The child that made it back home: Inuit children in Canada's child welfare system

Maisie Hudson

HIST 344
Indigenous Peoples and the Law in Canada

November 9 2023

Winner of the Vancouver Island University
2024 Peggy Nichols Memorial Award

Sponsored in part by Nanaimo Historical Society

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THE CHILD THAT MADE IT BACK HOME: INUIT CHILDREN IN CANADA'S CHILD WELFARE SYSTEMS

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For the liveliest child I know.

It has become well established that Indigenous children are over-represented in Canada's child welfare systems.[1] While much of this research focuses on First Nations and there is a growing literature on Métis experiences,[2] Inuit experiences of engaging with child welfare systems are understudied and the historiography that does exist is patchworked and confusing to understand. A reason for this confusion is partially due to the amendments to the Indian Act in 1951, which shifted child welfare responsibilities on reserves from the federal government to provincial and territorial governments.[3] While Inuit were not covered under the Indian Act,[4] changes to the Act eventually trickled down to them which is evident when analyzing child welfare. Since Inuit are located in what is now known as the provinces and territories of Quebec, Newfoundland and Labrador, the Northwest Territories and Nunavut, it means that they have interacted with different colonial governments, approaches, policies and laws when it comes to child welfare. This essay will attempt to organize some of this twentieth century history by briefly looking at traditional forms of Indigenous adoptions, the shift from residential schools to child welfare systems, contextual information that is specific to Inuit history which helps to explain why they have had a lack of control over their children's welfare, and how traditional knowledge can help inform Inuit self-governance. Throughout this exploration, personal family stories will be woven with Quebec's child welfare system to showcase the contemporary repercussions of this complicated history. This essay argues that Inuit have had distinct

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[1] Patricia Montambault et al., "Poverty and the Overrepresentation of First Nations Children in the Quebec Youth Protection System," *Child Welfare* 99, no. 4 (2021): 1, https://www-proquest-com.ezproxy.viu.ca/docview/2724720742?pq-origsite=summon.

[2] Allyson Stevenson, *Intimate Integration: A History of the Sixties Scoop and the Colonialization of Indigenous Kinship* (Toronto: University of Toronto Press, 2020), https://www-degruyter-com.ezproxy.viu.ca/document/doi/10.3138/9781487511517/html.

[3] Stevenson, *Intimate Integration*, 47.

[4] Montambault et al., "Poverty and the Overrepresentation of First Nations Children in the Quebec Youth Protection System," 4.

encounters that differ from both other Indigenous peoples and amongst themselves with multiple child welfare systems in Canada and the laws that have historically, but still to this day, forced them into these repressive systems that undermined their traditional understandings of kinship and childcare. Additionally, a push for Inuit self-governance is essential in order to bring their children back home to their communities.

In 2021 my niece needed to be fostered or adopted due to her biological mother passing away. Sophie, who is my niece's mother's cousin, could not immediately take her in due to certain circumstances. "That was a mistake."[5] *After battling with Quebec's Youth Protection System, Sophie "found a loop hole which was to have at least one biological parent sign a traditional adoption paper. What is a traditional adoption paper? Inuit of Nunavik have traditionally adopted children even between families, communities, and sometimes to ensure survival and to balance out large families. We have papers that are recognized by the government that ensures that the adoption is legitimate and legal."*[6] *Since my niece's biological father was still alive, this traditional adoption paper could be signed.*

Indigenous peoples have always had traditional forms of adoption. When parents died, children would be taken in by other family or community members as it would ensure that lineage continued, collective memories were passed down, and children were taken care of.[7] As historian Allyson Stevenson argues, "Indigenous adoption created and perpetuated Indigenous kinship systems."[8] Kinship for Indigenous peoples is central to their worldview as it connects their identity to their land, community and family. Not only was an adoption important for the

[5] Sophie Tukalak, message to author, November 4, 2023. (Sophie has given me permission to use her name in this essay).
[6] Sophie Tukalak, message to author, November 4, 2023.
[7] Stevenson, *Intimate Integration*, 48.
[8] Stevenson, *Intimate Integration*, 48.

child, it also helped to enlarge kinship circles which allowed for better material and affective support.[9] In the Arctic, this would have been crucial for survival given the harsh nature of the environment. Traditional adoptions created obligations of care and assistance between parents and children. Given that reciprocal care is valued in many Indigenous cultures, and as seen in Sophie's mention of a traditional adoption paper, Inuit provide care for anyone in need because it provides social unity, moral order and survival for the community.[10] Traditional forms of adoptions created strong social networks for all Indigenous peoples prior to colonial policies that forcibly removed children from their communities.

Due to the lack of Inuit specific historical research on child welfare, turning to other Indigenous peoples to understand the context of the creation of Canada's child welfare systems is essential. Prior to the First World War, child welfare organizations rarely recommended Indigenous adoptions because many held racist views that Indigenous peoples were feeble-minded and they did not want these children mixing with white families.[11] Therefore, before 1951, Indigenous children in need of adoption usually stayed on reserves and were taken in by a community member.[12] However, around the end of the Second World War child welfare drastically changed. Amendments to the Indian Act in 1951 increased the colonization of Indigenous kinship because more Indigenous children were being put into white families, which meant that they lost their status and were given a new birth certificate.[13] This removal demonstrates Canada's goal of assimilating Indigenous peoples into a European culture and disconnecting these children from their traditional cultures. By drawing in white families,

[9] Stevenson, *Intimate Integration*, 48.
[10] Stevenson, *Intimate Integration*, 49.
[11] Stevenson, *Intimate Integration*, 54.
[12] Stevenson, *Intimate Integration*, 47.
[13] Stevenson, *Intimate Integration*, 47 and 55.

Indigenous families were undermined. Even if Inuit were not covered under the Indian Act, changes in child welfare in 1951 did impact them, which will become more apparent throughout this analysis. While they did not have status to lose, they were displaced into white families. This illustrates that Inuit had slightly different experiences when encountering child welfare systems.

Leading up to the 1960s, residential schools were beginning to be condemned and the Canadian government "needed" to think of a new way to continue assimilating Indigenous peoples.[14] First Nations' children "began to move into view as test subjects for Canadian child protection."[15] The Sixties Scoop, in the eyes of child protection authorities, was a moment of high optimism as assimilation could continue under a new and somewhat hidden system.[16] Residential school buildings were visible, but foster or adoption homes did not necessarily standout from other homes. There is evidence that Inuit children were taken away from their kinship networks between 1951 and 1991 because they were eligible, as well as Indigenous people with status, for compensation from the federal government for their loss of culture, family connection and sense of belonging while they were in non-Indigenous homes.[17] Due to child welfare policies being deeply rooted in residential school and other colonial policies, historians have shown that colonizers wanted to socialize Indigenous children into European contexts, and the best way to do that was to remove them from their families.[18] While residential schools sometimes meant that Indigenous children would only be away for the school year,[19] adoptions

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[14] Veronica Strong-Boag, "Beginning the Search for the Best Interest: Child Protection Considers Fostering from the Late Nineteenth Century to the 1960s," in, *Fostering Nation? Canada Confronts its History of Childhood Disadvantage* (Waterloo: Wilfrid Laurier University Press, 2011), 66, http://ezproxy.viu.ca/login?url=https://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,cookie&db=nlebk&AN=452748&site=ehost-live.

[15] Strong-Boag, "Beginning the Search for the Best Interest," 66.

[16] Strong-Boag, "Beginning the Search for the Best Interest," 66.

[17] Stevenson, *Intimate Integration*, 16.

[18] Strong-Boag, "Beginning the Search for the Best Interest," 65; Stevenson, *Intimate Integration*, 102, 211, and 226.

[19] It is important to note that some children did stay in the schools year-round, which worked in a similar way as adoptions to create cultural disconnections.

led to a permanent removal of Indigenous children from their traditional kinship networks. This led to a complete loss of connection to their community. In a sense, adoption can be viewed as a more intense approach to assimilation with lasting consequences. This is not to say that residential schools were not intense; they also had serious consequences. Child removal was justified since colonial law-makers, saw the assimilation issue as a crisis in which they believed that they had the best interest of the child at heart.[20] The phrase "best interest for the child" is what colonial child welfare policies and laws are based on. However, a colonial view of what is in the best interest of a child is drastically different than Indigenous views of their children's best interests. It becomes obvious that removing Indigenous children weakened the entire community and placing children into a new culture was an act of genocide.[21] Adopting Indigenous children out of their communities threatened cultural continuity, identity, kinship and ultimately survival.

More recently, Montambault et al.'s research in Quebec looks at the social, economic, and cultural vulnerabilities caused by colonization that Indigenous peoples face and the high rate of their children being placed in the province's child welfare system.[22] As of 2016, it is estimated that 51% of Indigenous children in Canada live under the poverty line and this seriously impacts their health and wellbeing.[23] This makes them dependent on governmental assistance which can lead to children being taken away from their homes, since families are not seen as financially stable. Neglect and maltreatment are both common in Indigenous children's welfare cases, due to historical factors that have led to social breakdown within Indigenous families. Indigenous children are over-represented in the system because their parents are financially strained, and

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[20] Strong-Boarg, "Beginning the Search for the Best Interest," 32; Stevenson, *Intimate Integration*, 43.

[21] Stevenson, *Intimate Integration*, 31.

[22] Montambault et al., "Poverty and the Overrepresentation of First Nations Children in the Quebec Youth Protection System," 1.

[23] Montambault et al., "Poverty and the Overrepresentation of First Nations Children in the Quebec Youth Protection System," 9.

trying to heal from intergenerational trauma. Both of these factors can lead to what child welfare authorities would consider unstable homes which often lead to children being taken. Child welfare agencies would argue that this removal is in the best interest of the child, and sometimes it might be, but Inuit children should remain in Inuit families not be placed in non-Inuit ones. This poverty and over-representation further complicates Indigenous children's relationships with child welfare systems. This brief summary of the creation of a child welfare system in Canada and some of the side effects, such as poverty, indicate that Inuit are only briefly mentioned in the literature. Most of this contextual information focuses on Indigenous people with status or speaks generally as to what happened. While these elements did impact Inuit children, there is more context to their story.

Focusing now on Inuit encounters with child welfare systems, it is possible to see how other specific contextual information from northern Canada complicates Inuit experiences. Inuit communities have faced many historical traumas which still inform their public memory today. One major historical trauma which led to the overall decline in their wellbeing was the killing of sled dogs. In Nunavut, between 2007 and 2012 the Qikiqtani Truth Commission (QTC) was funded by the Qikiqtani Inuit Association to look into how the killing of sled dogs profoundly impacted all aspects of Inuit life.[24] Similar commissions were conducted in Quebec.[25] The QTC details how in Nunavut, or at the time in the Northwest Territories, the killing of sled dogs was legalized through a "dog ordinance."[26] These killings forced Inuit communities to become sedentary which contributed to high suicide rates, substance abuse, encounters with the criminal

[24] Philip Goldring, "Historians and Inuit: Learning from the Qikiqtani Truth Commission, 2007-2010," *Canadian Journal of History* 50, no. 3 (Winter, 2015): 494, https://www-proquest-com.ezproxy.viu.ca/docview/1758208853?OpenUrlRefId=info:xri/sid: summon&accountid=12246.

[25] Goldring, "Historians and Inuit," 493.

[26] Goldring, "Historians and Inuit," 495.

justice system, and created social dysfunction which all contributes to their intergenerational trauma.[27] "Sendentarization" was further complicated, and violently enforced, in the High Arctic Relocation which forced Inuit to stay in especially harsh climates and rely on colonial aid.[28] "Sedentarization" inevitably impacted their relationships with the land, kinship, and traditional ways of educating and caring for their youth. It also positioned Inuit families under surveillance and led to professional managerialism being used to administer child welfare in the north.[29] It becomes obvious that the root of all historical problems in northern Canada is due to the increase of white colonizers in the area in the mid-twentieth century. By the 1950s, federal authorities saw growing inequalities between southern and northern Canadians, and they developed programs for Inuit healthcare, housing and education.[30] "Inuit have always understood that while government programs introduced in that era were meant to confer material benefits, they also functioned as instruments of social control, undermined traditional ties to the land, and disrupted the intergenerational transfer of knowledge."[31] While these inequalities were real, it is colonial practices and laws that caused them and have forced Inuit into relationships of dependency and inequality. In other words, colonial practices in northern Canada forced Inuit to accept social assistance.

Since child welfare became a provincial or territorial responsibly in 1951, it has led to slightly different approaches to child welfare systems for Inuit children which can be observed in

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[27] Goldring, "Historians and Inuit," 495.
[28] Goldring, "Historians and Inuit," 499.
[29] Patricia Johnston and Frank Tester, "Breaking the Colonial Role: Changing Social Work Practice in Nunavut," *Canadian Journal of Native Studies* 34, no. 1 (2014): 113, https://www-proquest-com.ezproxy.viu.ca/docview/ 1626237926?pq-origsite=summon; Patricia Johnston, Shirley Tagalik, and Rosanna Amarudjuak, "Stronger When We Are Together: Inuit Mothers' Visions for Child and Family Wellness in Nunavut, Canada," *American Review of Canadian Studies* 52, no. 3 (July 3, 2022): 329, https://www-tandfonline-com.ezproxy.viu.ca/doi/full/10.1080/02722011.2022.2114266.
[30] Goldring, "Historians and Inuit," 498.
[31] Goldring, "Historians and Inuit," 501.

the different governing bodies that overlook welfare and the policies that they legalized. In Nunavut, in 1950, the first mention of Inuit adoptions is found in a memo titled "Eskimo Adoption Procedure."[32] In 1953, the Government of the Northwest Territories, which at the time included that land that is now Nunavut, introduced the "Child Welfare Ordinance" and appointed Walter Rudnicki as the first director of welfare services in 1955.[33] In Quebec, children in need of welfare fall under the care of the Director of Youth Protection through the Youth Protection Act, which was first adopted in 1979.[34] The Youth Protection Act helps establish what makes a home safe or not, and is the basis that social services and court-based decisions on what the best interests of children are. These policies and overseers make it obvious that during the creation of welfare policies, and the decisions to make them sedentary, "Inuit had no access to decision makers and limited access to local officials."[35] These colonial policies and governments did not consider including traditional Inuit knowledge and still today most efforts to include their culture into child welfare legislation have been token gestures.[36] While child welfare in Nunavut and Quebec both have policies and directors, they have slightly different titles which makes researching Inuit child welfare challenging.

Sophie shared powerful words about the child welfare system in Quebec: "As an Inuk who has had to battle to win against the child protective system, I can honestly say that the entire system is rigged so that the Indigenous person does not receive their child back."[37]

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[32] Johnston and Tester, "Breaking the Colonial Role," 113.
[33] Johnston and Tester, "Breaking the Colonial Role," 113.
[34] Government of Quebec, "Youth Protection Act," *Légis Québec*, September 25, 2023, accessed November 4, 2023, https://www.legisquebec.gouv.qc.ca/en/document/cs/p-34.1.
[35] Goldring, "Historians and Inuit," 507.
[36] Johnston and Tester, "Breaking the Colonial Role," 113.
[37] Sophie Tukalak, message to author, November 4, 2023.

To further explore Quebec's Youth Protection Act, Chapter V.1 offers a section dedicated to the "Provisions Specific to Indigenous Peoples."[38] Reading over this chapter the irony and false promises leap out given the historical mapping up to this point. The Youth Protection Act is still a colonial policy that does not include or uphold Indigenous values, and does not have the best interest of Indigenous children at heart even if they claim that they do. These false promises are especially evident in Section 131.3: "Every decision made under this Act in respect of an Indigenous child and any other intervention concerning him made under this Act must foster the cultural continuity of that child."[39] Section 131.4 adds: "In determining the interest of an Indigenous child, in addition to the factors listed in the second paragraph of section 3, the following factors must be taken into consideration: (a) the culture of the child's Indigenous community, including the language, customs, traditions and spirituality; (b) the child's relationships with his extended family and members of that community; (c) the child's access to the territory surrounding that community and other places that its members frequent; and (d) the sociohistorical traumas of Indigenous people and their socioeconomic conditions."[40]

Oh, the irony! After multiple applications, and interviews Sophie was denied again and again. "They bluntly told me that I will never be able to foster or adopt her as she had already been assigned and given a family who will be granted through court to adopt her. This did not sit well with my family and my boyfriend. So, I began fighting even harder to figure out a way to have her. 'She shouldn't be adopted into a Jamaican family whose main income was fostering and adopting Inuit children. NO.'"[41]

[38] Government of Quebec, "Youth Protection Act."
[39] Government of Quebec, "Youth Protection Act."
[40] Government of Quebec, "Youth Protection Act."
[41] Sophie Tukalak, message to author, November 4, 2023.

This personal contemporary example shows the profound corruption of the Youth Protection Act, the people working with it, and the system as a whole. Sophie's experience indicates that elements from sections 131.3 and 131.4 were not adequately considered for my niece's case. How could cultural continuity through language, customs, traditions and spirituality occur if she were placed in a non-Inuit home? This story demonstrates that even if there are laws and policies written down, they are inherently colonial, undermine Inuit kinship, and are not upheld for decisions being made about the best interest of Inuit children in welfare systems. By analyzing some of the historical and contextual information from Nunavut and Quebec, it indicates that not only did Inuit have different experiences when encountering child welfare agencies than other Indigenous peoples, but they also had similarities and differences in these encounters amongst themselves.

Inuit self-governance over child welfare is essential given that the creation of northern child welfare systems was based on southern Canadian standards which value non-Inuit worldviews such as paternalism and white supremacy.[42] Through a series of inquiry commissions, it has become obvious that "colonial policies, laws and structures have led to the breakdown of the social organization and self-determination of [Indigenous peoples]."[43] Child welfare systems in northern Canada continue to colonize, marginalize and undermine Inuit systems of kinship.[44] Often children are taken away without reason by social workers which leaves families, particularly mothers, to experience elevated stress about where their children are. This forcible removal, and other colonial interventions, paint Inuit communities as "dangerous

[42] Johnston et al., "Stronger When We Are Together," 328.
[43] Montambault et al., "Poverty and the Overrepresentation of First Nations Children in the Quebec Youth Protection System," 2.
[44] Johnston et al., "Stronger When We Are Together," 328.

and unpredictable" in the eyes of child welfare agencies.[45] It is obvious that Inuit need to have a say in what happens to their children. Forms of self-governance need to be conceptualized and put into practice so that their children are not being displaced out of their communities and kinship networks. A place to start, which can be viewed as more of a stepping stone to this shift, is changing the location of where social workers, who should be Inuit, meet with families. Typically, it is done in an office, but it should be occurring in the home, for more than a short visit, as that is where family relations can best be observed.[46] However, this type of colonial observation needs to be left behind. Another stepping stone, would be to make information about traditional adoption papers, or other traditional adoption information, more accessible to Inuit as it is an important loop hole. The most important element that needs to be implemented in order to create Inuit self-governance over child welfare is to incorporate Inuit Qaujimajatuqangit (IQ), or traditional knowledge, which includes passing down teachings, the language, actions, and artifacts to future generations.[47] This means creating a new traditional system that does not resemble colonial practices or contain their worldviews. Incorporating IQ shifts understanding the development of a different child welfare system as one that is created *by* and *for* Inuit. IQ is central to healing and rebuilding families and communities as it plays an important role in teaching children and child-rearing practices.[48] Overall, Inuit need to have control over determining what happens to their children who are in need of being adopted.

It is evident that there are many hurdles that still need to be overcome before Inuit can get their children out of child welfare systems or foster and adoption homes and have legal authority

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[45] Johnston et al., "Stronger When We Are Together," 332.

[46] Patricia Johnston, "Constructing A Bridge Between Two Cultures: How 'Inuit Qaujimajatuqangit' Is Essential to Addressing the 'Modern' Child Welfare System in Nunavut," *Canadian Social Work Review / Revue Canadienne de Service Social* 31, no. 2 (2014): 277, https://www-jstor-org.ezproxy.viu.ca/stable/43486325.

[47] Johnston, "Constructing A Bridge Between Two Cultures," 269.

[48] Johnston, "Constructing A Bridge Between Two Cultures," 271.

over their children's wellbeing again. Although child welfare systems would like to shed its colonial past, it "remains a carefully produced, maintained and historically contiguous set of logics premised on assumptions of neutrality, good intentions and common sense."[49] Specifically, for Inuit communities, the history of child welfare is sparse, patchworked, and confusing. This confusion appears to be intentional so that Inuit continue to be repressed and marginalized through ongoing forms of colonization. The low engagement into the social history of Inuit has had serious consequences on contemporary understandings of them and has profoundly impacted their traditional knowledge, kinship, and ways of being.[50] Inuit encounters with child welfare systems requires observing traditional adoptions, mapping out the creation of child welfare for Indigenous children in the 1950s which emerged out of the residential school system and amendments to the Indian Act, and exploring some of specific Inuit historical contexts which explains the disadvantages they have faced due to colonialism. It is also important to conceptualize ideas for a way towards Inuit self-governance over child welfare. By including personal stories, they help illustrate the contemporary repercussions that colonial child welfare systems continue to have on Inuit children. It is evident that historical forms of colonization are ongoing in models of child welfare for Inuit children. Colonial policies and laws, such as Quebec's Youth Protection Act, are full of promises that have not been, and continue to not be upheld, meaning that Inuit children continue to be displaced from their traditional kinship networks which contributes to their cultural disconnection. By exploring and trying to organize this patchworked history, it is obvious that Inuit children face unique challenges that are both similar and different from other Indigenous peoples and Inuit located in different provinces or

[49] Sarah de Leeuw, "State of Care: The Ontologies of Child Welfare in British Columbia," *Cultural Geographies* 21, no. 1 (2014): 60, https://journals-sagepub-com.ezproxy.viu.ca/doi/full/10.1177/1474474013491925?utm_source=summon&utm_medium=discovery-provider.

[50] Goldring, "Historians and Inuit," 515.

territories when they engage with a child welfare system. The different laws, policies, and governmental bodies brought into this analysis have all contributed to forcing Inuit children into repressive systems of child welfare that undermines their traditional notions of kinship and childcare. This analysis makes it abundantly clear that more historical work needs to be done *with* and *for* the Inuit in analyzing historical primary sources, oral histories, and contemporary cases in order to address the issues and think of a framework of self-governance that will bring children back to their communities where they can reconnect with their culture.

I cannot help but think of all the "what ifs" that could have led to my niece being adopted by a non-Inuit family. I look at her now and see how much she has grown and flourished since being in a loving, stable and Inuit (and white) home. She came into our family with the cleanest pair of shoes and grossed out by dead sea life on the beach. She was not allowed to play and get dirty in her foster home. She now has dirty shoes, gets right into looking at sea life and watches when Sophie plucks geese. She is learning Inuktitut and being taught about her culture. She always wants you to read her just one more book and wants to learn from the people around her. I can't help by wonder what she will grow into. Will her love of reading make her become a scholar, or even a lawyer? Will she want to help other children in child welfare systems? Or will she never want to look back to the system she was put through? How will her story as an adopted Inuk potentially change the narrative that has been historically established? It is up to her to see how her story might be able to help others one day. In the meantime, we will foster her interests, make sure she knows where she comes from and that she can go wherever she wants because she has our support. And so, this is part of the complicated and patchworked story of the child who made it back home.

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