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"FOR THE GOOD OF THE CHILD": THE COLONIAL MACHINATIONS OF CHILD WELFARE IN CANADA

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Abstract:

Although residential schools no longer exist today, the systems of oppression which allowed them to operate continue. These systems have existed non-linearly throughout time, as the past, present, and future effects of colonialism intersect in the lives of First Nations. The spiritual successor of the residential school project can be viewed in many contemporary structures; specifically, in the institutionalized violence accumulated within the child welfare system. In this paper, I argue that the contemporary child welfare system in Canada, as it relates to both on- and off-reserve First Nations children, is the modern-day successor of the Indian Residential School System. Specifically, the strategies of racialization and subalternation underpinning the colonial machine, and exemplified within the residential school system, have surreptitiously reformed into the child welfare system.

Keywords: colonialism, residential schools, child welfare

Author Note:

I give thanks to my Ancestors for taking care of the land which is now recognized as Treaty 6 territory. I acknowledge that the University of Alberta is located in $\langle \Gamma^{\cap}b\dot{\Gamma}\dot{\triangleleft}^{\cap}b^{\parallel}\Delta b^{2}$ on unlawfully stolen and unceded Papaschase Cree Territory.

Reconciliation means not having to say sorry a second time.-Cindy Blackstock, First Nations Child & Family Caring Society

For over 500 years, Indigenous Peoples on Turtle Island have fought against the ongoing tide of colonialism. Since European explorers sailed the ocean blue towards this territory in the 16th century, Indigenous Peoples have fought for the land shared with them by the Creator since time immemorial. It is in this struggle to exist that the relationship between Indigenous Peoples and settlers—and later, the Canadian state—has been defined. Codified and inscribed with the very marrow of Canada, the state has, and continues to be, the primary actor of colonialism on Turtle Island. Kanien'kehá:ka academic Taiaiake Alfred defines colonialism as:

Best conceptualized as an irresistible outcome of a multigenerational and multifaceted process of forced dispossession and attempted acculturation [...] that has resulted in political chaos and social discord within First Nations communities and the collective dependency of First Nations upon the state. (Taiaiake Alfred, 2009, p. 52)

From the 1880s until 1997, this forced dependency took many forms; the most known and destructive of which was the Indian Residential School System. Imbued within this system was the goal of complete subalternation of First Nations and the opening up of Indigenous

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lands for colonial-capitalist development (Alfred, 2009). Abuse—physical, sexual, emotional, and spiritual—is viewed as collateral damage within

this paradigm, as the paramount goal was to, "continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question" (Truth

and Reconciliation Commission [TRC], 2015, p.

3). Although residential schools no longer exist

today, the systems of oppression which allowed them to operate continue. These systems have existed non-linearly throughout time, as the past, present, and future effects of colonialism intersect in the lives of First Nations and First Nation people. The spiritual successor of the residential school project can be viewed in many

institutionalized violence accumulated within the child welfare system. In this paper, I argue that the contemporary child welfare system in Canada, as it relates to both on- and off-reserve First Nations children, is the modern-day successor of the Indian Residential School System and meant to create what academic Achille Mbembea calls a 'deathscape'. Specifically, the strategies of

racialization and subalternation underpinning the

colonial machine, and exemplified within the

residential school system, have surreptitiously

contemporary structures; specifically, in the

reformed into the child welfare system. Only by fully reflecting the universal principle of "For the Good of the Child" can the child welfare system begin to heal the wounds created within Indigenous communities. Once such framework for the full inclusion of this universal principle is in the First Nations-informed Breath of Life

Indian Residential Schools

theory proposed by Cindy Blackstock.

Although European involvement in First Nation schooling began as early as 1620 (Haig-

Brown, 2018), state involvement did not begin in earnest until the 1880s. These early educational institutions, such as the missionary school established in New France (1620-1629), "were structured by racist, sexist, and class-based ideologies. Aboriginal men and women were taught different skills to in order to reproduce European gendered social patterns [...] theme[s] of Aboriginal inferiority was woven through religious and educational teachings" (McMullin, 2010, p. 212). However, these early attempts by settler missionaries to set up schools for First Nation people largely failed; specifically, in territories where the Indigenous Peoples were nomadic and, as a result, had no desire to remain sedentary. Instead, extensive networks of Indigenous knowledge systems continued to be the dominant educational model.

The early patterns of failure on the part of settler missionaries persisted until the end of the 19th century. Prior to the induction of the residential school system, European colonizers had extensive experience in weaponizing education as a tool of colonial dominance (Chrisjohn, Young, & Maraun, 2006). However, European powers were not interested, as would come to be a staple post-Confederation, in the complete assimilation of Indigenous Peoples. On the contrary, Britain was interested in, "the development of the regional economy at one extreme to an ever-deepening arc of dependency of the hinterland on the metropole (Anderson, 1999, p. 30). The sheer economic wealth that the fur trade brought to the British capitalist economy precluded the full assimilation of Indigenous Peoples. It was only after Confederation and the reinvention of the Canadian economy that the assimilation of Indigenous Peoples became a priority.

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Weaponizing education, the residential school system was intended to assimilate all First Nation children into Canada's dominant culture, thereby divesting the Canadian state's legal obligations and relieving the so-called Indigenous impediment to colonial-capitalist progress (TRC, 2015). The deployment of numerous strategies, including compulsory attendance, resulted in at least 150,000 First Nation, Metis, and Inuit children removed from their families and placed in these chronically-underfunded institutions (TRC, 2015). The culmination of this colonial project was, "Aboriginal persons [...] unable to learn and model healthy gender roles [...] those in residential schools frequently experienced physical, sexual, mental, and emotional abuse" (Walsh, MacDonald, Rutherford, Morre, & Krieg, 2012, p. 365). The accumulated violence institutionalized within residential schools has inscribed various colonial traumas into the Blood Memory of First Nations people. What has resulted is generations of Indigenous Peoples' inward self-hatred. Although no longer in operation, the colonial apparatus which created Blood Memory trauma—somewhat comparable to the Western concept of intergenerational trauma—via residential schools continues to exist. Today, the colonial violence of the residential school era has been surreptitiously reimagined as the child welfare system.

Canada's Child Welfare System

In Canada, child welfare is generally within the constitutional realm of the provinces and territories; with the exception of First Nations children. Regardless of the provincial framework, "the best interest of the child is a paramount principle in the provision of these services [child welfare] and [...] recognized in international and Canadian law. This principle is meant to guide

and inform decisions that impact all children" (Canadian Human Rights Tribunal [CHRT], 2016, para. 3). It is the incumbent objective of all governments to fulsomely embody this principle within their child welfare systems. In an effort to meet this principle, Indigenous Services Canada (ISC) manages the First Nations Child and Family Services Program (FNCFS Program). According to the Department's website (2019), the FNCFS Program:

Provides funding to First Nations children and family services agencies, which are established, managed and controlled by First Nations and delegated by provincial authorities to provide prevention and protection services. In areas where these agencies do not exist, ISC funds services provided by the provinces. (n.p.)

As a result, FNCFS agencies differ slightly by region. For example, FNCFS agencies in Alberta must comply with the *Child, Youth and Family Enhancement Act*. This Act, as well as other child welfare regimes in Canada, defines child welfare into two (2) streams:

Prevention: Prevention services are trifurcated into primary (community-directed), secondary (reactionary), and tertiary (family-specific early intervention).

Protection: Protection services are triggered when the safety and/or wellbeing of a child is considered to be compromised. This includes a range of services from temporary to permanent removal of the child, as well as kinship care. (CHRT, 2011, para. 116–117)

It is within the backdrop that mass apprehension of First Nations children, in the name of child welfare, occurs.

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Today, there is approximately 3 times the number of First Nations children in state care than there were at the high of residential schools in the 1940s (First Nations Child and Family Caring Society of Canada, 2005). For First Nations' children, the child welfare system is characterized by disparate outcomes and application (Ma et al., 2019). When compared to non-First Nations children, First Nations children are twice as likely to be investigated, more likely to have their cases substantiated, twice as likely to be placed in out-of-home care, and more likely to be targeted by malicious child welfare referrals (Ma et al., 2019; Rothwell et al., 2018; First Nations Child and Family Caring Society of Canada, 2005). The vast majority of First Nationrelated cases involve poverty-related neglect. This is significant, as even after controlling for other clinical factors, children experiencing poverty-related hardship were 1.2 times more likely to be involved in a substantiated investigation of maltreatment (Rothwell et al., 2018). While in state care, First Nations' children face continued maltreatment and staggeringlyhigh death rates. Although Aboriginal children represented 59 per cent of children in Alberta's welfare system between 1999 to 2013, they accounted for 78 per cent of deaths in care (TRC, 2015). Correspondingly, studies correlate child welfare involvement with psychological, social, educational, and emotional problems later in life (Ramsay-Irving, 2015; Goemans et al., 2018).

The operationalization of colonial paradigms against Indigenous Peoples is illustrated in the state's sustained effort to marginalize First Nations people; regulating them to either the reserve or low socio-economic urban neighbourhoods. It is in this that the cyclical nature of colonial violence is realized: the state—

through decades of policies directed towards the destruction of Indigenous Peoples—has created the conditions of economic marginalization by which First Nations peoples are disproportionately poverty-stricken. Through legislative means, state-sanctioned poverty is then used against First Nations as a means of removing children from their communities and cultures.

Colonial Deathscape: The Life and Death of Paige Gauchier

Although much of this paper has focused on the large-scale application of colonialism, it cannot be understated that, "Indigenous People don't experience colonialism as theories or as analytical categories. Colonialism is made real in the lives of First Nations people" (Alfred, 2009, p. 43). For many child welfare and residential school survivors, the conditions of colonialism have resulted in the creation of what Cameroonian philosopher Achille Mbembe coined 'deathscape'. Deathscapes are the postcolonial, "forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of living dead" (Mbembe, 2003, p. 1). The deathscape of Canada's child welfare system is most apparent in the life and death of Paige Gauchier.

Born in May 1993 when her mother was 16 years old, the story of Paige Gauchier is a story of, "abuse, indifference, and a young life discarded" (Turpel-Lafond, 2015, p. 1). Since her birth, her mother was a heavy substance user and:

By the time she [Paige] was 16, she had moved no less than 40 times, between residences with her mother, foster homes, temporary placements and shelters. After her mother moved them to the DTES [Vancouver Downtown Eastside] in

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September 2009, Paige lived with her in toxic environments and moved another 50 times. (Turpel-Lafond, 2015, p. 6)

Scholarship on multiple child welfare placements is rather clear, with Ramsay-Irving (2015) stating, "multiple placements are the most serious problem that children in care experience [...] associated with depression, poor educational outcomes, and [...] behaviour problems" (p. 66). In addition to multiple placements, Paige also had zero stable support. By the time she 'aged out' of care at 19, a total of 17 different social workers had responsibility over her file. Horrifically, several social workers refused to meet Paige when she lived in the DTES due to the neighbourhood's infamous reputation. It is inconceivable that British Columbia's child welfare agency would determine that Vancouver's Downtown Eastside was suitable for a child to live in; a neighbourhood which, for decades, has been notoriously vicious to Indigenous women and girls.

Having endured compounding trauma over her lifetime, Paige, like many Indigenous Peoples, used illicit substances as a coping mechanism. Ultimately, "Paige – an outgoing, funny, bright girl who loved animals – died in April 2013 of a drug overdose in a communal washroom adjacent to Oppenheimer Park in Vancouver's Downtown Eastside. She was just 19-years-old" (Turpel-Lafond, 2015, p. 5). Referred to as one of the most troubling investigations received by the Representative for Children and Youth, the inquest into Paige's death resulted in the following conclusion:

Despite the absolute predictability of this tragedy, the child protection system, health care system, social service agencies, the education system and police

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consistently failed in their responsibility to this child and passively recorded her life's downward spiral [....] The system has no learning from this tragic death and shows little insight into its responsibility for her or other youth in similar circumstances. (Turpel-Lafond, 2015, p. 5)

18-months after Paige's death, her mother too would suffer an overdose and die. The state's continued insistence that it is the almighty caretaker of Indigenous children, not Indigenous nations, is indicative of the state's underlying colonial policy of forced dependency. It is in this, the interlocking dimensions of settler colonialism, that an entire family—mother and daughter—has been eradicated. Stories such as Paige clearly illustrates the state's continued infliction of unimaginable harms unto the Blood Memory of Indigenous Peoples today.

Breath of Life Theory

In order to address the settler-colonial foundations of the state—that being the complete assimilation of Indigenous Peoples into the body politic—a system-wide approach must be adopted. It is not enough to deconstruct and dismantle colonial ideologies through decolonization initiatives. Rather, for systems to adequately address the needs of Indigenous Peoples, Indigenous knowledges, traditions, and ways of being and knowing must be brought to the forefront. Gitxsan warrior-scholar Dr. Cindy Blackstock offers one such theoretical framework which brings Indigenous thought to the forefront of system-wide discussions.

The Breath of Life theory is a First Nation-informed structural approach which interweaves relational worldview principles with Indigenous understandings of time and space

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(Blackstock, 2011). Used specifically within child welfare but applicable to all systems, the Breath of Life theory involves the balance of 4 dimensions across time and space:

- Cognitive: Self and community actualization, role, service, identity, and esteem.
- **Physical:** Water, food, housing, safety, and security.
- **Spiritual:** Spirituality and life purposes.
- **Emotional:** Love, relationships, and belonging. (Blackstock, 2009; Blackstock, 2011)

In opposition to colonial definitions of well-being, the Breath of Life theory defines optimal well-being as achieved through the balance of the 4 dimensions at individual, family, and collective levels (Blackstock, 2011). Moreover, this theory incorporates what many First Nations have termed the Seven Generations Principle:

First Nations believe in expansive concepts of time where the past, present, and future are mutually reinforcing [...] one's actions are informed by the experience of the past seven generations and by considering the consequences for the seven generations to follow. (Blackstock, 2011, p. 6–7)

In order for truth and decolonization to occur, the inclusion of Indigenous ontologies such as the Breath of Life theory is paramount. The inclusion of Blackstock's theory within western child welfare would, by its very nature, require the assessment of child maltreatment based on the experience of previous generations and the consequence that intervention may have on the next generations.

Conclusion

Within many First Nations, children are sacred; representative of the hopes and dreams of both past and future generations. However, when First Nations children are removed from their families, communities, and cultures, so too are the hopes and dreams of past and future generations removed. Although certainly not the first, residential schools marked the first concerted and sustained attempt by the colonial state to eradicate Indigenous Peoples. Fervent in their supremacy, colonial powers used education as a weapon to 'kill the Indian in the child.' The cyclical nature of colonial oppression has reinscribed the underpinnings of the residential school era—racialization and subalternation into Canada's child welfare system. Within the context of this system, the universal principle of 'For the Good of the Child' must be upheld as not just aspirational, but as a fundamental requirement. Once established as a baseline, it becomes apparent that the inclusion of First Nation pedagogies and traditions—for example, through the system-wide incorporation of the Breath of Life theory—is necessary for the good of past, present, and future First Nation children. Unless the colonial-capitalist systems by which Canada operates are deconstructed and dismantled, the child welfare system may succeed were residential schools failed: in "killing the Indian in the child."

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