it is. (Jesse, youth in care)

Yeah, I heard, too, a non-native family can get sorta adopted by a native group, too.
(Anonymous, 17, adopted)

Some youth clearly have an interest in pursuing cultural and custom permanency options, which points to the need for increased transparency and information about cultural and customary options to support permanency, something we discuss next in the paper. As Atwood (2008) explains, permanency is a “chameleon term” (p. 1) in the child welfare world, contingent on context, culture, and other factors. In the context of Indigenous youth in care, mainstream definitions of permanency fall short because they tend to focus solely on facilitating attachment to a caregiver. In an Indigenous context, notions of permanency need to expand beyond caregiver attachment into supporting the creation of permanent connections with culture, relations, kin, community, and land.

When the Caring for First Nations Children Society (CFNCS, now Indigenous Perspectives Society) asked delegated Aboriginal agencies about the most important way to improve experiences and outcomes for children and youth in residential care, they received this response: “Maintaining connection to his or her family, extended family, community, and culture” (Federation of Community Social Services of BC & BC Ministry for Children and Family Development, 2012, p. 62). Distressingly, policies and attitudes within the child welfare system itself may prevent adequate resources and time from being devoted to exploring permanency options for youth (Federation of BC Youth in Care Networks, 2010). While agencies stated that a range of permanency options are available for Indigenous youth, they expressed concern that new social workers might not be aware of all of these options (Federation of BC Youth in Care Networks,

2010, pp. 70–71). It is critical to extend Indigenous approaches to customary care into mainstream services because the longstanding equation of permanency with adoption has led to a perceived lack of permanency options in mainstream child welfare agencies. Such a paradigm shift would also ensure that non-Indigenous adoptive and foster families are supported to develop and maintain adequate cultural plans and connections with birth families and communities. This support could include, for instance, the ceremonial or custom adoption of non-Indigenous adoptive families into Indigenous communities as a way of mentoring and including them over the long term and in a more generative and positive manner, rather than simply during the transfer of custody.

The challenge of expanding permanency options is exacerbated by jurisdictional battles and chronic underfunding among federal, provincial, and territorial governments when it comes to Indigenous programs. In addition, the devolution of adoption services to Indigenous agencies will increasingly include cultural planning for adoption and custom adoption mandates, but without adequate training, resourcing, and policy supports to ensure comprehensive change. Although the issue of funding and resourcing is not one brought up by our youth participants and is therefore beyond the scope of this paper, it is nonetheless central to the feasibility of these options, and it warrants further discussion.

Successful Permanency Planning for Indigenous Youth in Urban Settings

Having presented the barriers identified by youth and relating the most salient themes to a discussion of systemic barriers, we now turn to strategies identified by youth as promising ways forward. Here again, we link the youths' individual voices to an analysis of themes addressed in other research and literature. We do this deliberately to honour the individual stories by nesting them in a broader context that makes structural and systemic issues more tangible. We have headed our discussion of these strategies as *thinking outside the box* and *recentering the village*. Throughout these two sections we link the youth-identified strategies to the literature on three important themes related to permanency: concurrent planning, kinship care, and custom adoptions.

Thinking outside the box

Despite the child welfare system's focus on "forever families" as the ideal permanency plan, adoption is not the best option for all youth. Adoption and long-term stays in government care can sever a young person's vital connections to kin, culture, and community. Permanency plans are needed for Indigenous youth that focus on Indigenous understandings of age and life stages, consider every aspect of a young person's identity, and foreground connection to provide consistent support and a sense of unconditional belonging and safety. As much as possible, concepts need to be stretched and made more flexible to create safe, sustainable, culturally grounded and relevant permanency options. As one participant told us, "you have to think outside the box."

In our research, one youth brought up the idea of "mentoring, not parenting," which sums up how so many young people in their late teens understand permanency when a clear path to formal adoption is not available. Youth described the "lifesaving" importance of access to consistent, loving mentors—whether they be family members, Elders, service providers, friends, siblings, or others—who were not bound

by rigid policies and procedures. These findings are echoed in the literature. For instance, in a 2012 report, delegated Aboriginal agencies made the following suggestions in regard to creating permanency for Indigenous children and youth: include more support for alternative options like maternity homes; involve biological parents in permanency options; maintain agency contact with adoptive homes; create ceremonies to mark transitions; involve Elders in the permanency plan and connect them with children and youth; and support mentors with whom the child or youth identifies who will be there for them through and after the permanency plan (Federation of Community Social Services of BC & BC Ministry of Children and Family Development, 2012, p. 62).

Another example of “thinking outside the box” mentioned by youth was questioning access to resources and supports based on rigid distinctions between “youth” and “adult” rooted in Eurocentric child development theories imposed on Indigenous peoples. This reality was succinctly described by “Levi,” a 20-year-old participant in our research who had aged out of care:

I'm 18 or 20 and I'm supposed to have it figured out. Who does that? Don't cut me off just because you think suddenly I'm grown. That's just so crazy. Like, “surprise!” I'm 20 now so all the shit I went through is fixed? I don't need anybody?

As Levi points out, youth without adequate permanency plans are vulnerable to policy and funding shifts based on age. Atkinson (2008) concurs: “Most troubling is the irreversibility of aging out. Unlike other young adults who have the option of returning home during difficult times, foster care youths ... do not have the option of reentering the foster care system once they age out” (p. 183). A legal differentiation between “minor” and “adult” contrasts sharply with what Indigenous Elders emphasized throughout the course of our research: a strong value in many Indigenous communities is that accountability to young people transcends legal frameworks; connections “are forever” and do not end, no matter the person's age or how long they have lived away. During one of our talking circles with youth in care, an Elder shared these thoughts:

For our culture, being young lasted a lot longer. It was more based on your knowledge and your standing in the community ... not about “can you live on your own?” and some age limit. (Elder, Saanich)

We also heard from some of the youth that cultural adoptions and kinship connections, which we discuss further on, can supplement other forms of permanency planning that focus on more formal physical custody. For instance, a youth in group and residential care or (semi)independent living may be culturally adopted by his or her community or extended family in an adoption ceremony even if formal, physical custody is not transferred. In the words of Greg, an 18-year-old Cree/Métis youth living independently,

Of course you want to say “I'm adopted, I belong, someone wants me.” ... But at this point, I'm in independent living, so someone breathing down my neck—not good.... I just would prefer like, connecting to my family, community. Someone that's always there. Like if I'm sick, holidays, having someone to phone if I need to. Going out into the bush, learning our language, beading.... I like stuff like that.... An adoption ceremony for that would be awesome.

Certainly, broader concepts of cultural and relational permanency are gaining saliency in child welfare policy and discourse, and these expanded concepts are supported by research. For instance, a US study suggests that long-term foster care in Indigenous cultural contexts—what they call an “American Indian cultural environment” or AICE—is a more viable and culturally appropriate form of permanency for Indigenous children. The findings of this five-year study indicate that children with the strongest AICE had, on average, fewer and significantly longer placements (Quash-Mah, Stockard, Johnson-Shelton, & Crowley, 2010, p. 896).

In BC, the Ministry of Children and Family Development now includes “relational” and “cultural” permanency as important forms of permanency that can supplement physical permanency. The MCFD Pathways program emphasizes “child-focused family recruitment” to strengthen connection to birth culture(s) and community. The Adoptive Families Association of BC (2014) explains that the program honours “relational, cultural, and physical permanence with the ultimate goal of legal permanence” (para. 1). And, according to the provincial representative for children and youth, permanency planning goes beyond placement to strengthening a child’s relationships, cultural identity, and sense of belonging (Turpel-Lafond, 2013).

This more flexible and community-centred approach to permanency breaks down some of the sturdiest tension points regarding adoption as a painful rupture for Indigenous people rather than a positive new beginning. Adoption is particularly political in situations where it cuts ties with Indigenous families, communities, Nations, and cultures as a precondition to solidifying a relationship with a non-Indigenous adoptive parent. In a compelling critique of adoption as the ideal permanency plan, Coupet (2005) writes:

As it reflects political and social inequalities, the hegemonic narrative of adoption, with its tendency to define permanence in only the legally binding terms of parent and child dyads, encourages the continued marginalization of families. (pp. 454–455)

Defining permanency in terms of adoption can shut out adolescents who live independently or in residential care and group homes, rendering it more difficult for them to connect with family and permanent caregivers and other support systems. It may also curtail opportunities for effective concurrent planning, which could add a crucial component to permanency planning for Indigenous children and youth. Briefly, concurrent planning means that case workers explore and pursue multiple avenues to lasting relationships between youth in care and unrelated caregivers while working at the same time to repair and maintain existing relationships with birth family and kin. This latter part is especially important if we consider that youth who transition out of government care often seek out family members. Bussiere (2006, cited in Collins, Paris, & Ward, 2008) asserts that permanency is evolving to mean:

an integrated service plan that prepares youth for independent living but also creates permanency for older youth. Moreover, this revised method of concurrent planning involves older youth participating in their own permanency plans, identifying caring and supportive adults, and including family members in reunification plans. (p. 56)

Several articles discuss the trend of young people returning to their biological families after they have aged out of government care (Carrière, 2005; Collins, Paris, & Ward, 2008; Jones & Kruk, 2005). As

Jones and Kruk (2005) write, “children’s attachment to their biological families ... seems to endure in spite of the obstacles created by foster care, adoption or maltreatment” (p. 407); it is also extremely important in alleviating loss and results in fewer foster home placements (Jones & Kruk, 2005). Jones and Kruk’s research has important implications for conceptualizing permanency and cultural plans in Indigenous contexts, and it poses serious challenges to the mainstream Western equation of adoption with the severance of parental and family ties.

Recentring the village: Kinship care and custom adoptions

Kinship care offers Indigenous youth in care the possibility of achieving permanency within their own extended family networks, communities, and cultures. Kinship care is something that youth in our studies repeatedly requested, even when they knew little about their backgrounds and even when they felt conflicted about reconnecting with their family, community, and culture. Participants told us about their desire to be cared for by relatives in the following terms: “I want to know my birth family regardless”; “I would, yeah, definitely like to go to my reserve and visit there”; “live with my relatives, or at some point, like for them to be my foster family”; and “if I could find out, for sure I would choose that, if they were into it” even if it was “part time” or “just once in a while.”

Geen (2004) emphasizes that a wide variety of kinship care arrangements can be made. He broadly defines kinship care as “any living arrangement in which children do not live with either of their parents and are instead cared for by a relative or someone with whom they have had a prior relationship” (p. 132). Across Canada, kinship care is the preferred form of placement for children and youth in care because it is believed to lead to fewer foster placements and increased success in permanency (Brisebois & Lee, 2012). In a 2004 study with 316 children, those in kinship care reported feeling more cared for than those in foster care (Chapman, Wall, & Barth, 2004).

Although the benefits of kinship care are mentioned frequently in the literature, this caretaking arrangement is not without complications. In their study of kinship outcomes in Ontario, Brisebois and Lee (2012) found that children in foster care were more likely than children in kinship care to be reunited with a biological parent or adopted. While children and youth in kinship care homes experienced fewer disruptions in placement, they were also more likely to run away, perhaps due to the fact that they often stayed in their community of origin and wanted to return to their parent(s).

It is important to note that the studies mentioned above do not focus specifically on Indigenous contexts. In any discussion of Indigenous children and youth in care, we must be careful how we evaluate what constitutes a successful placement. For example, non-Indigenous scholars and service providers may define stability differently than Indigenous families do. Kinship relations are often quite fluid in Indigenous communities, and it may not be disruptive to a child or adolescent to move back and forth between different placements as long as there is oversight from a local Indigenous agency and case workers to ensure that the placement is safe and meets the child’s needs and desire for connections with birth parents and kin. A youth’s siblings and cousins can also play important roles in relational and cultural permanency. In sum, the goal of kinship care in Indigenous contexts is to provide a sustained, flexible, integrated way of supporting youth.

Just as stability may be viewed differently in Indigenous communities, the importance of kin and the meanings accorded to complex systems of connectedness may be completely distinct from the ways in which child welfare systems define kinship. Little Bear (2000) emphasizes that kinship care necessitates complex arrangements of rights and obligations that transcend the boundaries of Western notions of the nuclear family. He describes kinship as a “spider-web of relations” that includes humans and the natural world (Little Bear, 2000). Carrière (2005) argues that kinship “can influence the recognition of one’s place and responsibility in the universe” (p. 46) and that this sense of balance is vital to “overall community health and strength” (p. 46).

For Indigenous adolescents, who, as we have seen, tend to fall outside of mainstream adoption discourses, culturally based customary forms of care and adoption offer an opportunity to be reclaimed by their family and community. Indigenous custom adoption, which is tied inextricably to concepts of kinship, customary law, and self-determination in Indigenous communities, holds much potential for Indigenous youth in care due to the practice’s capacity to be flexible. Although the terms and teachings vary widely from one community to another, custom or traditional adoptions have been practiced by Indigenous peoples around the world for millennia (Arsenault, 2006; Baldassi, 2006; di Tomasso & de Finney, 2015a, 2015b; Keewatin, 2004; Quebec Native Women Inc., 2007, 2010).

Customary adoptions go beyond transferring custody or parenting responsibilities. They surround youth with love and care, recentre the responsibilities of extended family and community across generations to support and claim youth, and retrace the circle of ancestral, spiritual, and territorial belonging. One youth participant in our research who had been adopted by a family in her own First Nation community shared what it meant to her:

To be adopted in my community—how can I explain it? It’s been life changing. I didn’t have to give up that connection to my culture or my family. I am so thankful for that. (Anonymous, 20, adopted)

What is exciting about customary adoption practices is the scope of possibilities they offer. When a full or formal mainstream adoption is not possible for a youth, custom adoption can still support cultural and relational permanency. For instance, even if the youth is not physically living with their “customary” adoptive parents or family (for instance, if their family lives on reserve and the youth lives in a city) the ceremony and practices enacted through custom adoption activate a set of principles, commitments, and relationships among the young person and their kin and community. Customary practices to initiate these important connections encompass traditional protocols described throughout this special issue, such as coming-home and naming ceremonies and feasts where youth are introduced to, welcomed back to, or integrated into their extended families and communities. A whole-community approach might also include designing interventions and processes that welcome and incorporate non-Indigenous families, Indigenous families from other communities, and Indigenous families from the community who may have little involvement in cultural practices.

The practice of custom adoption and related ceremonies also provides the kind of flexible customary framework that is capable of bringing siblings and young family members such as cousins together within a culturally based, community-rooted commitment without requiring formal joint care placements under

the same roof. Children and youth in care often have siblings who may be living in different homes or in other types of placements, or siblings who have left their placements and/or aged out of care. Thus once again, flexibility and diversity are crucial in meeting the permanency needs of Indigenous youth in care.

Caveats to implementation

Before we conclude our discussion of the promises of customary care for permanency with off-reserve youth in care, we want to attend to some caveats. This type of close, collaborative work with urban Indigenous youth in care may remain elusive in Canadian child welfare systems, where budget cuts translate into decreased funding for the country's most vulnerable children, youth, and families. As we heard from youth in our studies, cultural permanency involves practical supports—cultural continuity does not simply happen on its own. Youth need financial and other support to travel back to their communities, including travel assistance, mentoring, and preparatory and follow-up support from service providers who can accompany the youth. Shadow, a 15-year-old participant in our research, described what can happen when these supports are not provided:

I totally was into having like a Native adoption or whatever. I did meet my family, like my social worker took me this one time to meet my grams and stuff, my uncles and cousins and stuff.... It didn't really go anywhere, like we put so much time in that, meeting them, but it didn't really go anywhere after. Like I went back to Vancouver and they're like a plane ride, it's far. I don't have the money to make that trip. They don't have the money to make that trip. We kind of just stayed as strangers.

Racism, poverty, and intergenerational trauma often erode families' capacity to reconnect with, invest in, and reclaim their children and youth. Increasing urbanization is both a result of these conditions and a source of further complexities such as mixed identities and overlapping jurisdictions; in any case, additional funds and resources for travel and other supports are required (see our discussion on these points in di Tomasso & de Finney, 2015b). Permanency planning in an Indigenous sense is not simply about a young person in isolation, but also about healing and restoring relations in families and communities that have lost generations of children through colonial policies. Permanency planning with and for Indigenous children and youth therefore requires a long-term investment in leadership and healing in communities, and must be connected to governance, self-determination, and the practice of customary laws. Permanency also needs to involve connection to ALL relations that help sustain an Indigenous cultural connection, including access to land, cultural teachings, language, community relations, family, and so on. These connections cannot be made without political will to provide the necessary resources and capacity for implementation.

“What Helps the Most is Love”

“See, it's being ripped from love that causes the wound in the first place and it's only love in the end that heals it.” (Wagamese, 2009, p. 13)

This paper has sounded an urgent call for creative strategies of engagement that delineate places of belonging for and with Indigenous youth in care. If we are going to reclaim our young people, we must mobilize all of our resources to imagine new pathways for belonging. At the heart of permanency for Indigenous youth lies a sense of belonging within interdependent relationships with family, community, ancestors, Nations, and the land itself (Arsenault, 2006; Morrison, Fox, Cross, & Paul, 2010). This article has highlighted that continuity of relationships and cultural connectedness are central for Indigenous youth in care, as emphasized by the youth who spoke with us and by multiple sources in the literature on permanency (Arsenault, 2006; Federation of Community Social Services of BC & British Columbia Ministry of Children and Family Development, 2012; Morrison et al., 2010; Quash-Mah et al., 2010; Turpel-Lafond, 2013). Service providers, government, communities, families, and young people themselves continue to stress the urgent need for strategies such as kinship care and custom adoptions that “focus on finding and strengthening other types of ongoing connections to people, culture and community” (Federation of BC Youth in Care Networks, 2010, p. 5). The permanency options discussed in this article are much more expansive and fluid than simply bringing a young person together with a caregiver. Because urban Indigenous youth involved in the child welfare system experience degrees of disconnection on many levels, including from self, mentors, peers, family, culture, community, and land, they urgently need responsive practices that can reconnect them on as many of these levels as possible. As we begin to see the convergence of custom and statutory adoptions, we also see the importance of strengthening customary caregiving as a pathway toward a whole-community approach rather than treating youth as individuals disconnected from their histories, families, ancestors, and the future of Indigenous Nations.

Responsive practices necessitate foregrounding the voices of young people. The most often identified barrier to successful placements, both in the literature and by practically every participant in our studies, concerns the lack of control youth have over their experience of being in care and their permanency planning. The Caring for First Nations Children’s Society (quoted in a report by the Federation of Community Social Services of BC & BC Ministry for Children and Family Development, 2012) stresses that youth’s lack of input into their permanency planning negatively affects the success of their placements. The lack of youth engagement in their own care is mirrored by a lack of research featuring young Indigenous people’s diverse perspectives and experiences. Our capacity to move forward is slowed by the conspicuous gap in research and in practice and policy debates in Canada about the experiences and needs of Indigenous youth in government care, those who are living in other permanent “out of home” placements, and those who have been adopted.

Finally, while the importance of youth making decisions in every aspect of their care and assessments is established in child welfare and adoption literature (Federation of Community Social Services of BC & BC Ministry for Children and Family Development, 2012), Indigenous youth also hold the right to self-determination *as members of Indigenous communities*. Just as the right to autonomy is regularly stripped from Indigenous youth on multiple levels, First Peoples are subjected to colonial settler state control over every aspect of their lives, lands, and societies—in addition to control of their children.

The struggle for self-determination is not a simple one. Decolonizing child and family services involves mourning as much it does recovery, action, and dreaming. Indigenous communities have within them customary laws and practices and abundant untapped resources, not the least of which is youth themselves. Young voices are instrumental to imagining and implementing creative, culturally appropriate permanency options. Young people in care negotiate their permanence in many different ways, sometimes through shame, anger, loss, and grief, but also with love, hope, creativity, subversion, outrage, imagination, political action, critical analysis, and spirit. As this young woman shared, their stories “still matter” and they definitely “add up”:

You can't give up. It's kind of all the little things. It's a daily struggle. I mean, most of the time I don't think about sexism, racism, but it's more just a daily thing, saying “I'm here, I'm here.” I try to just keep my head up and do what I can, you know? The little things add up, just talking with Elders, community events. I try to role model to my little sisters that we can do things differently. It does add up—that's what I believe. In my heart I believe that. (Anonymous)

Creating places of belonging for urban Indigenous youth in care requires all of us to expand our ideas of permanency and belonging—and to believe, heart and spirit, that our actions do add up.

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

Adoption is (not) a Dirty Word: Towards an Adoption-centric Theory of Anishinaabeg Citizenship

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This paper is dedicated to my grandmother, Geraldine MacLaurin-ba, who carried with her the adoption teachings taught to her by her father, Jacob Bannon-ba.

Abstract

This paper argues that the resurgence of Indigenous peoples' citizenship orders can be informed in part by tenets of Indigenous customary adoption. The paper considers registration as an Indian under Canada's Indian Act as having conflated being "Indian" with a Eurocentric property-holder identity, which First Nations now internalize through band membership practices. As such, I argue that adoptees and customary adoption are seen as suspect because they challenge the blood- and property-based conceptions of what it means to be "Indian." Anishinaabeg customary adoption is taken up here in an analytical approach to re-thinking how citizenship could be discerned in anti-colonial ways; specifically, I consider "caring for others" and the concept of "controlling our associations" in developing an adoption-centric theory of Anishinaabeg citizenship.

For many Indigenous peoples in Canada, adoption has become a dirty word. The history of residential schools, the 60s Scoop and the on-going issue of child and family services organizations placing Indigenous children in non-native homes has not helped its reputation; placed against the realization that Canada is a settler colonial state (Barker, 2009), and that settler colonial states are intent on replacing Indigenous peoples (Wolfe, 2006), it becomes clear that the out-adoption of Indigenous children into non-native homes is but a tool in the larger process of assimilating Indigenous peoples into the whitestream.

However, there is another site at which adoption is derogated. Through the racialization of Indigeneity, First Nation band membership regimes have often marginalized adoption as a basis for officially belonging with Indian bands. Band membership codes often reflect an over emphasis on blood lines, something stemming from Canada's *Indian Act*. Being "Indian" has become in commonsensical ways the pre-requisite for being

a citizen of Indigenous nations (see, for example, A. Simpson, 2009, p. 118). Adoption, because it inherently suggests the possibility of belonging without direct biological connection, is suspect here as it can challenge the biologization of Indigenous citizenship and identity; benefits meant for First Nations, such as treaty rights, Aboriginal rights to hunt and fish, exemption from certain taxation, and access to education funding, are regulated in such a way that privileges one's claim to registration as an Indian under Canada's *Indian Act* (see, Woodward, 1989, pp. 44–47; Palmater, 2011, p. 19). Therefore, adopted individuals that lay claim to belonging with and participating in Indigenous communities/nations, especially those people not recognized as Indians by Canada, become, to borrow from Audra Simpson (2014), “indecipherable” because they are “somewhere outside of the space of social and genealogical reckoning” (p. 16).

On a more conceptual level, the colonization or racialization of Indigenous peoples' adoption traditions helps to erase Indigenous citizenship orders. As someone who actively works with band membership codes and First Nation Chief and Councils, adoption as a means of belonging with a First Nation community is sometimes accepted only so far as racialized notions of Indigeneity allow. We might see little resistance when an “Indian” child is adopted by a First Nation band, suggesting a homogenizing approach to how bands discern their “membership.” Taking this a step further, to say that “Indians” cannot adopt “white” children, “black” children, “Asian” children, etc., is to rely on and reify reductionist approaches to ethnicity and cultural background (there *is no* white person, or black person, just as there is no “Indian” in the way Canada uses the term, as these are social constructions (Andersen, 2014, p. 15; Bannerji, 2000, pp. 36–37; Sium, 2013). To honour such interpellated categories of identity in the context of Indigenous citizenships would be aid the re-alignment of Indigenous constitutional orders in ways amenable to Canada's claims to territorial sovereignty (see, Andersen, 2014, p. 31). Such a claim to land relies on the disappearance of Indigenous peoples not only in a physical sense, but goes deeper to include the erasure of Indigenous peoples' constitutional orders (Alfred & Corntassel, 2005, p. 598; Coulthard, 2014, p. 4), of which citizenship is part. Broadly, this removal of Indigeneity, both physical and constitutional, results not only in the opening of Indigenous lands for the on-going process of “settlement,” but also in “anomie,” a state of alienation causing “serious substance abuse problems, suicide and interpersonal violence” (Alfred, 2009, p. 49. Also see Palmater, 2011, p. 177).

That said, centering teachings that underpin customary adoption when discerning who belongs with Indigenous nations challenges said erasure(s). For example, in this paper customary adoption is defined to mean the conscious decision to care for a person, be it a child, adult or elder, who is not directly biologically related, but who has displayed a need for familial support and protection (see: Auger, 2001, pp. 177–202). Such practice does not result in the filiation or “ownership” of the adoptee in that the adoptee's freedom to choose between their adoptive and natural family is protected (Auger, 2001, pp. 200–201; Gilbert, 1996, pp. 79–80; Keewatin, 2004, pp. 15–19; Working Group on Customary Adoption in Aboriginal Communities, 2012, p. 20). Ultimately, “[t]he purpose of customary adoption is to protect and fully include children in families and in communities” (Gilbert, 1996, p. 69), though it can also manifest in younger people adopting older people and Elders (Onabigan as cited in Neil, 2005, p. 284). Considering citizenship with Indigenous nations through such a definition is a productive exercise because it reminds us that Indigenous citizenship orders are not based on blood or Indian status (RCAP, 1996b, pp. 251–263). Anishinaabeg citizenship orders are similarly fluid, and go so far as to include those who belong through

birth, marriage and adoption (Borrows, 2011, p. 158; Doerfler, 2013, p. 184). But in forgetting this fluidity and adopting solely a blood-line approach to belonging, our citizenship orders are narrowed in ways that “dis-member” our nations (Absolon & Willet, 2005, p. 100). By one estimate, millions of people have been removed from belonging with their nations because of an overemphasis on blood quantum¹ and patrilineal descent (Lawrence, 2004, p. 56). In that sense, citizenship orders, band membership regimes etc. that do not include adoption as grounds for fully belonging with Indigenous peoples today obscure the full range *sui generis* legal orders that can be used to “re-member” our families, communities and nations.

I see this irony all too well as someone who belongs with the Anishinaabeg nation through customary adoption but to this day is denied membership in my band due to racialized notions of Indigeneity. I was adopted into my reserve, Fort William First Nation, in 1980 when I was an infant. My father, Art MacLaurin, adopted me into his family according to the teachings his mother, Geraldine MacLaurin-ba, learned from her childhood when, in turn, her father adopted children into the family when he married a woman not from the reserve. Similarly, my adoption took place in the context of marriage; my father took me in as his own before he married my biological mother. Rather than looking at this as a circumstance of “marrying in,” I see it as my community adopting both my mother and I through the practices of family-making (Gilbert, 1996, pp. 69–73). Yet, I was never registered as an “Indian” under the *Indian Act*; and so today, though I fully belong with my community according to Anishinaabeg law, the racialization of what it means to be an “Indian” bars me from fully participating in things like band elections and “officially” living on my reserve.

In this paper, therefore, I argue that an adoption-centric theory of belonging shifts the emphasis in discerning citizenship within Indigenous nations away from a narrow focus on blood lines towards a citizenship practice that emphasizes inclusivity of *all* who rightfully belong. To demonstrate this, and because I write from the position of being Anishinaabe, I discuss specifically Anishinaabeg conceptualizations of belonging and identity as found in the literature and through some of my lived experiences—a methodology acceptable within Anishinaabeg and Indigenist research paradigms (Dumont, 1976; Martin, 2003; L. Simpson, 2000). I demonstrate that blood quantum-based approaches to discerning belonging have supplanted Anishinaabeg citizenship practices in commonsensical ways within Anishinaabe Indian bands in the Robinson-Superior Treaty territory, where my First Nation is located. I then move on to developing a limited theory of citizenship informed by adoption practices, specifically drawing on two key tenets: an obligation to care for others, and the concept that adoption and citizenship both necessitate and rely on Anishinaabeg controlling their associations with others.

Anishinaabeg Citizenship: Behaviour, not Blood

In her 2007 dissertation, *Fictions and Factions: Reconciling Citizenship Regulations with Cultural Values Among the White Earth Anishinaabeg*, Anishinaabe scholar Jill Doerfler demonstrates how Anishinaabeg of northwestern Minnesota conceptualized identity and what it meant to belong at the White Earth Reservation. Her study focuses on the era leading up to the time when blood quantum

1 While Canada’s “Indian” policies no longer explicitly mention “blood quantum,” Palmater (2011, p. 19) has argued that they continue to do so in a “notional” sense. For brevity, I use the term “blood quantum” in this paper with Palmater’s valuable critique in mind.

based logics of discerning Indian-ness and tribal enrolment were to come into effect. Agents of the U.S. government brought with them to the reservation concepts of Indianness based on scientific measurements—Indianness, and therefore who could belong with the tribe and who could sell off tribal lands, was bound up in the measure of Indian blood found in a given person's veins and family trees. They discussed this approach with those who laid claim to belonging at White Earth.

Doerfler's (2007) work is important to this discussion because it shows that belonging, according to the people of White Earth at the time, was imagined along the lines of behaviour. Her discussion takes up a tension between how U.S. agents imagined "Indian" identities and how Anishinaabeg resisted their system of identity interpellation. In being forced to explain to the agents how Anishinaabeg understood identity, Anishinaabeg individuals co-opted blood based analogies to discuss citizenship in ways that challenge the notion that biology determines belonging:

For example, George Morrison argued that there was no designation of who was "full-blood" and who was "mixed-blood" among the Anishinaabeg until the question of land titles became tied to these identities. He asserted that all those who lived with the Anishinaabeg were considered "full-bloods," due to their way of living. ... [I]t was lifestyle and not blood that determined who was an Indian (Doerfler, 2007, p. 60).

As Doerfler (2007) goes on to show, this approach to discerning belonging is based on categories "fluid and open to interpretation," rather than being based on "fixed racial definitions proposed by the [U.S. agents]" (69). Community acceptance—what I would call the process of discerning citizenship—was (and is) based on lifestyle choices and a willingness to carry responsibilities that, in being lived out, cared for the collective (L. Simpson, 2008, p. 74).

This emphasis on behaviour is key to Anishinaabeg citizenship. John Kegedonce Borrows (2011, p. 79) has argued that Anishinaabeg citizenship is not based on race, but on the concept of *daebinaewiziwin*, or duty and rights, where the highest goal is to maintain balance. The emphasis on maintaining balance by carrying responsibilities supports the claim that citizenship in Anishinaabeg nations is based on more than just blood. While one can have 50% First Nation blood according to blood mathematics, this does not necessarily bear on the degree to which she fulfills her responsibilities to family, clan, and community. One is not 50% responsible; she either is or she is not.

I adopt in this paper a conceptualization of citizenship that Kegedonce shared with me. In an email to me, he wrote that the term *dibenindizowin* resonates with the idea that a person possesses self-determination within themselves and their relationships, and how this liberty connects self-determination to Anishinaabe citizenship law. "Freedom has *sui generis*, property-like connotations in the Ojibwe language," he wrote. "It implies that a free person owns, is responsible for, and controls how they interact with others. The same root word can be used to describe someone who is member of a group; thus the Anishinaabe term for citizen is *dibenjigaazowin*: he or she who owns, is responsible for, or controls their associations" (Borrows, personal communication, 2014).²

2 Cited with permission from Dr. Borrows.

It is this element of behaviour, namely being responsible for controlling one's associations, that resonates with both adoption and citizenship orders within Anishinaabeg law. In both, the party with the ability to care for another chooses whether or not to make a person belong (Auger, 2001, p. 197). It is driven by fulfilling an obligation to care for others and to maintain balance, which might entail bringing new people into a family or community to fill gaps in families or skill sets. Discerning belonging in this sense emphasizes connection rather than a conception of Indian identity based on the arbitrariness of bloodlines, and thereby opens possibilities for imagining citizenships through the "totality of our connections" (Palmater, 2011, p. 189). I return to this and the concept of *dibenjigaazowin* in a moment. Next, however, I will discuss some of the main impediments to Anishinaabeg citizenship orders today, as this will help us see why an adoption-centric theory of citizenship is relevant.

Conflations

The descriptions of belonging and discerning citizenship discussed above differ greatly from the way Canada wishes to define who can belong with "Indians." For Canada, it does not matter whether one is Anishinaabeg, Nēhiyáw, or Kanien'kehá:ka; what matters is whether one is an "Indian" according to its laws. Put bluntly, there is no room for discerning belonging based on behaviour within the framework of blood quantum.

To be an "Indian" in Canada is largely a matter of whether one has "Indian" blood. More than a century of living under the *Indian Act*, with its racialized and gendered constructions of who is an "Indian," has produced conceptions of belonging that privilege race, blood, sex and stereotypes of Indianness over the values of relationships, responsibilities and kinship (Lawrence, 2004; Palmater, 2011). Unfortunately, First Nations have been forced into discerning belonging in ways dictated by the state (see, A. Simpson, 2009, p. 118). The "terminal creeds" of race and blood-based definitions of belonging remove individuals from their families, communities by hijacking family-making practices so that belonging gets defined along ever-thinning lines of Indian blood (Vizenor, 1990, p. 189). This process of removal is referred to by Palmater (2011, pp. 46–47) as "legislative extinction" in that it reduces the number of First Nations peoples recognized in Canadian law, to the point that there are no "Indians" left. For example, Clatworthy's (2007, pp. 14–29) demographic research shows that the number individuals eligible for registration as "Indians" born to Anishinaabeg First Nation communities in the Robinson-Superior Treaty will decrease to critically low numbers within the next two to four generations. Historically, the *Indian Act* and its notional blood quantum has torn Indigenous families and communities apart by removing from First Nations those women intermarried with non-Indians (whether the men were of Indigenous ancestry or not) and the children of these partnerships (Lawrence, 2004, p. 49).

However, identity regulation bound up in Canadian settler colonialism is not just about removing Indigenous peoples in a physical sense. Rather, it also includes removing Indigenous constitutional orders from the land (Alfred & Corntassel, 2005, p. 598). This critique of the structural nature of settler colonialism allows us to account for the ways in which Indigenous constitutional orders get bound up in attacks on Indigenous peoples as a whole; while individuals are being removed from the land, so are their *sui generis* legal systems. Seen in this light, the interpellation of Anishinaabeg into "Indians" is also an attack on Anishinaabeg citizenship law because it undermines the legal system Anishinaabeg use to determine who

belongs. In effect, Anishinaabeg citizenship orders that discerned belonging along the lines of behaviour, lifestyle and responsibility to family, are structurally replaced with racialized, gendered logics of Indianness.

A closer look at this structural supplantation reveals a critique of Indianness that deepens the relevance of an adoption-centric theory of Anishinaabeg citizenship. I would argue that the key to this sleight of hand is that Indianness has been imagined as a type of property-based identity in Canadian law. As James Blaut (1993, p. 158) points out, the emergence of class in British history is co-constitutive with the establishment of blood-based rights to property. Here, blood was chosen as a way to discern who had rights to accumulated property in the form of inheritance. It provided the wealthy with a means by which to ensure their wealth stayed within the family (Blaut, 1993, pp. 157–159). The boundaries of the family were thus constructed and used in the project of property acquisition and protection. Likewise, Indigeneity was interpellated in ways that inculcated Indianness with property. Lockean property ownership was seen by the colonialists as the yard stick of being civilized. According to Locke (1821), “those who are counted among the civilized” are those who, by their “*labour* ... [remove property] out of that common state nature left it in” (p. 212. *Emphasis original*). In what would become Canada, such approaches to property and property ownership “became the foundation of the civilization program, outlining a formal policy based on establishing Indians in fixed locations where they could be educated, converted to Christianity and *transformed into farmers*” (RCAP, 1996a, p. 265. *Emphasis added*). This property-based understanding of Indigeneity continues to present interpretive challenges today in discussion about competing Indigenous vs. Canadian constitutional orders (Turpel, 1989-1990, p. 23), a competition which includes discussions on how Indigeneity is to be discerned.

Understood against this backdrop, First Nation blood is not only a biologized metaphor for interpellated Indigeneity; it takes on a deeper meaning that is productive when assessing adoption’s impact on reclaiming Indigenous citizenship orders. First Nations and First Nation lands share the same station in Canada’s grand vision for the conversation of all things Indigenous: they are both property-(holders)-in-making, with the ultimate goal always being to own and exploit land as Canadians do (see, A. Simpson, 2014, p. 152). Put differently, “Indians” and “Indian land” are both meant to eventually enter into Canadian society (see, Altamirano-Jiménez, 2004, pp. 353–361). Blood is the index by which both transit this journey: the more diluted the blood, the closer Canada gets to relinquishing its “protective” responsibilities to Indigenous nations, and the closer it gets to complete exploitation of Indigenous territories (Palmater, 2011, p. 47).

This property-based identity has carried through into band membership-based logics of belonging. Algonquin lawyer Larry Gilbert (1996) argues that the most basic function of being registered as a First Nation person under the *Indian Act* is to enjoy the land held in trust for Indigenous peoples by the Government of Canada. “The right to band membership and the right to hold, use or enjoy the lands and other immovable property belonging to or appropriated to the use of the relevant tribe, band or body of Indians,” he writes, “are the most important rights flowing from the federal definition of an ‘Indian’” (Gilbert, 1996, p. 76). I am reminded of the quote from Morrison above (as cited in Doerfler, 2007, p. 60), where he noted that First Nation blood only became an issue once tied to property. This has largely translated to the reserve-level. As of 2005, of the 11 Anishinaabeg communities within the Robinson-

Superior Treaty territory that had opted to control membership under s. 10 of the Act, nearly all were still using race-based logics to discern belonging (Clatworthy, 2010, p. 9).

The problem with such an approach to conceptualizing national belongings is that it is constituted by hierarchies of property ownership that are predicated more on exclusion and exclusive use than inclusion and maintaining connections to people and land regardless of biological connectivity. As a result, First Nations bands have come to discern “band membership” in ways based on protecting the meagre resources allotted to them by a government interested only in their assimilation.

This marginalizes both Anishinaabeg citizenship orders and adoptees. Those who rightfully belong according to Indigenous citizenship laws, but otherwise do not qualify for band membership or registration as a First Nation person under the *Indian Act*, are seen as illegitimate or otherwise dispensable community members. Likewise, adoptees, in the face of a white supremacist, settler colonial Canada have also come to be seen as illegitimate “Indians” precisely because their “blood” does not fit into the conventional view on who has a claim to benefits reserved for Indians. However, it is precisely adoption’s *incommensurability* with Canada’s racialized regulation of First Nation identity that tips off its power in asserting anti-colonial Indigenous citizenship orders. Indeed, it is this incommensurability that speaks to the existence of Indigenous constitutional orders, and their continued competition with Canadian law (see, Turpel, 1989-1900). I turn now to one of those orders now and how it guides Anishinaabeg citizenship practice from a *sui generis* source.

Adoption in Anishinaabeg Creation Story

Basil Johnston (2008 [1976]), an Anishinaabeg knowledge holder, language expert and philosopher, describes how adoption is deeply rooted in Anishinaabeg political and citizenship orders. In *Ojibway Heritage*, he discusses part of the Anishinaabeg creation story, where animal nations adopted the first humans when they were new and helpless (Johnston, 2008 [1976], pp. 15–16). As the Earth was being made, sky-women was invited to the earth by the animals, who pitied her because she was alone (Johnston, 2008 [1976], pp. 13–14). After a time, she gave birth to two children, a boy and a girl. The children were the weakest beings on Earth, and they needed help in order to survive. Johnston recounts their adoption:

In the first year, the animal beings nourished and nurtured the infants and the spirit woman. For all their needs the spirit woman and her children depended upon the care and goodwill of the animals. ...

The first winter in the life of the Anishnabeg was an ordeal. Food was scarce; the winds were harsh. The infants grew sick and lost strength daily. It seemed that they would not survive... With bear’s sweet flesh, the infants survived. The death of the bear encompassed life for the new beings. Thereafter, the other animals sacrificed their lives for the good of [humans]. ... In gratitude and fondness they dedicated a prayer to the other animals, “I had need.” Men and women survive and live because of the death of their elder brothers. (Johnston, 2008, pp. 15–16)

The infants relied on the animals, and in turn the animals made the choice to bring the humans into their families.

Discussed in terms of adoption, meeting a “need” might take the form of sharing shelter and food with children who have lost their parents, or whose biological parents may be unable to care for them (Auger, 2001, pp. 197–201). Don Auger-ba, in his 2001 dissertation, *The Northern Ojibwe and Their Family Law*, discusses adoption within Anishinaabe law as a way to care for others; this element is an “obligation” that Anishinaabeg carry:

[I]f a member of a family was in need of something, he could depend upon the other members of his family to assist him in his time of need. This assistance might consist of the provisions of foodstuffs, shelter, looking after children or adults for periods of time, or looking after children and adults on a permanent basis. ... [O]ne of the most important aspects of life among the members of the study group was the concept of sharing. This concept imposed obligations on every person within the Ojibwe world, whether human, other-than-human, or a spirit. (Auger, 2001, p. 178)

It is this obligation to care for others that drives Anishinaabeg citizenship orders. For example, the animals in Johnston’s telling of the Creation Story found this obligation in the form of the animals making the choice to care; they had the knowledge about how to survive, which gave them the ability to take in and raise the humans. Based on that ability, they made the choice to care for the humans—they had the means to do so. And while it may seem like they had no choice (as they had an obligation), they could have chosen to neglect the humans—something they chose to do later when the humans acted irresponsibly towards the animal nations (Johnston 2008 [1976], pp. 56–57). In other words, they regulated their associations fluidly through self-determination.

Deciding our associations is where adoption and citizenship orders intersect. That choice is the basic element to Anishinaabeg self-determination. The decision to form associations with a family or community deemed important to the overall health and well-being of the nation is part of Anishinaabeg citizenship orders. Citizenship in this sense is also about meeting the needs of the nation. By contrast, band membership and First Nation status have historically left little choice for Indigenous peoples to discern who belongs. I turn now to expanding on how the lessons learned from choice and adoption can inform Anishinaabeg citizenship orders.

An Adoption-Centric Theory of Citizenship

Scott Lyons (2010) has argued that “citizenship criteria say a great deal about the nation’s character: what it values, what it believes, and what it promotes” (p. 174). The values deployed when citizenship is informed by adoption include those of caring for others and embodying the self-determination in determining our associations. If, as Lyons (2010) argues, *[c]itizenship criteria produce the meanings of the nation*” (p. 174, emphasis original), these values establish a citizenship order with the capability to include all those who rightfully belong. As an adoptee, this is what I want to see my nation base its citizenship on, rather than the fiscal expediency of the state.

What Johnston's story about the animal nations adopting humans tells me is that belonging is based on more than just phenotype. The human beings looked different than, say, bear, moose or otter; however, they were cared for by them and, through that, belonged with them. This element can be extended to address Anishinaabeg citizenship now, in a context where racialized notions of being "Indian" have been forced upon Anishinaabeg nations as the pre-requisite for belonging. This does not mean I am advocating a colour-blind approach to Anishinaabeg citizenship; indeed white supremacy needs to be eradicated in the resurgence of Anishinaabeg citizenship orders.³ Rather, as both Johnston's (2008 [1976]) story and Doerfler's (2007) work on viewing belonging as a matter of behaviour and caring for others shows, milk is thicker than blood. What matters is who we care for, to whom we give responsibilities, and who rightfully belongs.

KegeDONCE's concept of *dibenjigaazowin*—or "he or she who owns, is responsible for, or controls their associations"—twins with the concept of adoption to produce a citizenship order based on making relatives and citizens through the sharing of resources and responsibilities. Sharing in this way creates bonds and reciprocal relationships. In both, self-determination remains intact: choosing who to care for at the family level is the same type of self-determination needed in discerning citizenship at the national level, namely, a self-determination based on controlling our associations that includes all those who rightfully belong. This is what speaks to me as an adoptee. I can see myself in such a story.

In an article on constitutional reform among the White Earth Anishinaabeg, Doerfler (2013) shares a story that speaks to *dibenjigaazowin* and adoption. Her review of Anishinaabe writer Ignatia Broker's work shows us that stories about adoption unfold and centre tenets that, though based in family-making, also facilitate belonging within the broader community and nation:

After her mother had passed on, Oona asked her paternal grandparents why her mother never spoke about her family or home. They informed her that her grandfather had found Wa-wi-e-cu-mig-go-gwe [Oona's mother] when he was out checking his snares. A child and another woman with her were dead. The family never questioned Wa-wi-e-cu-mig-go-gwe about her past; they fully accepted and integrated her into their community. She was a fellow human being in need of help, and Oona's grandfather and the rest of the community took her in and made her a part of their family (Doerfler, 2013, p. 183).

This, to me, unfolds the values of sharing, caring for others and controlling our associations, and full inclusion. Though not fully discussed in this short paper, each of these values could be interpreted in ways that inform Anishinaabeg citizenship.

Eva Marie Garroutte and Kathleen Westcott (2013, p. 75) argue that the effects of the stories themselves are more important than the component parts of sacred stories; what matters is what the stories *do*. What an adoption-centric theory of citizenship *does* is to center Anishinaabeg sovereignty in discerning who belongs while also de-centering it away from band membership regimes. First, adoption *re-centers* decision making power in the family, community and nation. As Coulthard's (2014) discussions on the politics of recognition in Canada suggest, this re-centering is an anti-colonial act because it gives primacy

3 White supremacy and whiteness can be linked to the expropriation of lands. "Whiteness" here is a worldview, to which Anishinaabeg as well as others can subscribe.

to Anishinaabeg legal orders rather than giving our sovereignty away to a state uninterested in Indigenous self-determination. It empowers us to look to sacred stories to guide our citizenship practices, rather than continuing to decipher the limited potential for self-governance under Canadian laws.

Second, adoption also *de-centers* decision making in that it reminds us that First Nation bands are *not* the arbiters of Anishinaabeg citizenship. First Nation bands (and band membership codes) are creations of the *Indian Act*. As such, they promote a centralizing type of power that runs counter to the emergent and de-centralized nature of the Anishinaabeg clan system and family-based governance. Adoption takes place at the family level; this reminds us that families renew the nation through adoption, birth and marriage. Anti-colonial approaches to citizenship are thus those that can accommodate the decentralized nature of clan-inspired governance.

Conclusion

In 1985, Canada amended its *Indian Act* after years of political activism lead by Indigenous women (see, Lawrence, 2004, pp. 56–63). One of the changes instituted was to establish adoption as grounds for entitlement to registration as an “Indian” (*Indian Act*, 1985, s.2). This reversed a decision made 134 years earlier, when adoption was removed from the earliest colonial legislation regulating Indigenous belonging (see, Isaac, 1993: pp. 40–41, p. 47). However, the damage has been done; adoption as grounds for belonging with Indigenous nations has become a dirty word in commonsensical ways for many people today.

That said, the purpose of this paper has been to demonstrate some of the decolonial power enfolded into Anishinaabeg adoption practices. I have argued above that adoption inherently challenges the blood quantum-based identity and belonging narratives laid out for Indigenous peoples by Canada. Whereas band membership regimes and “Indian status” are meant to prepare “Indians” to own property, an adoption-centric order of citizenship demands that we discern citizenship in ways conducive to maintaining balance and continuous renewal. This requires self-determination rather than external regulation.

Indigenous peoples are more than just bloodlines; they are self-determining nations whose families decide who belongs and who does not. Yet, family-making has been hijacked by the *Indian Act*. It is not that blood lines are inherently “bad” or “colonial;” what makes them so in the Canadian context is that biological descent has been weaponized against Indigenous peoples in that it has become the narrow basis upon which Indianness is recognized. An adoption-centric theory of citizenship demonstrates the brutality of the weaponization of blood lines: those who rightfully belong according to Anishinaabeg law are being wrongfully excluded from fully participating in their nations and communities.

This paper has been bound by certain limitations. I have not taken up other elements of adoption in order to focus on how caring for others and determining our associations can inform the inclusion of people who rightfully belong. Johnston’s (2008 [1976], pp. 46–58) discussion about animal nations disowning humans has resonance in terms of establishing how one can lose citizenship or be banished. Likewise, adoption is not the only family-making practice that could inform the resurgence of Anishinaabeg citizenship orders. The values and principles underpinning Anishinaabeg marriage and birthing traditions could be equally relevant to discussions on the resurgence of Indigenous citizenship order. I wrote about

adoption because I was adopted into my nation. A longer or different reflection could take up these other possibilities in productive ways.

The arguments shared in this paper represent where I currently am in my thinking about an adoption-centric theory of Anishinaabeg citizenship—the main focus of my PhD research. I am sure that my perspectives will change over time. Here, I have taken the concept of customary adoption, and considered how some of the values underpinning it can inform the resurgence of Anishinaabeg citizenship orders. Adoption can be a form of political self-determination when the self-determination of Indigenous families is respected in discerning who belongs with their respective nation (Carrière, 2005, p. 24; Gilbert, 1996, p. 69). There is a need to re-imagine what belonging and “citizenship” within Indigenous nations means today. It is my hope that this paper lends something to that broader discussion.

Thank You

I would like to thank my two blind peer reviewers, and my colleague Kam'ayaam (Cliff Atleo) for your valuable feedback on earlier drafts of this paper. Miigwetch and tleko tleko! I would also like to thank the First Peoples Child and Family Review editors for your support, accommodation, and encouragement. No writing occurs in isolation; putting this paper together was a communal effort.

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Cultural Permanence for Indigenous Children and Youth: Reflections from a Delegated Aboriginal Agency in British Columbia

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Abstract

The article discusses cultural permanence for Indigenous children and youth from the perspective of the executive director of Northwest Inter-Nation Family and Community Services (NIFCS), a delegated Aboriginal child welfare agency that serves nine Indigenous communities from three First Nations on British Columbia's northwest coast. Through increasing cultural knowledge, NIFCS aims to enhance its practice to meet the holistic needs of children and youth in care, in particular, to ensure that children and youth maintain connections with their families, extended families, and communities. NIFCS provides experiential opportunities for children and youth to know about, and learn their languages, spiritual teachings, and cultural traditions from their Elders, families, and communities. Ultimately, NIFCS's goal is for the children and youth in its care to be strongly connected to their roots and experience a sense of belonging. This paper looks at connectedness and cultural diversity in the context of cultural planning for permanence, relates these concepts to NIFCS, and outlines promising practices within NIFCS.

Key words: connectedness, belonging, cultural diversity, cultural identity, cultural planning, cultural permanence, custom adoptions, customary care

Dreaming a Better Future for Indigenous Children

Some time ago, I dreamt I was standing under a tree with brilliant green foliage and many red fruits. I reached up and held a tree limb in my hand to pick one of the fruits. To my surprise and amazement, many children tumbled out of the tree and started running in all directions. I frantically tried to gather them all together, and with the exception of two adolescent boys, I succeeded. In my dream state I felt disappointed that I was not able to hold onto the boys and keep them safe, but over time, I came to understand that the boys brought me an important lesson about self-determination. First Nation, Métis, and Inuit peoples in

Canada strongly assert the right to self-determination and are working toward it as decolonizing action and resistance against colonial rule. As articulated by Indigenous leaders in the Tsawwassen Accord (2002),

Our children and our families are the cornerstone of our futures.... Our inherent right of self-determination will only be achieved through the recognition of our inherent jurisdiction for our children and families. (p. 2)

My heritage is African West Indian. I grew up on a small island in the Caribbean called St Vincent and the Grenadines, and I immigrated to Canada as a young adult. My partner and I have four children of mixed Caucasian and African ancestry. I have lived in Prince Rupert, British Columbia, for the past 16 years. As a non-Indigenous executive director of a delegated Indigenous child welfare agency in that small city, it is part of my professional practice, as encouraged by Indigenous literature, to pay attention to all ways of knowing, including dreams. Leanne Simpson (2008) says, “The importance of visioning and dreaming a better future based on our Indigenous traditions cannot be underestimated. But according to our traditions, those visions or messages from our ancestors and the Spirit World will be lost if they are not acted upon” (p. 84).

In my work at Northwest Inter-Nation Family and Community Services (NIFCS) on BC’s northwest coast, I want to act on my dream that children and youth in NIFCS communities and care will experience meaningful, lifelong family, community, and cultural connections and have healthy, positive outcomes in all domains of their lives. Like other agencies that serve Indigenous children and families, NIFCS strives to promote well-being, connection, belonging, and cultural permanency for the Indigenous children and youth who come into our care. Like other agencies, we seek to overcome the barriers to positive outcomes for children and youth in our care. These barriers include an absence of clearly articulated policy, guidelines, and training to support cultural plans of care, and insufficient government funding to support cultural connections.

This article highlights policies and practices that service providers and Indigenous child welfare agencies can activate to promote ongoing connections and cultural permanence for Indigenous children and youth in care. I begin by contrasting the ideas of *permanence* in mainstream child welfare with practices of *cultural permanence* in Indigenous child welfare. Next, I describe the context of delegated Aboriginal child welfare agencies in British Columbia and situate NIFCS and our work within this context. After highlighting the importance of cultural identity, in the main part of the article I discuss *cultural planning for cultural permanence* for Indigenous children and youth, both in general terms and more specifically in relation to NIFCS. Within this discussion, I contrast Western and Indigenous perspectives on connectedness and belonging and consider the challenges of meeting the needs of specific children, families, and communities from the perspective of an agency that serves nine diverse communities within three distinct First Nations. Toward this end, I outline promising practices within NIFCS and the communities we serve.

Permanence vs. Cultural Permanence

Berrick (1998), writing in the mainstream US context, explains that the child welfare goal of permanence:

is typically defined in legal terms to include three forms of custody: (1) reunification with a biological parent, (2) adoption, in which legal rights to parenthood are severed with the biological parent and are fully transferred to an alternative adult, or (3) legal guardianship, in which authority for the child is transferred from the parent to an alternative caregiver. (p. 78)

This definition stands in stark contrast to ideas about “adoption” in Indigenous communities, where sharing children is part of traditional law and where, “when the situation is warranted,” children are “given to others with honour bestowed on all parties” (Bertsch & Bidgood, 2010, p. 101). Bertsch and Bidgood (2010) explain:

The practice of sharing children with those who can best care for them involves cultural titles and tribal positions along with birth family consultation. In lifelong planning for children, they are not estranged from their community, birth families or culture; as a result, First Nations languages have no traditional word for adoption. (p. 101)

In British Columbia, the term *cultural permanence* is defined in relation to Indigenous children and youth in care as the child or youth’s right to experience stability and continuity of meaningful relationships with their family, extended family, community, and culture (Indigenous Child Well-being Research Network, 2011). The concept is now included as an important aspect of permanency by the BC Ministry of Children and Family Development (MCFD). As utilized by the University of Victoria’s Indigenous Child Well-being Research Network (ICWRN), the term cultural permanence refers to practices of customary care, including custom adoptions as well as informal means to ensure that Indigenous children and youth in care develop or maintain permanent connections with their families, communities, and culture. These practices are part of (or the result and/or goal of) a child’s *cultural plan of care* (CPOC). Formal arrangements such as custom adoption, kinship care, and guardianship, as well as informal practices for cultural permanence like homecoming ceremonies for off-reserve children or youth may take place within MCFD or under the jurisdiction of a delegated Aboriginal agency. In the next section, I provide some context for the latter.

The Context of Delegated Aboriginal Agencies in British Columbia

Since the early 1980s, many Indigenous communities in Canada, including BC, have embarked on taking back responsibility from government to care for their own children. In BC, the province delegates authority to child- and youth-serving agencies through a graduated three-tier process that comprises basic voluntary services, guardianship services, and full child protection services. Currently, there are 22 of these agencies in BC at different levels of delegation. Each agency negotiates the level of delegation with MCFD based on standardized operational readiness. Some agencies are funded by the province to provide services to Indigenous and Métis clients in urban settings. Other agencies are funded both provincially and federally to provide services on and off reserves. Ten of the 22 delegated agencies in BC are fully delegated, which means that they can assess and investigate child safety situations for abuse and neglect and have the authority to remove children from the parental home and place them in foster care. In MCFD terms, delegation is an initiative to “address the [high] number of Aboriginal children in care” (Ministry of Children and Family Development, 2013, para. 1). It is important to note that First Nations tend to view delegation as an interim measure on the path toward self-governance.

NIFCS received partial delegation from MCFD in 1999. While it does not have full child protection delegation, the province has delegated the agency to assess for voluntary and support services, provide guardianship functions for children and youth in permanent care, and provide support services to foster

parents. The agency currently provides these services to its member Nations, which include Tsimshian, Haisla, and Tahltan people, whose Elders and leaders guide NIFCS with traditional teachings.

NIFCS's mission is "to provide community based and community driven child and family care services that protect and preserve the unique cultural identity of every child and family in the bands we serve" (Northwest Inter-Nation Family and Community Services Society, 2008). NIFCS has participated in several initiatives to promote community-based plans, including community participatory research through *Touchstones of Hope* (Blackstock, Cross, George, Brown, & Formsma, 2006), a reconciliation movement to redevelop Indigenous child welfare on the basis of community-developed visions of healthy children and families informed by the Touchstones of Hope guiding values of self-determination, culture and language, holistic approach, cultural interventions, and non-discrimination.

NIFCS also conducted a partnership project with the Indigenous Child Well-being Research Network (ICWRN), University of Victoria, on custom adoptions. As part of this initiative, ICWRN and NIFCS cohosted meetings in Prince Rupert, BC in August 2013 and in Terrace, BC, in October 2013 called "Cultural Permanency for Our Children." Highlights of these meetings, which were funded in part by the Victoria and Vancouver Foundations, are captured in a video titled "The Terrace Training Sessions" (Indigenous Child Well-being Research Network & Northwest Inter-Nation Family and Community Services Society, 2014).

Before I move on to discuss cultural planning for cultural permanence, I want to briefly highlight the importance of cultural identity to Indigenous children and youth in care.

Cultural Identity

For Indigenous people, culture is the essence of who they are (Carrière, 2007; Hart, 2007; Smith, 2012; Thomas, 2005). Therefore, cultural identity is central to the issues discussed in this article. The cultural identity of Indigenous children and youth in care cannot be ignored because their well-being depends on cultural healing (Carrière, 2010). Jeannine Carrière (2007) emphasizes that knowledge of oneself and one's existence with others gives meaning to being part of a larger community. This perspective on tribal identity was supported by several adoptees who participated in Carrière's (2007) study with Indigenous adults who had been adopted into non-Indigenous homes when they were children. Her 18 study participants stated that identity and loss were the two main issues they struggled with. Loss became the study's core category; it was expressed to some degree by each of the adoptees and was often manifested in their physical, emotional, mental, and spiritual health. Carrière found that all of her participants had a "drive to seek out their birth family" and "a longing to know who they are, where they come from, and where they belong in this world" (p. 41). One of the adopted participants in Carrière's study expressed her need for belonging and identity in these words:

For me, I grew up thinking that I was a nobody, like I didn't know my identity. So, when I was a teenager, I went through identity crises because that's when I started realizing I was different. There was something different about me. (Molly, cited in Carrière, 2007, p. 50)

Another participant shared that when she was 12:

that's when I started questioning, I wanted to know more about native people. There was a Hudson Bay store, and I knew they did all their groceries. I was always going there to sit on a bench and watch them. I wanted to know things. I wanted to be a native person so badly. (Mama Bear, cited in Carrière, 2007, p. 50)

Many Indigenous children and youth in care experience separation and loss on a daily basis because of a lack of meaningful connections in their lives. Evidence suggests that the loss of identity for children and youth who have been removed from their families and communities creates spiritual dissonance, which impairs their physical, spiritual, mental, and emotional health (Carrière, 2007). Conversely, strengthening a young person's cultural identity holds potential to restore health and cultural pride. Anderson (2000) proposes a theory of identity formation for Indigenous people that includes resisting imposed definitions, rejecting negative stereotypes, reclaiming Indigenous traditions, translating tradition into the contemporary context, and acting to create a positive new identity. Within the context of cultural permanence for Indigenous children and youth in care, taking action to strengthen cultural identity must be a key component of cultural planning. This idea is explored in the following section.

Cultural Planning for Cultural Permanence

Within MCFD, a plan of care is defined as “an action-based planning tool for children in care” that is completed by the child's worker with involvement of the child, the family, the extended family, *the Aboriginal community if the child is Aboriginal*, the caregiver, service providers, and significant people in the child's life (Turpel-Lafond, 2013, p. 8, emphasis added).

A cultural plan of care (CPOC) is “a critical element in ensuring that children remain connected to their traditions and cultural heritage” (Turpel-Lafond, p. 3) and it is a requirement of BC's *Child, Family, and Community Service Act* (Government of British Columbia, 2007). Nonetheless, and despite the fact that Indigenous scholars and leaders (e.g., Sinclair, 2007; Union of BC Indian Chiefs, 2002) stress the importance of community involvement in decisions affecting the children of their communities, the BC Representative for Children and Youth, Mary-Ellen Turpel-Lafond, observed in her March 2013 report to the BC legislative assembly that there has been little to no involvement of First Nations communities in creating cultural plans for their children and youth. Further, of the 60 Aboriginal children whose files were audited for Turpel-Lafond's report, *only three had a cultural plan*. Turpel-Lafond describes this finding as “a clear violation of the rights of B.C. children in care” (p. 96) and she attributes it to social workers' lack of knowledge of “what a cultural plan should look like or how to write one” (p. 53). She states:

It is evident that extensive training is required for workers to be able to write effective cultural plans and develop strategies that help preserve the child's unique identity and maintain connections to their community. It is also critical that their community is actively involved at all stages of the planning. The most common statement found in the audit across Aboriginal children's CPOCs under the culture, identity and religion domain was for the child or youth to attend a potlatch or other cultural ceremony. Cultural planning for Aboriginal children and youth in care should be much more comprehensive and meaningful than this. (p. 54)

Permanency is the overall goal and context for cultural plans. According to Turpel-Lafond, permanency planning is not just about placement; it is about strengthening the child's relationships, cultural identity, and sense of belonging. The impact of the loss of identity and belonging that Indigenous people have experienced and the need for connection with extended families, communities, and cultural practices is discussed in this article's next section.

Connectedness and Cultural Planning for Permanence

Connectedness is central to well-being (Bowlby, 1973; Carrière, 2005). By connectedness, I refer to ongoing strong relationships between a child and the child's birth parent(s) (whenever possible) as well as with their extended family and community and with Indigenous culture, teachings, and spirituality. Carrière (2007) asserts that, for children and youth in care, connectedness should be used as a determinant of health, just as environment, genetics, and social conditions are determinants of health. She states that in First Nations cultures, children grow up in their community, receive cultural and spiritual guidance from their Elders, and have opportunities to participate in ceremonial events. This becomes the foundation for identity and strength in their development (p. 114). Indigenous children and youth in care have an equal need for this strong foundation that cultural connection can provide. Elders and other traditional teachers have a crucial role in passing on cultural teachings and values. This is important knowledge in working with Indigenous children and youth.

Building on family and cultural strengths demonstrates respect for a child's personhood (Carrière & Richardson, 2013, p. 9). It is crucial in child welfare practice with Indigenous children and youth that interactions between service providers such as social workers and children or youth and parents, family, extended family, and community members promote belonging, self-esteem, a sense of connection, and a sense of self-worth. They must also uphold the rights of the Indigenous child as outlined by the United Nations Convention on the Rights of the Child (United Nations, 1989) and reaffirmed by the Secretary General of the United Nations (United Nations General Assembly, 2012), including the right to know one's people, one's land, and one's language and to live in one's culture.

While both Western and Indigenous authors agree on the importance of connectedness and belonging for children in care, Western and Indigenous perspectives on connectedness tend to be quite different, and I highlight some of these differences below.

Connectedness and Belonging: Western vs. Indigenous perspectives

Individuals and cultures experience, perceive, and react to the world—and to people, things, and ideas within our worlds—in distinct ways. For example, Western perspectives on child development emphasize bonding and attachment to a primary caregiver, usually the mother. In contrast, an Indigenous approach sees connectedness as it relates to extended family, cultural traditions, norms of collective care giving, and access to resources and supports within the extended family and community. With this approach, planning processes should be family led (Richardson & Wade, 2012) with meaningful input from the child's Indigenous community (Carrière & Sinclair, 2009; Green & Thomas, 2005, 2009; Turpel-Lafond, 2013).

Indigenous and non-Indigenous authors who have addressed connectedness in relation to Indigenous children and youth express similarities in terms of content and definition; however, they differ, in some cases drastically, in philosophical assumptions, context, and approach. For example, non-Indigenous developmental psychologist and attachment theorist Gordon Neufeld (2008) and Lakota professor emeritus Martin Brokenleg (Brendtro, Brokenleg, & Van Bockern, 2002) agree that child and youth connectedness could be supported by a helping adult who offers warm, consistent, stable attachments and acts as a bridge to make connections possible. However, Neufeld posits a more interventionist use of individual clinical methods and strategies to deal with connection and connectedness, while Brokenleg and other Indigenous authors suggest a more collectivist, contextual, cultural approach that includes extended family and community (HeavyRunner & Sebastian Morris, 1997).

Indigenous peoples see connectedness holistically. As HeavyRunner and Sebastian Morris (1997) explain, the traditional Indigenous family unit is the extended family, where each child has an abundance of blood and clan relatives to share the responsibility of child rearing. Indigenous people's identities are connected not only to large numbers of people, but to land, space, and time. As an example of how the two different worldviews demonstrate connectedness differently, Westerners tend to introduce themselves in an individualistic way, outlining their achievements and accomplishments. In contrast, most Indigenous people introduce themselves in relationship to their clan, house, band, family lineage, and Nation(s) (Absolon & Willett, 2005). Carrière and Richardson (2009) assert that an Indigenous perspective on cultural connectedness and identity is more appropriate than attachment theory for Indigenous children and youth. They suggest replacing the term *attachment*, a unidirectional construct, with the more mutual and multidirectional term *connection* or *connectedness*. According to these authors, the child's cultural connections and sense of belonging can also be nurtured through relationships with land, Mother Earth, spirit, ceremony, and the ancestors. Being connected in these ways can bring a child a sense of purpose and belonging.

Connectedness and Cultural Planning for permanence Within Delegated Agencies

The Aboriginal Operational and Practice Standards Indicators (AOPSI; Caring for First Nations Children Society, 2005) used by MCFD and delegated agencies in BC state that when placing Indigenous children for adoption or in foster care, preference should be given first to relatives and then to Indigenous families or members of an Indigenous community. Given the overwhelming agreement by Indigenous leaders and scholars (e.g., Carrière & Sinclair, 2009; Gray & Coates, 2008; HeavyRunner & Sebastian Morris, 1997; Union of BC Indian Chiefs, 2002) on the importance of Indigenous cultural identity and the positive impacts on health and well-being of connection to culture, family, and community, an important question to ask is how delegated agencies like NIFCS can foreground culture in plans of care to address issues of loss, identity, and belonging for children and youth in care. For many youth in NIFCS's care, loss is acted out through oppositional behaviours, anxiety, depression, attempted suicide, and substance abuse. The typical mainstream response to such behaviours is to refer the child or youth to a mental health clinician who specializes in Western approaches, such as cognitive or talk therapy. Many Indigenous youth resist this kind of help. When I have asked young people why they do not want to go to therapy sessions, some of them have said to me, "I don't know what to say." We expect youth to have the vocabulary to articulate

their internal and external complexities, but most do not. Further, every child who has been assessed by a psychologist or psychiatrist has diagnostic labels listed in their files. Recommendations for care never include identity and culture as protective factors in promoting well-being. Being in care is usually listed as a reason for misbehaviour and dysfunction, but I have yet to see culture and cultural strengths as a recommended avenue to well-being.

To determine how well NIFCS has been accomplishing its goals of promoting meaningful, lifelong family, community, and cultural connections for the children and youth in our care, the agency conducted a self-evaluation in March 2013 (Northwest Inter-Nation Family and Community Services Society, 2013). Children and youth filled out surveys and participated in a focus group discussion about their experiences of connection to culture, family, and social workers. This discussion was intended strictly to hear directly from the children without any adults present so they could speak without hesitation about their daily experiences of being in foster care. Many youth and children reported “trust” when their social worker engaged them in experiential visits to cultural communities or participating in cultural activities (e.g., making regalia) with other children in care. All of the child and youth participants in the discussion indicated a strong interest and desire to deepen their cultural connectivity. For some, that meant more meaningful time with biological parents and family. The young people pointed to birthdays, naming ceremonies, feasts, funerals, and other family events as examples of when visits would be appropriate and should be facilitated by their social worker. For others, it meant a consistent relationship to their traditional territories to learn more about the way of life of their people. Hunting, fishing, and dancing were named as important means to strengthen their identities as Indigenous children and youth (Northwest Inter-Nation Family and Community Services Society, 2013, p. 54).

According to Richardson and Wade (2008), the whole family that surrounds a child in care must be able to take part in planning for cultural permanence. Cultural planning is about belonging, about saying to a child, “You belong to us.” It is about the wholeness of the child and taking children where they belong. Illustrating this web of connectedness, one grandmother said in the NIFCS survey, “Every child in this community is my grandchild.”

Importantly, connection to culture is not a simple matter of exposing the child or youth in care to First Nations ceremonies or cultural activities. Children need to connect in meaningful ways to their own specific culture(s) and relations. For NIFCS, it is important that these knowledges and principles are articulated in the agency’s values, mission, mandate, and policies, and that resources are allocated toward implementing cultural practices and activities that are so important for the children in our care.

Cultural Diversity and Cultural Planning for Permanence

First Nations, Métis, and Inuit communities across what we know as Canada are incredibly diverse, with different languages, cultural practices, teachings, worldviews, and so on. HeavyRunner and Sebastian Morris (1997) caution against applying a singular cultural perspective to every Indigenous child and youth because of this diversity. However, they assert that, in spite of tribal differences, different Indigenous groups share certain core values, beliefs, and behaviours. These include child rearing as the responsibility of an extended family, veneration of age/wisdom/tradition (respect for Elders), respect for nature,

generosity, respect for others, composure/patience, the relativity of time, and nonverbal communication (p. 61). Further, Indigenous literature on child well-being is united with regard to the importance of holistic connections for promoting positive outcomes for children and youth (Gray & Coates, 2008).

One of our greatest challenges as child, youth, family and community service providers in conducting culturally appropriate planning is in the area of diversity (Gray & Coates, 2008; Turpel-Lafond, 2013). Many workers find it daunting to meet the specific local needs of the children, families, and communities they are working with.

The three First Nations that NIFCS serves have different words in their languages to express a similar concept of oneness despite diversity. The Tsimshian word *sayt k'uulm goot* (Sai-KOOLUM-gaawt) means “with one heart”; in Haisla, *haisla'go* (Hai-zla-GOH) means “we should get together as a community to do something”; the Tahltan word *dahdze'lige* (Dah-ze-THLIGAH) means “we are like one” or “like one heart.” This teaching is common across Indigenous groups. It does not mean we are all the same, but we are all interrelated. As such, it is our ethical responsibility as service providers to figure out how to work across differences and to meet the specific cultural needs of every child we work with.

It is also important to note that for Indigenous children and youth in care, diversity does not apply only to cultural identity. A child or youth may have a disability, be overweight, be gay or two-spirited, or be different from peers in other ways. There is a need for service providers and caregivers to empower youth to hold onto their identity and become resilient through connecting to family, community, and cultural strengths.

As service providers, we are encouraged by Blackstock (2009) and others to practice in such a way that we do not behave as solution givers in isolation from Elders and community knowledge holders. How can we support each child and youth to find their place of connectedness in relation to themselves, their families and extended families, their communities, and their culture? In the next and final section, I highlight promising practices within NIFCS that have implications for other agencies serving Indigenous children and youth in care.

Promising Practices

NIFCS works collaboratively with the communities it serves to bring children home from outside their geographic locations through homecoming and transition ceremonies. For example, between the months of June and September 2014, NIFCS staff collaborated with three of our communities, Kitkatla (Gitksan Nation), Lax Kw'alaams, and Kitamaat (Haisla Nation Council), to bring children home from around the province of BC and from other provinces to meet their families and extended families and to participate in community cultural activities. The majority of these children were visiting the land where their parents grew up. It was heart-warming to see that many caregivers and service providers and some birth parents accompanied children and youth to their communities and participated in the cultural activities. This collaborative work among the agency, communities, and other service providers who are part of the children's lives is proving through experience to achieve better outcomes for children and youth in care than the mainstream child welfare system achieved. NIFCS borrows this value from Indigenous knowledges that speak to the value of the interconnectedness of all things and all peoples.



Faith in the cape she wore at her transition ceremony lovingly made for her by two NIFCS workers.



Faith displaying the Raven Clan crests on her cape.

As another example of this kind of collaboration, NIFCS recently held an aging-out ceremony at the agency for a youth who spent 11 years in care. Like most Indigenous youth in care, Faith had experienced multiple placements and disconnection from her family and community. To plan the ceremony, we first met with Faith and sought her views and input to identify family members whom she would like to attend a family meeting to help plan her transition ceremony. Approximately 25 family members attended the meeting, including Elders from Faith's maternal community of Kitkatla and her paternal community of Lax Kw'alaams. Together we planned and discussed what the cultural ceremony would look like. Then the whole agency staff got involved in planning for the big day. Two workers made a cape with Faith's crest; one worker made a genogram and another built a PowerPoint presentation with music and pictures from Faith's years in care from beginning to end, including a variety of school, community, and other pictures of herself and the two children she had while in care. One worker invited all of the family friends, community Elders and relatives, professionals in Faith's life that she wanted to be there, representatives from MCFD, a professional photographer, Faith's siblings and their foster parents, Faith's parents and grandparents. Forty adults and a dozen small children attended the event. We provided food and honoured Faith with a cultural kit, her cape, and a laptop. Speeches were made by her younger brother, who was also in care, her uncle, who is a chief, and two Elders. When Faith's brother spoke, there was not a dry eye in the room. His words were touching, sincere, and filled with bittersweet memories of their time in care together, when the only constant in their lives was each other.

Two other youth will be leaving care by the end of this year, and NIFCS staff has been directed to continue this practice of honouring each youth in our care as they transition into adulthood. One of our goals as an agency is to provide meaningful opportunities for youth like Faith to draw on cultural strengths and cultural resiliency. When NIFCS and ICWRN held the participatory action research forum on custom adoptions in Terrace, BC, in November 2013, Faith bravely stood up in a room full of Elders, service providers,



NIFCS staff wearing t-shirts with cultural permanence logo at Faith's transition ceremony.

academics, and other children and youth in care to share her experiences of being in care. When asked what things had helped her most in her journey through foster care, Faith replied:

I think that things that helped me the most were school and family and friends. I know when I was younger, 8 up until I was about 10 years old, I only focused on school and it helped a lot.

In response to a question about who had helped her the most, Faith said this:

I think the one person that helped me the most throughout everything is my younger brother. I think I was 8 and he was 7 when we first got into care. Everywhere we went, we went through so many homes. Through every home that we went to my brother was the only one that was with me. We moved from town to town and home to home and we changed schools a lot. Until we got used to the homes that we were in and the schools that we started going to we pretty much only had each other. Now there's my son to help me. He really helped me to get motivated to go back to high school. I'm graduating this year.

Faith shared her own personal story of being an Indigenous youth in care:

It's not easy. When I first got to high school there's a lot of times where your parent has to sign forms, permissions forms or something. I

wouldn't know whether to give it to my foster parent or my social worker. I remember one time asking who I give it to (...) They were shocked that I was in care and a lot of kids started trying to talk about me being in care. There weren't very many kids that were racist, but there was



Faith with her former foster parent and NIFCS worker who made her cape.

some. Because I'm Native and I'm in foster care, they would talk about how our parents don't take care of us or how a lot of us end up in foster care. They never knew our story, but they made a lot of assumptions. In Grade 8 and 9 I was going through a lot of struggles and I wasn't in school very much. So when I did show up, they would talk and it would make me not want to go to school. So I was in and out of school up until now, and I'm really surprised and happy to say that I'm graduating this year.

It's not all bad, even though I went through all of that struggle with school or friends or moving from home to home. A lot of kids in care go through the same things. It's really how you handle it—does it build you up to be stronger or not? I wasn't always able to say that. I used to think, "Oh poor me, I'm in foster care," but now I think it really helped me meet a lot of people and go through a lot of things and it made me stronger.

Faith talked about the difficulty of keeping her culture while in care, especially given that she moved around so much between placements. She said that the rediscovery camps she attended in her hometown every summer helped, and that although family visits were often difficult to arrange, they were "really memorable."

Finally, Faith was asked what the adults need to know to support Indigenous youth in care. This is her reply:

I've been through a lot of homes and they all tried to support me, like I've been hearing all day today that the children do get lost. It's really hard for people to help find you if you don't want to be found because you just get lost feeling sorry for yourself. That's what happened to me. I didn't want to be found. My gran and my family and a lot of people, a lot of people that weren't even related to me. I had people at my school, like teachers and the school counsellors talking to me and trying to get me to go to school. They kept trying to get me to stop running away from home and going down a really, really bad road. A lot of people said, "I can't help you if you don't even want to help yourself." It's really hard to try and help support children when they're hurting, but if you never give up on them, later on when they find themselves, they don't forget that.

As the director of the agency responsible for Faith, her words moved me to take action to find ways to support and empower her resilient spirit. Her insights also helped me to think about ways that NIFCS could better support all of the children in our care. The staff, team leaders, and I discussed ways to develop a plan of care to meet Faith's individual needs. For example, we supported a visit to her maternal grandparents in Vancouver this summer, and we supported her and her brother's participation in two homecoming events in Kitkatla and Lax Kw'alaams. Faith's worker met frequently with her in the months leading up to her leaving care, ensuring that she connected her to resources in the community, including other professionals, housing, and finances, and supporting her plans to continue her education. Staff also consulted with Faith to plan the transition ceremony described above. We learnt from Faith's interview that it is important to her for others to see her through her own eyes. She stated, "I remember being treated different a lot when I was in Grade 8 and 9. They didn't see me, they just saw that I was First Nations and in care." Based on these words, when we honoured Faith's transition into adulthood with a cultural ceremony, the focus was not on her aging out of care or being in and out of care. Being a child in care does not define who Faith is as a person.

For Indigenous children and youth, connectedness and belonging goes beyond maternal bonding and the nuclear family. Each child is connected to a wide extended family, with specific ties to clans and houses. It is important for Indigenous children in care to know their clan and house name, the names of their symbols, and the name of their specific language, even if they do not speak it. It is important for them to know the dances, participate in the ceremonies, and understand their community's teachings and values that guide thoughts, attitudes, and interactions with everyone and all of nature. Children in care need to know who they are in relation to their relatives and ancestors.

Birth parents, extended family, Elders, and trusted community members need to be involved in guiding service providers, caregivers, and foster parents in the customary laws of the community and engaging Indigenous children and youth in customary activities. Elders are a valuable source of strength and cultural knowledge who can assist with centring culture at the heart of practice. Many agencies incorporate Elders' participation in their offices to assist in conflict resolution by applying customary ways of restoring harmony and balance. NIFCS encourages and requests the involvement of Elders in many ways, including inviting Elders to meet with children in care to tell them stories about their cultural history, spiritual teachings, values, and traditions.

NIFCS can promote connections with culture and community in many other ways. For example, we can involve children in games that help build identity. We can provide opportunities for them to learn about role models of courage and resiliency. We can invite Indigenous artists to teach children and youth cultural art. We can take them on community visits several times a year, and take them to cultural museums to teach them how to make regalia and learn about their crests, dances, clans, and houses and build confidence and cultural pride. NIFCS could establish a library of Indigenous literature, artifacts, games, videos, life books, journals, Indigenous colouring books, music, books, and toys. We could have cultural camps for children and youth, bringing youth from different Nations and communities together to learn from each other and to build appreciation and tolerance for diversity. At these cultural camps, the communities NIFCS serves could be invited to collaborate on designing, planning, and implementing the activities for the camp. The children and youth would learn traditional lessons and values about hunting, food gathering, local medicines, and their local environment and its history.

Children and youth in care need to have cultural plans that clearly document how their individual needs will be met for connectedness, identity, and belonging, and what activities, programs, and services will promote their well-being and restore balance to their fragmented lives. The ultimate goal is for Indigenous children and youth to thrive, to have cultural pride, to have positive self-esteem, to be resilient to cope with the stress of being in care, and to learn about cultural resiliency from role models in their lives and from stories about individuals who have demonstrated resiliency in their lives.

There is, of course, a great need to fund specific policies and programs that promote cultural identity, customary care arrangements, and extended family and community connections. Present funding levels are inadequate to plan for these needs; however, according to Simpson (2008), Elders and communities—without funding—have always passed on their knowledge and teachings to the younger generations because of their own sense of cultural responsibility, commitment, and care for what has sustained past generations and will sustain generations in the future. This commitment on the part of Elders and communities does

not absolve governments who act in the capacity of legal guardians of the responsibility to adequately fund cultural programs and activities that promote the well-being of Indigenous children and youth. As the executive director of a delegated Indigenous agency, I am well positioned to be a strong advocate for funding and to work with a full First Nations board to ensure that customary cultural practices are funded.

Conclusion

The article has provided an overview of Northwest Inter-Nation Family and Community Services (NIFCS), which serves nine Indigenous communities from three First Nations on British Columbia's Northwest Coast. Through increasing cultural knowledge, NIFCS aims to enhance its practice to meet the holistic needs of children and youth in our care, in particular, to ensure that children and youth 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. Ultimately, NIFCS's goal is for the children and youth in our care to be strongly connected to their roots and experience a sense of belonging. In pursuit of this goal, we look to the communities' Elders for guidance in customary laws and practices of caring for children. We are heartened by the spirit and commitment of Elders and cultural teachers who are leaders and strong advocates in supporting cultural connections for the children and youth of the communities NIFCS serves. We are grateful to the Lex Reynolds Adoption and Permanency Trust Fund (Victoria Foundation) and the Vancouver Foundation for the opportunity to collaborate with the Indigenous Child Well-being Network at the University of Victoria to explore and document customary laws and practices that support well-being and cultural permanence for the children and youth we serve. Dahdze'lige—we are like one. It is good to get together and do something as a community.

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An Interdisciplinary Journal

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

Na Gan Ts'i'stk Grandmothers' Group of Lax kw'alaams

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We would like to express our thanks to our invaluable team members: Natalie Bryant, who is our Youth Representative, as well as our cultural camp workers: Russell Mather, Sophia Beaton-Mather, Patricia Mather, Lonnie Mather and Wilfred Campbell.

[We] are here to support children and families, to work with our children and youth, to encourage them to complete their education, to take pride in who and what they are, where they come from, to teach them about their culture, who they belong to—their Nation, tribe, crest, clan, family—to help work towards and build self-care plans and safety plans so that our children feel safe—and parents as well. We're here to be mentors and role models and helpers and teachers.

(Sherrie Haldane, Na gan ts'i'stk Grandmother, "Cultural Permanency for Our Children" forum, Terrace, BC, October 2013)

Lax kw'alaams is a Tsimshian community on British Columbia's northwest coast. Since 2010, all 37 Lax kw'alaams children in care, including those who live outside the community, have been identified and supported by a group of Elders who call themselves the Na gan ts'i'stk Grandmothers. Among other forms of emotional support and cultural connection they offer (which the Grandmothers themselves describe in

this article), the Grandmothers have invited the children and youth to learn traditional seaweed gathering and meet their extended families in Lax kw'alaams.

The Na gantsi'i'stk Grandmothers' Group is being increasingly recognized for their culturally and community-grounded leadership. The group was a regional finalist for BC's 2010–11 Premier's Awards in the partnership category. They also received the BC's Representative for Children and Youth Award of Excellence for Cultural Heritage and Diversity in 2010. The Grandmothers "have a genuine passion and concern for the Lax kw'alaams children and are taking action to ensure their children stay connected to their community, heritage, and culture. Their efforts are helping to promote healing for families in the community and are thereby reducing the number of children being taken into care" (British Columbia Ministry of Children and Family Development, 2013).

In this article, we wanted to uphold the work of the Na gan ts'i'stk Grandmothers so that others could be inspired by their leadership and perseverance. The article brings together the vision of the Na gan ts'i'stk Grandmothers' Group with that of Northwest Inter-Nation Family and Community Services Society (NIFCS) and Siem Smun'eem: Indigenous Child Well-being Research Network (ICWRN) at the University of Victoria. All of us came together in 2013 at two forums on "Cultural Permanency for Our Children"—one in Prince Rupert, BC, and one in Terrace, BC. The sessions featured Elder, community, and youth speakers and focused on strategizing for practices and policies for cultural permanence and customary cultural adoption. ICWRN members facilitated the sessions and helped document and record the community presentations. The Lax kw'alaams Grandmothers presented several times during these forums and shared both their vision for supporting child and family wellness and a strong cultural identity, and their efforts to maintain connections with children from their community who are in foster care and the adoption system. That the Grandmothers attend so many of these events and generously share their teachings and stories is a powerful testament to their commitment to their communities and children.

This article draws on video and audio documentation from the two forums, as well as notes from other presentations, to share the voices of the Lax kw'alaams Grandmothers. The importance of their work was highlighted again as we were developing this paper, when a grandmother in Alaska was denied custody of her grandchild because she had not filed a formal adoption petition. The landmark case pitted a Grandmother from Tununak, Alaska, against a court system that denied both her inherent and legislated right to custody of her grandchild. The US-based National Indian Child Welfare Association (NICWA) decried the decision, stating,

NICWA is disappointed by the decision of the Alaska Supreme Court in *Native Village of Tununak II v. the State of Alaska*. Cultural knowledge and recent social science research tell us that children who are raised by family members have better long-term outcomes (...) The grandmother of the child attended a court proceeding and formally testified to her desire to adopt her grandchild. This should be sufficient evidence that someone has come forward to provide a permanent home for the child. However, the court found that the grandmother in this case did not have the right to placement of the child because she did not formally file an adoption petition. This decision is not only counter to the letter and spirit of the *Indian Child Welfare Act* but also creates additional burdens for Native family members wishing to adopt. Our court systems should not be thwarting family members stepping forward to provide loving

homes. Instead, they should be doing everything in their power to support the best interest of these children and the families that deeply love them.

Did your grandmother play a significant role in raising you? How do you think she helped to shape who you are? How do you imagine she would have fared in navigating a court system and affording attorneys if she had been required to?

We need to demonstrate to those who do not understand that our children matter. Family matters. Culture matters.

(NICWA press release, October 2014, <http://www.nicwa.org/>)

Although this particular case is an American one, similar policies of systemic discrimination against Elders as caregivers, cultural knowledge keepers, and leaders in their communities continue to operate in Canada. We raise our hands to our strong, determined grandmothers and Elders, like the Na gan ts'i'stk Grandmothers' Group, who dedicate their lives to honouring and reconnecting with their community's children and to maintaining our kinship systems.

(Kathleen Bennett, Executive Director, NIFCS, and Sandrina de Finney, Research Advisor, Siem Smun'eem Indigenous Child Well-being Network)



(left to right) Sharon Bryant (NIFCS Executive Asst), Helen Johnson, Gloria Russell, Frances Wells, Kathleen Bennett (NIFCS ED), Sherrie Haldane, Victoria Reece, Myrtle Ryan. The black and white vests are adorned with traditional crests and mean "nuum na waalt: you belong to us." We gift each child in care who works with us with one of these vests to remind them where they belong and that they will never be forgotten.

encourage them to complete their education, to take pride in who and what they are and where they come from, to teach them about their culture, who they belong to—their Nation, tribe, crest, clan, family—to help work towards and build self-care plans and safety plans so that our children—and parents as well—feel safe. We are here to be mentors, role models, helpers, and teachers.

Na Gan Ts'i'stk Grandmothers' Group of Lax kw'alaams

Who We Are

We, the Na gan ts'i'stk Grandmothers, are majority matriarchs of the nine tribes of Lax kw'alaams on the northwest coast of British Columbia. We are a Tsimshian nation of a matrilineal nature. Women are the caretakers of the family, and children are taught the ways of their culture by observation and oral teachings by grandparents, aunts, and uncles.

The Lax kw'alaams Grandmothers are here to support children and families, to work with our children and youth, to

The goal of the Grandmothers' Group is to look at supports available for our grandchildren and their families—especially when supports are needed to ensure the safety and well-being of the child and family. Systems, such as the Ministry of Children and Family Development (MCFD), NIFCS, schools, social programs, recreational health and economic programs, must all work together to provide a holistic service to our children and families. By pulling in everyone and working collaboratively together, just imagine how healthy our children and families can be.

How We Got Started

We got started because we were adamant: “No. We will not allow our children to be adopted out.” That is how we truly began.

When the term “grandmothers” came up, we were just meeting as a group and talking about child welfare stuff. The next thing you know, we were asking, “What shall we call ourselves?” One of us, Barbara Henry, was at a meeting a week before that with NIFCS. Tahltan [First Nation] were talking about what they were doing in their community, and they had a grandmothers' group:

“I said, ‘Oh wow.’ So I took that and planted that in my head, and when we went to our meeting to talk about child welfare and we were talking about what should we call ourselves, and I said, ‘Well, Tahltan has a grandmothers' group.’ So hey, yeah, everybody jumped on that one. So thank you, Tahltan, for planting that idea. That’s how the grandmothers' group got started.”

One thing led to another, and the next thing you know we were talking about homecoming for our children—all of our children in care. After we had the homecoming, three of us—and there was some others from the community that came in to talk about our culture and our children and how this group was going to unfold for our children. So we came up with a theme of how the group was going to be and went from there. Then we talked about formalizing as a society or a legal group where we can actually go out and get our own monies to run our own programs. A lot of funds are available, but you have to be a registered society. Well, the *Society Act* of BC had a problem with that idea. They wanted a more English term for the name. So we kind of ran against a wall there and we said, “Ah, let’s just leave it.”

Helen [Johnson], the group’s founder, wrote a paper in university and she wrote it on a treatment model for child welfare. She had a dream and she shared it with everybody. Ultimately we grasped onto it. We have shared that dream with many of our colleagues and our community, of where we want to go. Helen said in her paper that the goal is to see the child remain in the home. A family caregiver would go into the home if a family was having problems or an issue. They would go in to care for the children while the parents received the treatment they needed to resume care of the child. So while the parents, or whoever their primary caregiver is, are away doing their treatment or rehab, the children’s environment is not disturbed. That just touched our hearts. From there we said, “We’ve got to get out there. We’ve got to do more stuff.” So we started calling in our youth (our youth being the closest to the small child) to lend their thoughts, to lend their ideas.

At the time we were doing a lot of collaboration with MCFD and NIFCS and they started running with their own ideas of pulling the Grandmothers in and moving forward, and it was going at a fast pace. The next thing you know we were in Vancouver receiving an award. We have been out there since. With no money.



Grandmother Rita Hayward, Rachel Hewer (NIFCS staff), Kathleen Bennett (NIFCS ED), and Grandmother Gloria Russell at Lax Kw'alaams Nuum Na Waalt cultural seaweed picking camp for children and youth in care.

What We Do

To support our children and families, we collaborate with NIFCS in a number of ways. We invite children and their NIFCS social workers and caregivers to visit the communities, we send personal cards and gifts to each child and youth in care who lives away from their home territories, and we speak to the children and youth as a group by Skype. In collaboration with NIFCS, we visit with children and youth at MCFD offices and agencies along the coast. We know that children and youth in care are disconnected from their roots, and we know the importance of having

a strong cultural identity. Our communities have a lot to offer about Indigenous knowledge and ways of being, and we know that honouring these children and youth in these very practical ways shows respect for who they are and builds their sense of cultural identity and pride.

The Grandmothers' Group has journeyed down many other avenues. In November 2005, for the first time in Lax kw'alaams history, we welcomed 29 children home to meet their extended families who lived in the village. The event was called *Nuum Na Waalt* (You Belong To Us). To show the children how they belonged to us, we clothed them with a traditional vest with the four crests to remind them where they belong and that they would never be forgotten. We claimed other children who came along with our members (siblings, half brothers and sisters) and gave them a vest also. Tears were shed at this moment, as we believe it instilled that true sense of belonging.

In 2010 in Prince Rupert, we contributed to the possible changes to AOPSI (Aboriginal Operational Practice Standards and Indicators for MCFD) at a meeting with other communities. The Grandmothers came up with a list that could incorporate the necessary changes within the policy for First Nations.

As a result of attending the Touchstones of Hope¹ workshop, the Grandmothers came up with our very own "pathways" model to describe who we are. This model has been presented at our community forum, sponsored by the Lax kw'alaams Band, NIFCS, and the Coast Tsimshian Academy.

¹ "Touchstones of Hope is a set of principles to guide a reconciliation process for those involved in Indigenous child welfare activities. The movement fosters relationship building. Opportunities that provide a space and place to have respectful and truthful conversations about child welfare are provided in order to create a new reality for Indigenous children. This includes concrete next steps for moving forward together so that all Indigenous children are healthy and living with dignity and respect." See <http://www.fncaringsociety.com/touchstones-hope>

We have been invited to various communities, such as Prince George, Prince Rupert, Terrace, Fort St. James, Vanderhoof, and Metlakatla, to present who we are.

Storytelling is an essential part of our work. Through storytelling, we are able to connect with each other. We have what we call an *adaawx*, which means “truth telling,” and by truth telling we share and describe our traditional ways and our traditional culture. By practising our culture in a positive way, which includes singing, dancing, drumming, and wearing our regalia, we show where we come from and who we belong to, and we share our traditional songs and dance, and that connects us to one another. As you listen to the drum beat, it is like a heart beat, and it is like a heart beat of your Nation. Some day we will be walking together as one, but right now we are not there yet, because we still have a lot of challenges that we are faced with.

Customary Caretaking and Custom Adoption

We strongly believe that it takes a community to raise a child. Community means all those who are related to the child by family, extended family, clan, and tribe. Not just parents and grandparents. For in our worldview, parents also include aunts and uncles from the matrilineal side of the family. As for our grandparents, there are more than two sets of grandparents for our children. There are also our Elders in our clan and tribes.

We are all connected to a child in some way or another. It is our responsibility to make sure that every child is well taken care of. That their basic necessities are met, that they are on the right path.

The Lax kw'alaams band council, after some discussion with members of the Grandmothers' Group, made a decision to not allow any of our children to be adopted out to non-Native families. This was due to various stories of where our adopted children end up. Council was adamant that none of our children will be adopted out. Prior to that, there was one child who really made our wheels spin who “wanted to be adopted out.” Great-grandmother stood her ground and said, “No grandchild of mine will be adopted out.” This was upsetting to the child and the potential adopted parents. Even though we knew this is what the child wanted, the eldest in the family said no. That child is now in the early 20s and has lived a life knowing that its extended family needed him/her² to belong to them.

At the Terrace and Prince Rupert forums, we were invited to talk about customary ways of caretaking and custom adoption. Custom adoption as it is defined to us as Lax kw'alaams people is when a clan member from the same group or tribe or a family member who belongs to the tribe takes another child into their home. A family member who takes the child can be a family member, aunt, or uncle of the child. They can be related maternally or from the father's side. The child is taken in for various reasons.

At the Terrace forum, our eldest member, Marion Musgrave, described her personal experience with custom adoption and the teachings she learned from her grandmother:

2 We do not want the family identified and offer this example of how strong grandmothers are and how we are able to take lead roles in matters of our children.

I only have my own experience to speak of. There are different types of ways that children have been given over to another member of the family. My parents had to move away to Prince Rupert because where we lived it was only a fishing village at the time. There was no work, no school, there was no cannery at the time, so there was no other place of employment. So, having seven children, my mother and father decided they must move to Prince Rupert, so they did.

What often happens is we will choose one of the children if we have grandmothers and we feel that they would be left alone after living with us as a big family.... So to prevent that, from the time before even contact, at the time—I'll go off the rail a little bit here. At that time, before contact, we had no such things as—I don't know what you call them—houses where you house children with no parents, houses where you put your Elders, old people's homes, I guess they call them. We had no such thing. We had no such thing in our minds. We were brought up from the time we existed that we look after our own. We care for our own.

Usually they choose a child—like in my case, I didn't go to any residential school. My husband did, so I know what it's all about. Because, like I said, my parents figured they had to move away for their income. They chose me to stay behind with my grandmother, at the time I was just walking until I was nine years old when she died. My sister, she was a baby, so they had to take her. The older kids above me, there was seven of us, they were going to school, so they had to be in town for schooling. Our school in Port Simpson only goes to Grade 10. So they had to move to school, so all the rest of the brothers and sisters moved in with them.

Now I'll go into what I wanted to say. I was the lucky one. I felt so loved, so safe, so comfortable. My mother and father would come back and they would take groceries back. You know how it was in the old days—you prepared for the wintertime. You had everything in cases and cans. There was no freezers at the time. They bought new clothes for us and made sure we were comfortable, my grandmother and I.

My sister and I therefore experienced different styles of life as we were growing up. I'll call mine the cultural way. I'll call hers the big city way. She's never been lucky enough to live in the village. She came to visit me one time and she said, "When do we go back?" I said, "You can go back right now." No, I'm kidding. Anyway, I considered myself the lucky one because I was privileged, like someone mentioned here earlier.... Kids keep their ears open and as we were being brought up we were taught proper manners, proper ways, respect, love. Respect for others. Before yourself then others around you and everything around you, your surroundings. That was big for us. We did things without question. We were told to do something, we did it. We didn't ask questions. We just did it without question.

I was lucky I was brought up in the old ways, our cultural ways. I learned our culture. I hear our language, I hear our stories because Elders come and visit each other and they have tea. I had my own little table and chairs. I was always told by my grandmother ... "Little child, when I have a visitor," she said, "you have two choices depending on the weather and depending on how you feel. You sit at your table, you colour, you read a book or play with your dolls, but you don't speak and you don't ask questions. If we're having tea at the table and your table is here you don't come to that table and say, "Oh, that cake looks good." You don't do that. That's not exhibiting manners. If it's a nice day go out and play. You never repeat anything.... You don't say or talk about anything you hear. That is not right. In our language, a person that does that is a gossip.

We shared our children because we loved them and we loved the person we were doing it for. It's never changed. You can look around the room here and it's—you can see the grandmothers, they're still doing the same thing. It's without question. We never had any money given to us. We never had any help. We just did it because that's who we are.



The Grandmothers at the Child Youth Representative Award for Culture and Diversity, October 2010, Vancouver, BC.

Historically our children were taught at a very young age to learn our Tsimshian language, our traditional ways to gather food, our traditional values and beliefs, how to walk in and show respect, how to live. All of this was removed from our children when they were taken into care of the government agents, who sent them off to residential school. The gap is wide. But we are now reclaiming what was ours once more. We are taking up our roles as grandmothers, grandparents, aunts, uncles, clans, and tribes.

Every grandmother is a role model. Her children watch and learn from her. She is the heart of the family. She holds the family together. She makes sure that her children are safe and her grandchildren are safe. If she knows that her child or grandchildren are not safe, she steps in to make sure they are. She is an advocator: she speaks up for her children and grandchildren. She is the holder of knowledge: she knows the traditional teachings that have been passed down to her from her parents, aunts, uncles, grandparents, clan, and tribe. She passes this information down to her children and grandchildren. Every story she tells has meaning, has value, has a belief, and especially has the meaning of what respect is and how it should be shown. When her children do something that is not good in her eyes, she does not criticize, but shows tough love. She speaks when she knows it is right, and she teaches when she knows it is right, too. Her unconditional love is shown throughout each day to her family, especially to her precious gifts, her grandchildren.

We are waking up this sleeping giant, who is our Tsimshian communities, and we are teaching our children their roles and responsibilities for life, a healthy life. It is slow, and there are many more future generations we must work with, but we will get there.

We are Tsimshian. We are a sleeping giant. But we are waking up this sleeping giant, this Tsimshian Nation. We are coming alive once more.

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