



FIRST NATIONS CHILD POVERTY:
A Literature Review and Analysis

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First
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A Note on Terminology

Aboriginal is used as a constitutional term to describe persons and groups identifying as First Nations, Inuit or Métis.

Aboriginal peoples refers to First Nations, Inuit and Métis peoples collectively.

First Nations refers to persons who self-identify as First Nations, regardless of Indian Status. The term is also used to describe First Nation governments (collectively) and organizations serving First Nations peoples. Whenever possible, the names of individual First Nation communities, organizations and governments are used.

Indian Act refers to federal legislation pertaining to Indians and lands reserved for Indians.

Indian status refers to persons who meet the criteria for being an Indian pursuant to the *Indian Act*, as administered by Indigenous and Northern Affairs Canada's¹ regulations and policy.

Indigenous refers to persons who self-identify as Indigenous.

Indigenous peoples is a collective term, most often used in an international context. Usage exceptions in this publication occur when quoted text includes the term Indigenous or Indigenous peoples to refer to Aboriginal persons or Aboriginal peoples in Canada, and when content from these texts is paraphrased (to retain language of original text).

Non-Aboriginal peoples refers to persons who do not self-identify as Métis, Inuit or First Nations.

Reserve(s) refers to lands reserved for Indians pursuant to the *Indian Act*.

¹ The name of this federal government department has changed multiple times since Confederation, though the mandate of the department and the Minister's statutory responsibilities remain the same. This most recent name change came into effect November 4, 2015, under the newly elected Liberal government of Prime Minister Justin Trudeau.



CHAPTER ONE

Introduction: Echoes of Colonialism in First Nations Child Poverty

What are the blockages to reconciliation? The continuing poverty in our communities and the failure of our government to recognize that “Yes, we own the land.” Stop the destruction of our territories and for God’s sake, stop the deaths of so many of our women on highways across this country.... I’m going to continue to talk about reconciliation, but just as important, I’m going to foster healing in our own people, so that our children can avoid this pain, can avoid this destruction and finally, take our rightful place in this “Our Canada.”

—Hon. Steven Point, Truth and Reconciliation
Commission of Canada, 2015, p. 14

[F]ully half—50%—of First Nations children live below the poverty line. This number grows to 62% in Manitoba and 64% in Saskatchewan.

—Macdonald & Wilson, 2013a, p. 6

THE PURPOSE OF THIS LITERATURE review and analysis is to determine how existing research on the structural drivers of First Nations child poverty can be effectively translated into pragmatic, community-based solutions. To answer this larger question, the review summarizes and analyses literature on the incidence and depth of poverty amongst First Nations children, and describes its causes and effects. To this end, Chapter 1 provides an overview of the historical and contemporary manifestations of First Nations child poverty, and a description of the two main streams of literature in this area. Chapter 2 goes more deeply into the literature, describing the impoverishment of First Nations communities through historical colonial policies and practices. Chapter 3 describes the current standard measures used to determine poverty in Canada, discusses why they are insufficient for measuring First Nations child poverty, and outlines existing efforts to provide more relevant measures. Chapter 4 outlines the multiple enduring legacies of historical impoverishment, and the continuation of colonial policies and practices that impoverish First Nations peoples today, describing the multiple and overlapping contemporary effects. Beginning with a description of the common priority First Nations place on the well-being of their children, Chapter 5 outlines the most widely accepted criteria for solution design and evaluation, then describes proposed and/or implemented intervention strategies. While not all interventions have yielded results, continued efforts and experimentation informed by evidence is absolutely essential to end poverty for First Nations children.

Colonial policy targets Aboriginal children

Although the colonial underpinnings of First Nations child poverty existed prior to confederation, the formation of the Canadian state signaled a more aggressive targeting of colonial policy toward Aboriginal children in particular. In 1920, Duncan Campbell Scott, one of the longest serving senior public servants in the federal Department of Indian Affairs, summed up the intentions of the federal government this way:

I want to get rid of the Indian problem. I do not think as a matter of fact, that this country ought to continuously protect a class of people who are able to stand alone. That is my whole point. Our objective is 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 problem and there is no Indian question, and no Indian Department and that is the whole object of this Bill. (Scott [1920] as cited in Titley, 1985, p. 50)

Scott was speaking to a House of Commons committee in favour of a bill to enfranchise status Indians without their consent and to make residential schooling compulsory for “Indian” children between the ages of 5 to 15. The bill passed, despite massive opposition by First Nations (Titley, 1985, pp. 49–51).

In 1903, Scott refused to provide \$10,000 to \$15,000 per year to fight the spread of contagious disease among First Nations peoples in Ontario and Quebec. He argued that, “the Department [of Indian Affairs] is doing as well as can be expected for the Indians, and to do anything further would entail a very heavy expenditure, which, at present, I am not able to recommend” (Scott as cited in Titley, 1986, p. 83). At that time, tuberculosis was the primary cause of death and debilitation of Aboriginal peoples, and Scott’s unwillingness to spend the money required to reduce its spread led to thousands more deaths, both on reserves and in residential schools (Titley, 1986). In 1907, Dr. Peter Henderson Bryce, Chief Medical Officer of the Department of Indian Affairs, reported that of the 1,537 pupils from 15 schools in operation for approximately 14 years, 24% were dead and 7% were ill (Bryce, 1907, p. 18). Bryce made recommendations that would have reduced the spread of tuberculosis in the schools, but Scott continuously put purse before life, refusing year after year to provide funding to implement Bryce’s recommendations (Bryce, 1922; Titley, 1986). Tuberculosis remained a crisis in the schools until the 1950s, accounting for almost 50% of the recorded deaths (Truth and Reconciliation Commission of Canada, 2015, pp. 92–94). Although the TRC documented over 5,000 deaths of children in residential schools, the true number of children who passed away will never be known, as records are incomplete and were routinely destroyed (Truth and Reconciliation Commission of Canada, 2015, pp. 92–94). As long-time facilitator of the government’s agenda “to get rid of the Indian problem,” Scott’s role in the deaths of thousands cannot be underestimated. However, the government pattern of trying to save money by providing inequitable and flawed services to Aboriginal peoples has persisted, regardless of the availability of solutions and the financial situation of the country.

In 1967, R. Alex Sim, who was hired by Indian Affairs to conduct a study on Indian education in Ontario, summed up the action needed “to provide for equality, accommodation, and

autonomy for Ontario's Indian children”:

A way must be found to maximize Indian involvement visibly and actually. An Indian advisory committee to non-Indians who are making the real decisions is not good enough. Not only must Indians actually move into positions of real power and authority but they must also appear to be doing so. There will be mistakes, squabbles and mismanagement, but none are likely to be more unseemly than the behaviour of the Canadian House of Commons during the Rivard and Munsinger affairs, nor the tortuous methods Toronto used to buy furniture for its beautiful new City Hall. The [non-Indian] community must demonstrate its faith that the Indian is ready to do something for himself. Not a series of niggling, piecemeal concessions and assignments of inconsequential busy work, but large, generous and costly arrangements are called for. It should not be done as a means of getting rid of the Indian problem but as a great humane act of trust and vision. (Sim, 1967, p. 36)

Almost thirty years later, the Royal Commission on Aboriginal Peoples [RCAP] (1996a) echoed Sim's sentiments, noting that the dispossession and assimilation of Aboriginal peoples, coupled with inequitable service provision, created “considerable” social and economic costs to both Aboriginal and non-Aboriginal peoples (Volume 5, 2.0–2.1).

RCAP (1996a) interpreted the growing unrest in the country in the summer of 1995 as a “reminder of the ever-growing sense of frustration with conditions in Aboriginal communities.” And they stressed that unless there is a “fundamental renewal of the relationship between Aboriginal people and other Canadians,” conditions for Aboriginal peoples are unlikely to improve. If conditions do not improve, they warned, there is “a serious risk of major conflict,” which would result in much higher human and economic costs than currently exist (RCAP, 1996a, Volume 5, 2.0-2.1). More recently, the Special Rapporteur for the United Nations Human Rights Commission (UNHRC) stated in 2014 that, “[i]t is difficult to reconcile Canada's well-developed legal framework and general prosperity with the human rights problems faced by indigenous people in Canada that have reached crisis proportions in many respects” (UNCHR, 2014, p. 7). The Special Rapporteur also observed that the “relationship between the federal Government and indigenous peoples” has become more “strained” since the UNHRC's 2003 report (UNCHR, 2014, p. 7).

In contrast to the government's lackluster implementation of recommended reforms, more and more Aboriginal and non-Aboriginal Canadians are becoming increasingly aware of the cumulative effects of Canada's ongoing colonial approach: and they are not going to stand for it much longer. The increased public attention can be credited to the efforts of Aboriginal and non-Aboriginal leaders, activists and scholars, the Truth and Reconciliation Commission of Canada, as well as a number of landmark legal cases affirming Aboriginal rights and title. There is good reason for Canadians to be concerned about the lack of government progress, as research links inequality within countries with poorer health and poorer social and economic outcomes for everyone (Wilkinson & Pickett, 2009). The effect of the inequality between Aboriginal and non-Aboriginal peoples on collective well-being is amplified by the fact that Aboriginal peoples are the fastest growing and youngest population in Canada. Between 2006 and 2011, the Aboriginal

population increased by 20.1%, compared to only 5.2% in the non-Aboriginal population (Statistics Canada, 2011c). As the Aboriginal population grows, so do the costs of Aboriginal poverty and inequity, to both Aboriginal and non-Aboriginal Canadians. And as these costs grow, so does resistance to the continued dispossession, assimilation, and impoverishment of Aboriginal peoples.

Poverty rates for First Nations children

The inequities are especially startling in the case of First Nations children, who experience poverty at a higher rate than any other population in Canada. The most recent study of Aboriginal child poverty in Canada puts the poverty rate² for all Canadian children at 17%,³ compared to a 40% child poverty rate for all Aboriginal children (First Nations, Inuit and Métis). The poverty rate for status First Nations children is a shocking 50%, with the number reaching 62% and 64% in Manitoba and Saskatchewan respectively. The highest poverty rates for First Nations children are in Manitoba (62%) and Saskatchewan (64%) (Macdonald & Wilson, 2013a, p. 6). Reporting on overall Aboriginal child poverty in the Prairie Provinces, Holden, Chopin, Dyck & Fraser (2009) report that 37% of Aboriginal peoples in Saskatchewan are living “at or below the LICO [Low Income Cut-Off]” (p. 5), although this statistic excludes First Nations on reserves. A 2009 study of poverty in Winnipeg’s “inner city” reported that “over 80 percent of Aboriginal households, an astonishing four in every five ... had incomes [far] below the LICO⁴ (Silver, p. 229).

According to the *First Nations Regional Health Survey* (First Nations Information Governance Centre [FNIGC], 2012), “First Nations mothers and their infants living on-reserve or in northern communities experience disproportionately high levels of poverty, household crowding, and multi-generational trauma, compared to the general Canadian population” (FNIGC, 2012, p. 403). In its analysis of 2008/10 data of 5,877 children (age 0-11 years) living in 216 First Nations communities, the FNIGC (2012) reported that “[a]pproximately 43% of First Nations children live in a household with an annual household income of less than \$20,000,” with the median household income at \$23,130. In comparison, the median income for two-parent families in the general population was \$75,880, and in lone-parent families it was \$35,990 (FNIGC, 2012, p. 345). As Blackstock, Clarke, Cullen, D’Hondt and Formsma (2004) assert, “family poverty is child poverty,” and the income gaps between on-reserve families and the general population make it difficult, if not impossible, for families “to provide adequate support, basic needs or consistent care for their children” (34). In addition, programs designed to support families living in poverty, namely the child tax benefit and Aboriginal Head Start, are “woefully inadequate resulting in widespread violation of rights under the [United Nations Convention on

² Despite the fact that Statistics Canada “does not define ‘poor’” or estimate “the number of poor families in Canada” (Murphy, Zhang & Dionne, 2012, p. 6), most researchers use the language of “poverty rate” when reporting income levels in Canada.

³ This puts Canada in 25th position for child poverty out of 30 OECD countries (MacDonald & Wilson, 2013a, p. 14). OECD refers to the Organization for Economic Co-operation and Development, which “promote[s] policies that will improve the economic and social well-being of people around the world” (About the OECD. Retrieved from <http://www.oecd.org/about/>).

⁴ See Chapter 3 for a discussion of current national measurement tools and their (in)adequacy for measuring First Nations child poverty.

the Rights of the Child] for large numbers of Aboriginal children” (Blackstock, Clarke et al., 2004, p. 34).

The devastating poverty rates for First Nations are not a new phenomenon, and have been known to the public and policy makers for decades. As Palmater (2011) notes, these rates have been publicized in countless studies and reports for many years, where they have been characterized as “pervasive” (National Council of Welfare, 2007; Ball, 2008), a “national disgrace,” “unacceptable” and “an emergency” situation that perpetuates “intolerable” conditions (Palmater, 2011, p. 113). In a recently published study, Macdonald and Wilson (2013a) argue that despite multiple warnings, including from the Auditor General of Canada (OAG), the government’s “progress in providing basic services for Indigenous peoples such as safe water, good-quality education and adequate housing remains disturbingly slow” (p. 11). Responding to Macdonald and Wilson’s (2013a) report, former Assembly of First Nations [AFN] National Chief Shawn A-in-chut Atleo states: “This report adds to a long list of others, and underscores the demand for urgent attention and action. Canadians simply must refuse to accept that half of First Nations children are living in poverty” (AFN, 2013).

Urgent action required

Macdonald and Wilson (2013a) make an excellent case for why immediate action to end all child poverty is “imperative” and “urgent” (p. 10). However, as a review of the literature shows, investigating and addressing the depth, prevalence, causes, effects, and solutions for First Nations child poverty is critical for a number of interrelated reasons. To start with, First Nations children experience the deepest “third tier” of poverty, placing them at an “elevated rate” of risk in relation to poor children in the first and second tiers (Macdonald and Wilson, 2013a, p. 12). As Macdonald and Wilson (2013a) outline, the first tier of child poverty is 12%, and does not include immigrant children, Indigenous children, or children who are otherwise racialized. Non-Indigenous racialized children are in the second tier, at a 22% poverty rate, with first generation immigrant children, who suffer a poverty rate of 33%. The second tier also includes Métis, Inuit, and non-status First Nations children, whose poverty rate is 27%. Occupying the third tier of poverty on their own, 50% of First Nations children in Canada live below the poverty line (Macdonald & Wilson, 2013a, p. 12).

The prevalence and deep level of poverty that many First Nations children experience is an effect of the “wholly unique” (Macdonald & Wilson, 2013a, p. 32) situation of First Nations children on reserve. The federal government requires provincial/territorial child welfare, education and health legislation to apply on reserves, and the federal government funds these services. However, as the OAG (2011) notes, the federal government under-funds these services, resulting in a two tier health, education and social services system where First Nations children receive less (First Nations Education Council, 2009; Macdonald & Wilson, 2013a, p. 13; Palmater, 2011; Sinha & Blumenthal, 2014), even though their needs are higher, due to the multigenerational impacts of residential schools and other historical disadvantages linked to colonialism (First Nations Child and Family Caring Society of Canada [Caring Society] and AFN v. Attorney General of Canada, 2014).

This literature review found that there are diverse ideas on the best approach to end First Nations child poverty, almost everyone agrees on the main causes, and that current approaches

are insufficient. The majority of literature links the overwhelming rates of First Nations child poverty to Canada's history of colonial laws and policies that led, and continue to lead, to loss of land, and thus to loss of economic self-sufficiency, loss of language and culture, break-up of families and communities, and a plethora of other negative and enduring effects. Research confirms that poverty underlies and perpetuates a host of other risk factors for First Nations children, including an increased likelihood of child welfare involvement and placement (OAG, 2008, 2011; Caring Society, 2014; National Collaborating Center for Aboriginal Health, 2009c).

Today, First Nations children are six to eight times more likely to be taken into child welfare care than non-Aboriginal children (OAG, 2008). Citing a 2005 study, Blackstock (2011a) notes that despite First Nations children representing less than 5% of the child population, they represent between 30 and 40% of all children involved in the child welfare system (p. 187). Federal government data recently filed at the Canadian Human Rights Tribunal shows that First Nations children cumulatively spent over 66 million nights in out of home care between 1989-2012. This calculation excludes 2011 data for the province of Ontario (Indian and Northern Affairs Canada, 2012; see also Caring Society and AFN v. Attorney General of Canada, 2014). This staggering overrepresentation is largely caused by structural risk factors that are beyond the control of individual parents: poor housing, poverty, substance misuse and, in many cases, lack of access to safe drinking water and adequate health care (AFN, 2006, 2014b; Blackstock, 2012; Blackstock, Prakash, Loxley, & Wien, 2005; Sinha et al., 2011). Research indicates that children who grow up in care are much more likely to be poor themselves, setting in play a multigenerational cycle of disadvantage (Patrick, 2014; Roos et al., 2014).⁵

In their 2009 report entitled "Aboriginal Peoples and Poverty in Canada: Can Provincial Governments Make a Difference?," Noël and Larocque categorize the research on Aboriginal poverty in Canada into "two streams." The first stream stresses "the similarities between Aboriginal and non-Aboriginal persons" and the "personal socio-economic determinants of poverty," and rejects Aboriginal difference and "the self-government claims it warrants" (p. 11). The second stream stresses the structural determinants of poverty, i.e., the "cultural, historical and political" determinants, arguing that these conditions are "created by an enduring colonial legacy and by a lack of recognition and political autonomy" (p. 12). Noël and Larocque say that Tom Flanagan's controversial book *First Nations? Second Thoughts* (2000) is typical of the first stream. According to Flanagan, the poverty gap can only be closed when "the skills and attitudes that bring success in a liberal society, political democracy and market economy" are adopted by First Nations (Flanagan as cited in Noël & Larocque, 2009, p. 11). In other words, he recommends assimilation as a poverty reduction strategy. Noël and Larocque characterize authors in the second stream as favouring Aboriginal self-government as a means to address cultural oppression and marginalization via community empowerment and cultural renewal (Noël & Larocque, 2009, p. 12).

The present literature review focuses on the second research stream, since the evidence supporting the first stream is unconvincing, and the evidence on the structural determinants of poverty for First Nations peoples is overwhelming. To do otherwise ignores poverty determinants rooted in past and present colonial government policies and the associated resistance by many First Nations and non-Aboriginal allies. It is important to note that colonial overtones

⁵ Chapter 4 provides a detailed discussion of the multiple and overlapping negative effects of so many First Nations children growing up in poverty.

occasionally bleed into the second stream research. For example, there are cases when the literature from the second stream identifies colonization as the main cause of the current poverty rates for Aboriginal peoples, yet suggests “integration” (assimilation) of Aboriginal peoples into the neo-liberal capitalist economy, paying only passing attention to First Nations land rights and self-determination. Standard poverty measures, used by literature from both streams, can also be problematic, as they fail to account for historical and contemporary disadvantage or adequately account for First Nations self-government interests and cultural, linguistic and contextual realities. In addition, most poverty measures focus on personal or family income rather than on other factors, such as service relevance and access, which have major effects on the quality of life and life chances of First Nations children, especially those living on reserves.

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CHAPTER TWO

Poverty by Design: The Canadian Government's Master Project

Introduction

Even though we co-existed together, born in the same generation, lived in the same cities, our Canadian experience is radically different, worlds apart. That is why, our stories must be told, to fill in this historical gap and bridge this human connection, and the Canadian connection.

—Longman, 2008, p. 3

The research that I have reviewed for this article shows that while historical colonial laws and policies created the dependency relationship, current federal laws and policies maintain the national crisis of poverty in First Nations which in turn, results in their premature deaths. Incredibly, this same research shows that politicians have turned a blind eye to the problem while conditions in First Nations have worsened.

—Palmater, 2011, pp. 113–114

THERE IS OVERWHELMING EVIDENCE that the First Nations poverty crisis is grounded in centuries of colonialism, including starvation, disease, murder (Blackstock, Clarke, Cullen, D'Hondt & Formsma, 2004, p. 17), land loss, broken treaties, residential schools, child welfare displacement, government underfunding, and discrimination in the workforce. Despite this evidence, many Canadians wrongly believe that First Nations peoples and “the poor,” in general, are responsible for their own poverty. In the case of First Nations, poverty is also codified as a cultural deficit. This belief is perpetuated by uninformed media reports and government spokespeople, and institutionalized through government policies and practices, including child welfare.

Hughes (1995) argues that the federal government's funding of child welfare services through the Canadian Assistance Plan (CAP)⁶ “attribute[s] poverty to personal defect and

⁶ The Canada Assistance Plan (CAP) was designed and enacted in the mid 1960s to provide welfare services to lessen, remove or prevent “the causes and effects of poverty, child neglect, or dependence on public assistance” (Osborne, 1985, *The Evolution of the Canada Assistance Plan*).

emphasize[s] remedial casework strategies presumed to help break the ‘cycle of poverty’” (p. 783). The promotion of the ethos of “personal defect” in child welfare means that programs focus on various skill-building activities in hopes that individuals will be able to “escape” poverty (via employment and financial management, for example), as if poverty is a prison of one’s own making, rather than a failure of social and economic structures. In addition, the term “cycle of poverty” implicates individuals, families and groups in their own poverty, suggesting that personal – and in the case of First Nations, cultural – behavior and values cause them to be poor. Hughes says that the focus on individuals as the cause of their own poverty precludes other activities that could contribute to a greater understanding of the social causes of, and solutions to, family poverty (Hughes, 1995). The focus on individuals and groups as the cause of their own poverty allows governments to escape accountability for flawed public policy, both past and present.

The myth that the poor are responsible for their own poverty is particularly virulent in relation to First Nations peoples in Canada. In this narrative, First Nations peoples are considered both individually responsible for the poverty they experience, and they are conflated into one large group (via stereotyping) considered responsible for the crisis rates of poverty in First Nations communities. Wilson and Macdonald (2010) note that, although the data does not support their claims, some critics say that First Nations, Inuit and Métis peoples “bring poverty upon themselves” by choosing to live in areas where there is little employment, and by becoming dependent on government for support. Others, they say, suggest that low employment levels and dependence on government funding “is exacerbated on reserves” (Wilson & Macdonald, 2010, p. 11).⁷ Conversely, Palmater (2011) argues that “discriminatory attitudes towards First Nations” and the public’s lack of education about the “real histories of Indigenous peoples and Canada’s role in creating the current situation” help to perpetuate a narrative of “blaming the victim” (p. 118). Blaming First Nations peoples for their own poverty justifies government inaction, and allows other Canadians to ignore or deny the ways they benefit from the historical and ongoing dispossession of Aboriginal peoples of their land, children, and languages. Blaming First Nations peoples for the poverty crisis also denies the existence of the many barriers, including “discriminatory laws,” which are a living legacy of the earlier colonial era (Palmater, 2011, pp. 118–119).

Palmater’s (2011) analysis of federal government strategies to defer, deflect and deny responsibility for First Nations poverty sheds light on the ways this myth is consistently reinforced. When they begin to draw negative media attention for a poverty crisis in a particular First Nations community, the federal government usually deploys one or more of these strategies. They defer action by announcing another study or committee to analyse the problem, they deflect as a way to “detract attention and shirk responsibility,” or they deny there is a problem at all (Palmater, 2011, p. 119). Deflection has been used frequently in recent years, often taking the form of blaming or vilifying First Nations leaders (Palmater, 2011, p. 119). With the help of uninformed mainstream media, the government regularly reinforces the idea that corrupt community leaders are the norm in First Nations communities, and that they are the predominant cause of First

⁷ Wilson and Macdonald argue that “the location hypothesis fails” because it leaves out crucial causal relationships (colonial policies and assimilation practices) and does not coincide with available data (2010, p. 11).

Nations poverty. In effect, the federal government racially stereotypes incidents of First Nations financial mismanagement in ways that it does not apply to other racial/cultural groups. The media plays a huge role in this process, often reporting on a crisis of poverty in one community and quickly following up with allegations of corruption by a leader, usually in another community that has no link to the first (Palmater, 2011, pp. 118–19).

A good illustration of the racial stereotyping First Nations are subject to is apparent in the difference between the government's imposition of the *First Nations Financial Transparency Act* (*Transparency Act*) in 2013, and the government's response to alleged and substantiated cases of illegal financial mismanagement perpetrated by non-Aboriginal people in the federal government. The *Transparency Act* requires that, starting July 2014, the 582 First Nations in Canada must "make their audited consolidated financial statements and a Schedule of Remuneration and Expenses of chief and council available to their members as well as publish it on a website" (Aboriginal Affairs and Northern Development Canada [AANDC], 2014a). The Canadian Taxpayers Federation's (CTF) started pushing for the act in 2009, and was jubilant when the financial statements started showing up online (Craig, 2014). Palmater argues that the *Transparency Act* provides "damage control" for the Harper government, which has been challenged by a number of "high-profile poverty-related crises in First Nations" over the past few years. High-profile challenges include the Human Rights Tribunal alleging the federal government inequitably funds First Nations child and family services (Blackstock, 2011a), the Auditor General's findings on inequitable funding for housing, water and education for First Nations communities (Office of the Auditor General of Canada [OAG], 2008, 2011), and "[n]umerous housing, water and suicide crises and states of emergency in individual First Nations" (Palmater, 2014).

Despite the CTF's fear mongering (Craig, 2009), and the government's enforcement of racial stereotyping through the creation of the *Transparency Act*, when First Nations governments started posting their financials, the reality was quite different than the myth the CTF and government propagated. Out of the 582 First Nations Chiefs, 554 had posted financial statements and schedules of remuneration and expenses on the government website by the deadline. Out of these, 42 Chiefs received less than \$10,000 per annum, 8 took no salary at all, and only five Chiefs (less than 1%) took home more than \$200,000. Excluding reimbursement for business travel, the average Chief's salary is \$60,000 per annum (Smith, 2015).

In comparison, the government responded very differently to the unscrupulous, and in some cases illegal, financial activity among staff in the Prime Minister's office, and in the Senate. For example, the RCMP investigated findings that 30 senators claimed ineligible expenses, and Senator Mike Duffy has been charged with criminal breach of trust, bribery and fraud after the Prime Minister's Chief of Staff, Nigel Wright, allegedly wrote a \$90,000 cheque to Duffy in exchange for Duffy keeping quiet about his travel expense grievances (Beeby, 2015; Gatehouse, 2014). In 2015, the Auditor General of Canada found that 21 out of 105 senators (approximately 20%) filed ineligible expense claims, and called for independent oversight of senators' expenses going forward (OAG, 2015b). In addition, emails requested by RCMP for their investigation into Duffy went temporarily missing, and the Information Commissioner of Canada found there was no oversight mechanism to ensure emails from the Prime Minister's Office "were being retained and saved as appropriate" (Beeby, 2015). In response to the charges against Duffy, the federal government has not proposed anything along the lines of the *Transparency Act*, and publicly characterizes these misdeeds as isolated incidents instead of practices racially/culturally endemic

to the largely non-Aboriginal group of wrongdoers. When this approach is compared against the federal government's approach to Chief's salaries, serious questions about government racial discrimination emerge.

Clearly, dispelling the tenacious and damaging myth that poverty is an individual choice rather than a failure of social and economic structures, and that First Nations are responsible for their own poverty (due to individual choice or corruption by leaders), will be challenging. However, it is our hope that compiling the literature on the real causes of First Nations poverty will provide a better understanding of First Nations child poverty, and challenge the misconceptions that fuel the problem.

The deliberate impoverishment of First Nations: Displacement, assimilation and forced dependence

Colonialism is best conceptualized as an irresistible outcome of a multigenerational and multifaceted process of forced dispossession and attempted acculturation – a disconnection from land, culture and community – that has resulted in political chaos and social discord within First Nations communities and the collective dependency of First Nations upon the state.

—Alfred, 2009, p. 52

When diseases like small pox, starvation, and scalping bounties did not kill Indigenous peoples fast enough, the former deputy superintendent of Indian Affairs Duncan Campbell Scott led an aggressive policy of assimilation.... This has been the cornerstone of Indian policy ever since.

—Palmater, 2011, p. 119

As leading Canadian economist John Loxley observes, prior to colonization, Aboriginal communities in Canada had very well developed economic systems based on principles of sustainability, inter-tribal trade and egalitarian distribution of resources within communities (Loxley, 2010). As this chapter sets out, the literature shows that these sustainable economic systems were substantially eroded by colonial policies that continue to echo forward in the form of unresolved land claims, improper implementation of self-government agreements and the erosion of Aboriginal economic capacity at community and institutional levels. It is important to note that this chapter is not intended to provide a comprehensive overview of the literature on Aboriginal economic development, but rather to situate child poverty within the past and present colonial policies.

Researchers agree that the high poverty rates experienced by First Nations peoples are rooted in the historical practices of colonialism (Bennett & Blackstock, 2007; Blackstock, Clarke et al., 2004; Briggs & Lee, 2012; Loxley, 2010; Noël & Larocque, 2009; Palmater, 2011; Sterritt, 2007). Many, however, only briefly summarize the historical causes, and then move quickly on to a discussion of the existing statistics on poverty rates and more contemporary causes, before making recommendations for change (OAG, 2008, 2011; Ball, 2008; First Nations Information

Governance Centre, 2012; Macdonald and Wilson, 2013a; National Council of Welfare, 2007; Palmater, 2011). Wilson and Macdonald (2010) argue that, “[o]ften left out of the analysis are several important causal relationships, such as the decimation of traditional economies, the movement of Aboriginal peoples onto increasingly marginal land and the creation of reserves by the colonial administration” (p. 11). Also left out of much of the literature on First Nations poverty is an understanding of the “societal infrastructure that supported Aboriginal peoples for thousands of years” before Europeans established a system of colonialism (Blackstock, Clarke et al., 2004, p. 18). Through colonial policies and practices of “forced *exclusion* and *assimilation*,” settler governments attempted, overtly, to “uproot and destroy the vitality and autonomy of Indigenous modes of life” (Coulthard, 2014b, p. 4).

It is crucial to understand the historical practices of colonialism, and how they echo forward in contemporary economic and social policy. Importantly, in Prime Minister Stephen Harper’s 2008 *Statement of apology to former students of Indian Residential Schools*, he links attempted assimilation by government through the residential school system to the contemporary realities of First Nations peoples, saying: “We now recognize that, in separating children from their families, we undermined the ability of many to adequately parent their own children and sowed the seeds for generations to follow” (Harper, 2008). Many raise serious questions about the federal government’s commitment to change, as it continues to devise ways to assimilate Aboriginal peoples and lands into the predominant settler-colonial economic and cultural system. As Wolfe (2006) argues, settler-colonialism is not an “event” that happened in the past and simply continues to have consequences today. Rather, “invasion is a structure” and “settler colonizers come to stay” (p. 388). In his analysis and critique of the colonial politics of recognition, Dene First Nation scholar Glen Coulthard elaborates on the perpetuation of settler-colonialist formations in Canada’s present. He argues that, “[s]ettler-colonial formations are *territorially acquisitive in perpetuity*,” explaining further:

[A]lthough the *means* by which the colonial state has sought to eliminate Indigenous peoples in order to gain access to our lands and resources have modified over the last two centuries ... the *ends* have remained the same: to shore up continued access to Indigenous peoples’ territories for the purposes of state formation, settlement, and capitalist development. (Coulthard, 2014a, p. 125)

In order to gain a robust understanding of both the causes of the high levels of First Nations child poverty, and what solutions might be most effective, we require a deeper understanding of the past colonial practices of the forced dispossession and attempted assimilation of Aboriginal peoples, and how these formations are consistently modified in ways that perpetuate the systematic impoverishment of First Nations peoples today.

Land loss and displacement

Whatever settlers may say ... the primary motive for elimination is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory. Territoriality is settler colonialism’s specific, irreducible element.

—Wolfe, 2006, p. 388

Comprehending the depth of poverty experienced by Aboriginal peoples, and designing long-lasting, effective and holistic solutions, requires an understanding of the interconnectedness between traditional lands and Indigenous worldviews, cultures and economies. Aboriginal peoples in Canada have diverse languages, cultures, languages and customs, yet they share important commonalities, including a “holistic independent worldview, communal rights and a commitment to sustainable decision making” (Blackstock & Bennett, 2003, p. 3). Summarizing a statement by the Assembly of First Nations (AFN, 1993), Blackstock, Clarke et al. (2004) also note that, “Aboriginal peoples share a preference for communal rights structures, deference to spiritual powers and a value for the interdependence of all worldly and spiritual things” (p. 17). In First Nations ontology, people “are interconnected with the universe,” and First Nations “believe the whole can be understood only as an interconnected reality governed by a set of simple principles that must be in balance in order to achieve optimal balance for individuals and groups in the system” (Blackstock, 2009d, p. 10). This is echoed by Nuu-chah-nulth and Tsimshian scholar Cliff Atleo (2009), who explains that Indigenous worldviews include conceptions of the physical and spiritual worlds as interconnected, and see humans as responsible for observing the “laws of balance and harmony” and for protecting the “lands, waters, air, resources, people and animals” (p. 6).

Maintaining balance involves a reciprocal and integral relationship with the land linked to an inherent right to live on that land and sustainably draw from it the resources needed to sustain life, languages and cultures. We see an excellent articulation of this relationship by the people of the Mishkeegogamang Ojibway Nation in their 2007 *Assessment Report*:

The Mishkeegogamang Ojibway Nation has lived on our traditional territory since long before recorded history. We have a sacred responsibility to care for the land, the water, the animals and all living creatures that sustain us and with whom we share our lives on Mother Earth. We have inherent rights to occupy our lands, to benefit from the resources of the land, to care for our own children, and to sustain our own communities. (Mamow Sha-way-gi-kay-win North-South Partnership for Children in Remote First Nations Communities, 2007, p. 2)

The National Centre for First Nations Governance (NCFNG, 2013) articulates this relationship in a similar way: “Our relationship with the Land ... gives purpose to our People and our governments.... It is our responsibility to care for the land, just as it cares of us, and our past, present and future relations” (p. 6). As one of the “five pillars of effective governance,” writes the NCFNG (2013), the land “provides for all our needs, including our need for an economy” (p. 6).

Writing about the effects of settler-colonial laws and practices, Palmater (2011) connects the separation of First Nations peoples from their traditional territories to deep cultural and economic impoverishment, as they were dispossessed of their traditional territories and forced onto reserves:

Land was not only central to ... [First Nations] identity, but they knew then, as they do now, that it is the land and its rich resources that sustain their Nations. It should be no surprise, then, that First Nations have gone from being the richest peoples in the world to the most impoverished, their lands, resources, and ways of being were stolen from them.” (pp. 112-113)

Echoing these ideas, Sioux scholar, writer and activist Vine Deloria Jr. (1999) argues that the loss of land was, for Native Americans, “a political and economic disaster of the first magnitude” (p. 247). Deloria connects loss of land to what he calls “the real exile of the tribes,” which “occurred with the destruction of the ceremonial life.” After they were exiled, he writes, “[t]he people became disoriented with respect to the world in which they lived” (Deloria, 1999, p. 247). Author and scholar Leanne Betasamosake Simpson, of Michi Saagiig Nishnaabeg ancestry, describes how the landscape itself is “reflected in Nishnaabeg thought and philosophy” (Simpson, 2011, p. 18). This connection is passed on through stories that connect her to her traditional lands, as she walks them with her children. In these stories, she writes, her Ancestors planted “the seeds of resurgence” (Simpson, 2011, p. 18).

Colonization decimated Indigenous peoples’ traditional economic and ecological systems, resulting in “decreases in Aboriginal community economic sustainability due to expropriation of lands and often, uncompensated, expropriation of resources” (Blackstock, Clarke et al., 2004, p. 25). As noted in the *BC First Nations Economic Development Plan* (First Nations Summit, 2008), “First Nations sustainably harvested, traded, and benefited from their resources for generations, unfettered, until contact” (p. 2). And for years after contact, First Nations economies, grounded in fishing, hunting, gathering and trading, continued to flourish. During the fur trade, First Nations provided all the food needed to sustain their communities, and they established trade agreements with Euro-Canadian settlers, providing the majority of the settler food supply (Manore, 2014; Ray, 1999). The dependence of settler economic development on the fur trade is described by Ray (1999), who writes that “[t]here is no question that fur trading would not have been a profitable venture for Euro-Canadians had Aboriginal people refused to sell them food or to work for them at very moderate wages as fishers, hunters, and collectors” (p. 83).

As the commercial fur trade waned in the face of depleted resources, and Aboriginal peoples lost access to traditional territories and resources they had relied on for millennia,⁸ the colonial government employed various tactics to reduce First Nations’ territories and displace them on to “Indian reserves” through the treaty making process (Daschuk 2013a; Manore, 2014). Under desperate conditions, where people were often facing starvation, First Nations were compelled to take unfair prices for their lands, and then forced onto reserves. The reserve system was designed to perpetuate poverty. According to Manore (2014), reserves “were deliberately surveyed in a way to leave the First Nations with lands that would prove marginal to the industrial economy” (p. 12).

Other “colonizing factors [came] into play” as well, purposely limiting both “the hunting and fishing territories of the First Nations” and their further participation in the “economic development of the country, except as labourers ... despite their desires to the contrary” (Manore, 2014, p. 12). As Daschuk (2013b) writes of those First Nations covered under Treaty No. 6, despite government “guarantees of food aid in times of famine ... Canadian officials used food, or rather denied food, as a means to ethnically cleanse a vast region from Regina to the Alberta border,” forcing Aboriginal peoples onto reserves “to make way for railway construction and settlement” (para. 4). Another example of how the government limited the territories of First Nations was through an amendment to the *Indian Act* in 1927 that forbade “fundraising by First Nations for the purpose of pursuing a land claim,” unless they had permission to do so from the Department

⁸ The beaver, for instance, were decimated by the 1760s (Carlos & Lewis, 1999), and by the early 1880s, European hunters decimated the Plains Buffalo (Daschuk, 2013a; Manore, 2014).

of Indian Affairs (AANDC, 2013d).

Administered by regional authorities before the *Indian Act* of 1876, and later by the newly created Canadian government, the reserve system is constituted of “Crown lands set aside for the use of Indians, which means that First Nations peoples can live on reserves, but the Crown actually owns the land and strictly governs the use thereof” (Blackstock, 2011a, p. 188). The size and quality of the land allotted for reserves varies greatly, and has been consistently reduced by governments over the years, as they cut off reserve lands they designate for “productive use,” like resource extraction and agriculture. Federal definitions of “productive use” pay little or no attention to the cultural value of land and matters of environmental sustainability. The “cut off” land then often goes to settlers or resource extraction companies (Hanson, 2009c). Other strategies to reduce the area of reserve lands have been implemented since at least the mid-1800s. A current strategy is the Canadian government’s *First Nations Property Ownership Act*,⁹ which would convert reserve land into fee simple lands (Diabo, 2013). While some argue that private property ownership on reserves would economically benefit First Nations (Flanagan & Le Dressay, 2010), the failure of the federal government to alleviate the dramatic inequities and impoverishment may coerce First Nations into selling land to meet immediate needs.¹⁰

When signing treaties, many Aboriginal leaders were led to believe they were agreeing “to share lands and resources with settlers in exchange for, among other things, the guarantee that traditional activities such as hunting and fishing would continue undisturbed” (Hanson, 2009c).¹¹ However, the Government of Canada was not interested in sharing; it was interested in owning the lands outright. The reserve system caused massive displacement from traditional territories, disrupted traditional social networks, marginalized Aboriginal peoples within the capitalist settler economy, and made people dependent on government funding for basic necessities (Hanson, 2009c). The government also created discriminatory laws that made it extremely difficult for Aboriginal peoples to be successful in the agricultural and fishing industries (Carter, 1990; Newell, 1993; Moss and Gardner-O’Toole, 1987),¹² “outlaw[ing] resource distribution and severely limit[ing] Aboriginal people’s ability to fish and hunt,” even at subsistence levels (Hanson, 2009c), even though these rights were guaranteed under various treaties.¹³ With few options,

⁹ For further information, see Gailus (2013), *Legislative Developments Related to Reserve Land* and Pasternak (2014), “How Capitalism will save colonialism: The privatization of reserve lands in Canada.”

¹⁰ See, also, discussion on this topic in Chapter 5 under heading “Paternalism and failure to consult: Government-imposed solutions.”

¹¹ For details about how Aboriginal leaders were misled during the signing of Treaty No. 9, see Alanis Obomsawin’s documentary film *Trick or treaty* (2014).

¹² In *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (1990), Sarah Carter debunks the myth of that the “Plains Indians” resisted farming, and that they failed at it for cultural reasons. She argues, instead, that there were “economic, legal, social, and climatic factors” at play in the lack of agricultural development on reserves. Along with their non-Aboriginal neighbours, Aboriginal farmers weathered all the other “adversities and misfortunes” non-Aboriginal neighbours did, but “were also subject to government policies that tended to aggravate rather than ameliorate a situation that was dismal for all farmers” (Carter, 1990, p. 13). In her book *Tangled Webs of History: Indians and the Law in Canada’s Pacific Coast Fisheries*, Dianne Newell (1993) documents the methods governments used to undermine the marine-based economies of Aboriginal societies living on Canada’s Pacific coast.

¹³ See Alanis Obomsawin’s (2002) documentary film *Is the Crown at War with Us?* for a contemporary example of how governments and settler society continue to deny treaty rights for subsistence fishing, and how the Mi’kmaq of Burnt Church First Nation fought to regain these rights in the early 21st century.

many Aboriginal adults worked as seasonal labourers in the capitalist workforce while continuing to hunt and gather seasonally. In this way, many were able to adapt and maintain themselves, while others were compelled to leave the reserve to make a living, facing discrimination, assimilation and loss of status and family connections (Hanson, 2009c).

The Royal Proclamation and “gradual civilization”

As is typical in all colonial societies, First Nations today are characterized as entrenched dependencies, in physical, psychological and financial terms, on the very people and institutions that have caused the near erasure of our existence and who have come to dominate us.

—Alfred, 2009, p. 42

The *Royal Proclamation of 1763* laid out the terms for “settlement” of Aboriginal territories by the British Crown, and is considered the “founding British/Canadian constitutional document for the relationship between the Crown and First Nations in Canada” (AFN, 2014a, p. 19). It was issued by British King George III as a means of formalizing military alliances with some First Nations (AFN, 2014a, p. 16) and for claiming territory in North America after Britain won the Seven Years War (Blackstock & Bennett, 2003, p. 3; First Nations Study Program, 2009a). The document prohibited settlers from continuing to claim or purchase Aboriginal land by giving the Crown “the exclusive right to negotiate for land title” with Aboriginal peoples (Dion, 2008, p. 3). This set the foundation for treaty making between the government and First Nations (Dion, 2008; First Nations Study Program, 2009a), and deemed lands that had not been “ceded to or purchased by” the Crown as “reserves” for “the said Indians” (*Royal Proclamation of 1763*).¹⁴

The *Royal Proclamation* recognizes First Nations as “self-governing entities” (AFN, 2014a, p. 16), and is considered by legal scholars “an important first step toward the recognition of existing Aboriginal rights and title, including the right to self-determination” (First Nations Study Program, 2009a).¹⁵ The *Royal Proclamation* gave the Crown “responsibility for Indians and lands reserved for Indians” (Blackstock & Bennett, 2003, p. 3), and responsibility for all aspects of “Indian Affairs, including treaty relations as well as education, health and social welfare,” which were administered through the “Indian Department” (AFN, 2014a, p. 20). However, under the *Royal Proclamation*, the legislatures of the new colonies “had no jurisdiction over Indian Affairs,” and “the Imperial government did not presume to override the Indians [sic] governing functions or their right of self-government” (AFN, 2014a, pp. 19, 24).

This relationship began to change in the 1820s, when there were enough settlers to defend British interests, and the British government no longer needed First Nations as military allies. In 1815, the Imperial government started reducing the budget of the Indian Affairs Department, and it was closed down by 1828 (Milloy, “Expert report transcript,” [pp. 63-65, Vol.

¹⁴ With the *Royal Proclamation* as the foundation for treaty-making between the Crown and Aboriginal peoples, many early treaties were concerned largely with consolidating “allegiance, peace and military alliance” between various First Nations and the Crown, and did not involve “transfer of land title, or compensation for rights taken away” (Dion, 2008, p. 6).

¹⁵ For more on Aboriginal rights and title, see Hanson (2009a and 2009b).

33] as cited in AFN, 2014a, p. 21). By this time, First Nations peoples were becoming more and more impoverished. The fur trade had declined, and Aboriginal peoples were encountering starvation due to displacement from traditional hunting grounds and the loss of staples. An argument made by a Captain Anderson in 1847 to continue the government's distribution of "annual gifts or presents" to Indians (contrary to the recommendations made by the *Bagot Commission Report* in 1842 to discontinue them), provides a sense of the depth of poverty many Aboriginal peoples on reserves were experiencing. Anderson argued that to deprive Indians of the annual gifts would "heap misery on wretchedness," and before long, would "deprive them of existence":

They have no annuity as a resource, the game is almost entirely destroyed; they have scarcely any furs to offer the traders ... and they gain only a precarious subsistence by fishing, trapping hares, and shooting a few wild fowl. It is therefore undeniable that, if the Indian thus situated is deprived for one or two years of even his blanket ... he cannot face the storm to procure fish, and he will consequently perish. (Anderson as cited in Moore, Leslie, & Macguire, 1978, p. 21)

Along with these severe conditions, Aboriginal peoples were suffering a devastating loss of life from aggression and disease, with some estimating the death rate during this time at 80% (at the lowest) (Blackstock & Bennett, 2003).¹⁶ In desperate economic situations, and with the understanding that they would remain "self-governing nations on their reserves," many band councils cooperated with the Department of Indian Affairs and the mission societies, and in return were "provided with houses, barns, churches, schools and training in agriculture" (AFN, 2014a, p. 24). This arrangement facilitated the "Imperial goal of creating 'communities of self-sufficiency' on reserve lands" (AFN, 2014a, p. 27). However, in 1842, the *Bagot Commission Report* claimed that these "civilizing" efforts were leading to only a "half-civilized state" in Aboriginal communities, and the Imperial government began to develop and instigate its new blatantly assimilationist "civilization policy" (AFN, 2014a, p. 23).

As noted earlier, the main goal of settler-colonial governments is to gain unfettered access to the land and resources of Indigenous peoples. This assimilationist agenda is rationalized through discourse of "civilization" and is but one element of a larger goal of "elimination" (Wolfe, 2006, p. 388). According to Wolfe (2006), "[t]he logic of elimination not only refers to the summary liquidation of Indigenous people" through various processes, including "frontier homicide," it also "erects a new colonial society on the expropriated land base" by striving for "the dissolution of native societies" (p. 388). Wolfe's description of the goals and logic of European settler-colonialism is clearly applicable to Canadian settler-colonialism.

In the *Bagot Commission Report*, which formed the basis of the government's assimilation policy, and eventually the residential school system (Milloy, 1999), European ideas of civilization were explicitly linked to assimilation and capitalist development. According to Milloy (1999), the central logic behind the *Bagot Commission Report* "was that further progress by communities

¹⁶ Blackstock and Bennett (2003) stress the multiple and layered impacts this massive death rate had on Aboriginal communities: "[t]he implications of losing at least eight out of ten community members include multi-dimensional grief associated with loss of relationship, knowledge, skill, and the communal efforts needed to sustain traditional life" (p. 4).

would be realized only if the civilizing system was amended to imbue Aboriginal people with the primary characteristics of civilization: industry and education” (p. 13). As the AFN (2014a) asserts, the government argued that industriousness could only be instigated through “education” and “individual ownership of land.” Thus, the goal of the “civilization policy” became the conversion of Aboriginal peoples to Christianity and to a settler life based on agriculture, until they were “indistinguishable in terms of their social, economic and political systems” (AFN, 2014a, pp. 23, 25–26).

In 1857, the Indian Affairs Department passed the *Act to Encourage the Gradual Civilization of the Indian Tribes in the Province, and to amend the Laws respecting Indians*. This legislation provided incentives for Indian men to give up their tribal affiliations to become “enfranchised”; becoming enfranchised meant they would become a “full member of colonial society” and be eligible for an array of benefits, such as employment off reserve, service in the military and a university education (Milloy, 1999, p. 18). In order to be enfranchised, one had to be a male over twenty-one years old, be able to read and write either French or English, be “free from debt,” be deemed of “good moral character” and be “sufficiently advanced in the elementary branches of education” (*Gradual Civilization Act*, 1857, III). Enfranchisement meant that the man would “no longer be deemed an Indian” and that “all other enactments making any distinction between the legal rights and liabilities of Indians and those of Her Majesty’s other subjects, shall cease to apply” to the enfranchised person (*Gradual Civilization Act*, 1857, III). The man’s family and descendants would automatically become enfranchised (Furi & Wherrett, 2003; Royal Commission on Aboriginal Peoples [RCAP], 1996c).

The federal government incentivized enfranchisement by providing “up to 50 acres of land within the reserve and his per capita share in the principal of the treaty annuities and other band monies” (RCAP, 1996c, p. 249). However, he would not actually own the land; instead, it was only “allotted” to him until his death, after which time his children would gain “fee simple ownership” (RCAP, 1996c, p. 249). If the man had a wife, she would “hold the land as a life estate” until her death, at which point the land would “revert to the Crown,” not the band. In this way, enfranchisement functioned to reduce “the overall amount of protected land for the exclusive use and occupation of the reserve community” (RCAP, 1996c, p. 249).

First Nations peoples resisted these assimilationist measures, and despite federal government inducements, voluntary enfranchisement was a failure (AFN, 2014a). Engaging the racist discourse of the broader European “civilization” movement, the *Head Commission* of 1856 claimed “progress” was slow, because the Indians were too far away from the “civilizing” influence of British/European culture. The Department blamed First Nations for the failure of its enfranchisement policies and what they termed the “cultural backsliding” of children who had attended the colonizer’s schools (AFN, 2014a, pp. 27–28, 126).

Two years following Confederation, the Indian Department passed *An Act for the Gradual Enfranchisement of Indians* (1869), which reiterated enfranchisement “encouragements” contained in the previous Act. The new Act also contained provisions proclaiming that enfranchised persons automatically “exchanged traditional government with ‘municipal government’ controlled by the federal government,” effectively muting First Nation claims of self-government in the eyes of the colonizers (AFN, 2014a, p. 28). In addition, under this 1869 Act, women who married non-status Indians lost their status, and their children could not be registered as Indians (Furi & Wherrett, 2003). These provisions did not apply to status men who married non-status women.

The *Indian Act*: From self-governing to “wards of the crown”

In 1876, the federal government passed the *Indian Act*, the most oppressive and controlling legislation to ever be applied to a group of people in Canada. The “ultimate goal” of this legislation “was to bring Indian status to an end” (Truth and Reconciliation Commission of Canada [TRC], 2012, p. 11). The *Indian Act* (still in operation, with some amendments over the years) granted the newly formed government of Canada jurisdiction over all matters pertaining to those registered as “status” Indians and to reserve communities. It made First Nations peoples “wards of the Crown” and controlled “almost every aspect” of their lives (Blackstock, Clarke et al., 2004, p. 18), including “governments, economy, religion, land, education, and even their personal lives” (TRC, 2012, p. 11). According to the federal government, the act “gave greater authority to the Department of Indian Affairs by permitting it to intervene in a wide variety issues [sic] and to make sweeping policy decisions across the board” (AANDC, 2011). Departmental officials took control over “determining who was an Indian, managing Indian lands, resources and moneys, controlling access to intoxicants and promoting ‘civilization’” (AANDC, 2011; see also Coates, 2008). Jurisdiction over “status Indians” came with the obligation for the government to provide for its “wards,” including funding for programs and services.

The *Indian Act* banned “traditional dress [and] the hiring of legal counsel to negotiate Treaties” (Blackstock & Bennett, 2003, p. 4), prohibited sacred ceremonies such as the Potlatch on the west coast and the Sun Dance on the prairies, and placed “new restrictions on Aboriginal hunting rights” (TRC, 2012, p. 11). It also gave the government the power “to depose chiefs and overturn band decisions,” and to appoint “Indian Agents” to enforce the Act on a day-to-day basis (TRC, 2012, p. 11). These agents had control over a wide scope of affairs, including whether or not Indian farmers could sell their produce. In addition, the act enabled the government to establish a reserve “pass” system, which was implemented in western Canada between 1882 and 1935. Under the pass system, Indian Agents were given the authority to grant or deny permission for status Indians to leave reserves (Barron, 1988, p. 25).

Overall, the *Indian Act* intensified the efforts of the enfranchisement bills designed to “eliminate” Indians by further impoverishing those who resisted enfranchisement. In addition to the controls and restrictions placed on cultural practices, hunting and fishing rights, self-government and travel off the reserves, the *Indian Act* further legislated poverty by ensuring status Indians had no claim over reserve lands:

Indians could not own reserve land as individuals, nor could they take advantage of the homestead opportunities offered to other Canadians.... The government had the power to move the bands if reserve land was needed by growing towns and cities. The government also gave itself increasing authority to lease or dispose of reserve land without band authorization. (TRC, 2012, p. 11)

The *Indian Act* also forced First Nations peoples to forfeit band membership and become “enfranchised” if they pursued efforts to get out of poverty, such as attending secondary or post-secondary school, working off reserve, joining the armed forces or becoming Christian ministers (AANDC, 2013d; Blackstock & Bennett, 2003). First Nations people who refused to enfranchise were denied these basic citizenship rights, thus establishing government-designed poverty as a punishment for resistance to assimilation.

The *Indian Act* also took aim at First Nations women, who were, traditionally, “central figures in ... social, economic and political life” (Sterritt, 2007, p. 7). Imposing European patriarchy and the settler-colonial economic system on Aboriginal peoples (replacing the cooperative land-based traditional economies), the *Indian Act* barred women from serving on band councils and buttressed the dependency of women on men by making a married woman’s “Indian status” entirely dependent on her husband’s status (Sterritt, 2007). The Act defined status in terms of male lineage, defining an “Indian” as “any male person of Indian blood reputed to belong to a particular band; any child of such a person; and any woman lawfully married to such a person” (Furi & Wherrett, 2003, p. 2).

Sterritt (2007) argues that the government’s reorganization of what constituted a family privileged men over women, creating gender hierarchies of ownership and control. This strategy was key to the government’s intensification of control over Indigenous lands and people. The reorganization of the family under the *Indian Act* has “led to long-term effects on Indigenous women including homelessness, prostitution, poverty, cultural genocide, loss of family connection, and apprehension of their children” (Sterritt, 2007, p. 11). Moreover, as di Tomasso and de Finney (2015) assert, the specific “target[ing] of Indigenous woman and children for loss of status” through the *Indian Act* rendered them vulnerable to “cultural genocide” via the residential school and child welfare systems (p. 8). The strategy of discriminating against women and penalizing them for “marrying out,” divorcing or being abandoned by a man with Indian status, reduces the number of people eligible for “Indian” status, thus furthering the government’s goal of assimilation.

In the ways outlined above, and many more, the *Indian Act* and its preceding legislation eroded the capacity of First Nations peoples to continue their self-sustaining ways of life, vanquishing many to live in poverty or assimilate into the allegedly more “civilized” settler labour market and society (Gordon, 2006, p. 18). By the late 1800’s, Canada decided to embolden its assimilation plan by systematically removing Indian children and placing them in Christian run residential schools.

Residential schools: The economics of stealing children

For over a century, the central goals of Canada’s Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as “cultural genocide.”

—TRC, 2015, p. 1

The *Indian Act* legalized the forcible removal by government officials of Aboriginal children in Canada from their families, sending them the Christian-run residential schools, “not to educate them, but primarily to break their link to their culture and identity” (TRC, 2015, p. 3). The TRC (2012) notes that residential schools “were not just an assault on families. They were part of a

larger government policy which had started with the enfranchisement policies: the elimination of the economic and social responsibilities the government took on through the treaty process” (p. 11). Blackstock and Bennett (2003) argue that the residential school system was “[t]he most offensive policy” created by the colonial government to date, since it implicitly proposed, and carried out, the removal of children from their families and communities as a means to “eliminate and assimilate Indian peoples” (p. 4).

The link between the government’s drive to eliminate the Indian population through enfranchisement and the residential school system “was drawn clearly in 1920,” writes the TRC (2012), “when the government amended the *Indian Act* to allow it to enfranchise people without their consent, and to require school-aged Indian children to attend school” (p. 12). As Duncan Campbell Scott, Deputy Superintendent of Indian Affairs at the time, declared, the government would persist “until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian Department” (Scott as cited in TRC, 2012, p. 12). Underlying all of the civilizing narratives rationalizing the removal of children from their parents and communities was the intent to eliminate Aboriginal peoples in order to procure more wealth for non-Aboriginal governments. Indeed, “absorb[ing] the Indian into the body politic” was a matter of national prosperity according to Hayter Reed, Indian Commissioner for the Prairies, who in 1889 declared that “if the Indian is to become a source of profit to the country, it is clear he must be amalgamated with the white population” (Reed as cited in TRC, 2012, p. 12).

The federal government intended to the country’s profits via the unlawful taking of Indigenous lands, the imposition of the reserve system, the destruction of traditional economies and assimilation. As with earlier colonial policies and practices, the residential school system led to further impoverishment of First Nations peoples and communities. Most survivors left the schools with limited education and skills and significant trauma arising from separation from family, community and culture, and all too frequently, from physical, sexual and/or emotional abuse within the schools.

Prior to 1883, missionaries ran boarding schools via federal government grants. In 1883, the government decided to open three industrial schools on the prairies; this date marks the beginning of the residential school era (TRC, 2012, 6). By 1910, “3841 status Indian students were enrolled in seventy-four residential schools.... with another 6784 in 241 federally funded day schools,” and “by 1927 there were 77 residential schools with 6641 students” (TRC, 2012, pp. 17–18).¹⁷ A first step in closing the schools was taken in 1949, as the government began handing over the responsibility to educate First Nations children to the provinces. But by 1953, there were 10,000 students in residential schools throughout Canada, and in 1955, the government began expanding the system in the north, building new schools in the north as they were beginning to close in the south. The federal government took over running most of the schools in 1969, and over the next ten years closed the majority of them. A few still remained open until the mid-1990s (TRC, 2012, pp. 19–20).

The historical and ongoing trauma experienced by Aboriginal children, parents and communities because of this act of cultural genocide is by now well documented. Children,

¹⁷ The schools were originally intended for children who had Indian status under the *Indian Act*, but many Métis children also attended residential schools. For more on Métis children and residential schools, see Chapter 4 of *They Came for the Children* (TRC, 2012).

families and communities suffered by being separated from each other; thousands of children suffered horrible abuses—physical, psychological and sexual—within the residential schools; thousands of children died in the schools, many from disease and maltreatment; and most of the survivors, as well as their children, experience lasting generational effects (Milloy, 1999, 2014; TRC, 2012, 2015). There is less research available on how the economic structure of the system created Aboriginal child poverty within the schools, and how the schools contributed to ongoing poverty for those who survived the system. The next section goes some way towards bringing together existing research on these connections, as well as the connections between the increased removal of First Nations children from their homes and communities via the child welfare system when the residential schools began to close in the 1950s and 1960s.

“Aggressive Civilization”: Industrial schools and Aboriginal child labour

The rule of half day classwork has been carried out as far as practicable, though, owing to the lack of larger children for necessary work, some of these have frequently had to work at their various occupations full time. It has, however, the advantage of preparing them gradually for the kind of life they must expect in the near future.

*—Wm. A. Burman, first Principal of St. Paul’s Industrial School,
Middle Church Manitoba, as cited in Dominion of Canada, 1892, p. 104*

The *Bagot Commission* (1842-1844) argued that “civilizing” Indian adults could have only limited success, and “by the end of the 1840s, the [Indian] Department and churches narrowed their civilizing plan to the children and to residential school education” (AFN, 2014a, p. 26). The commission recommended continuing the already established on-reserve schools and proposed the development of labour and Industrial schools wherever possible. These schools were to be “off-reserve boarding institutions that were intended to isolate the Indian children from the influence of their parents” (AFN, 2014a, p. 25). But it was not until after Confederation that the residential school system began to assimilate Aboriginal children into settler-colonial society in larger numbers by establishing an off-reserve residential school system. The growth of the system was spurred by first Prime Minister John A. Macdonald’s concern about the threat of unrest in newly acquired territories in the northwest, where “First Nations people and the Métis were under considerable stress due to ... starvation, leading to considerable disquiet in those regions” (AFN, 2014a, p. 30). Similar to other government assimilative efforts, the residential school system was inextricable from the economics of the newly forming nation, which sought, in the words of Macdonald, to “do away with the tribal system and assimilate the Indian people in all respects” (Macdonald as cited in Blackstock, Clarke et al., 2004, p. 18).

Under Macdonald’s leadership, the newly formed nation sought control over more and more territory to make Canada both “profitable and governable,” and saw the expansion of the existing off-reserve schooling system as a way of assisting in the “peaceful settlement and development” of western Canada (AFN, 2014a, p. 30). In service to capitalist nation building, Macdonald commissioned Nicholas Flood Davin to investigate Native American boarding schools in the US and their possible utility in Canada. Davin submitted his report in 1879 entitled the

Report on Industrial Schools for Indians and Half-Breeds (often referred to as the Davin Report). Davin investigated large-scale industrial residential schools established for Indian children in the United States for their feasibility in “the North-West Territories of the Dominion” of Canada (AFN, 2014a, p. 30).¹⁸ Davin agreed with the U.S. policy known as “aggressive civilization,” which was based on President Ulysses S. Grant’s desire to replace the “wars of extermination” with “the benign influences of education and civilization” in order to make “the Indian ... a productive member of society by proper teaching and treatment” (Grant, 1873). The U.S. government viewed industrial schools as a principle feature in its efforts to consolidate the Indian population on fewer reservations, divide up common land, abolish tribal relations and make Indians citizens (Davin, 1879). U.S. authorities determined that locating the schools far from the influence of their families and Nations would quicken assimilation of Indian children, thus furthering settlement goals. This view gained more currency after government officials determined that “the day-school did not work, because the influence of the wigwam was stronger than the influence of the school” (Davin, 1879, pp. 1–2).

Rather than interpreting the strong influence of culture and family as a sign that children were happier and better off when raised by their parents in their own communities, Davin believed the failure of the day schools signaled racial inferiority and savagery. In his report, he characterized “adult Indians” as unable to learn European tasks, and thus uncivilized. Besides learning “a little at farming, and at stock-raising, and to dress in a more civilized manner,” he wrote, “[l]ittle can be done with [the adult Indian],” since Indians possess an “inherited aversion to toil” (Davin, 1879, p. 2). However, he contradicts his own proposition that laziness is hereditary amongst “Indians” (i.e., passed on biologically from generation to generation)¹⁹ when he asserts that the children could be educated to become “productive” citizens if removed from their families and placed into residential schools.

Far from making rational sense, the civilizing discourse was employed to eradicate any threat that “adult Indians” still posed to the expansion of the nation state though their resistance to continual land theft, impoverishment and forced assimilation by the colonial government. Davin makes the link between resistance and child removal in his report when he says that “the problem” of “discontent” amongst many of the bands “can be solved only by gradually educating Indians and mixed-bloods in self-reliance and industry” (Davin, 1879, p. 9). In other words, he suggests that removing children to residential schools would help solve the government’s real “Indian problem,” which was communal resistance to colonization and genocide.

Davin’s 1879 report served as the “official’ justification for the concerted attack by church and state on Aboriginal culture” (AFN, 2014a, p. 32) through the removal of Aboriginal children from their homes and communities and placement in residential schools. The discourse of civilizing children by removing them from their parents was reiterated in 1883 by Edgar Dewdney, the Commissioner of Indian Affairs for the North-West Territories, who was about to establish three industrial schools in this region. Writing in the *Annual Report of Indian Affairs*

¹⁸ The North-West Territories of the Dominion was a term that “embraced all British territory north of the United States and north and west of Canada which was not part of Rupert’s Land, British Columbia or Vancouver Island”: the same territory held by the Hudson’s Bay Company through its trading license from 1821-1859. With American settlers pushing north and west, the new Canadian government made “transfer” of this land “a top priority” (McNeil, 1982, p. 4).

¹⁹ For information on the history of eugenics, including the term “heredity,” see the online interactive resource *Eugenics Archives* at <http://eugenicsarchive.ca/>.

for 1883, he notes, “little can be done which will have permanent effect with the adult Indian” (Dewdney as cited in Dominion of Canada, 1884, “Industrial Schools”). Dewdney also asserts that residential schools would be “a principal feature in the civilization of the Indian mind,” as the schools would “take charge of the youth and keep him constantly within the circle of civilization” (as cited in Dominion of Canada, 1884, “Industrial Schools”). Children in the schools would receive some training in reading, writing and arithmetic, but the main focus, especially in the large-scale Industrial schools, was on using Aboriginal child labour to run the schools (conceived of as agricultural businesses), and on training Aboriginal children to become low-paid adult labourers within the settler-colonial economy.

Davin’s (1879) report demonstrates the economic underpinnings of the school, and how the financial costs and benefits were carefully calculated in terms of their intended yield: fully assimilated, “civilized” manual labourers for the new Canadian economy. In the U.S. Industrial schools, wrote Davin, the children received training in “the elements of an English education,” as well as training in agricultural labour: “the boys are instructed in cattle-raising and agriculture; the girls in sewing, breadmaking, and other employments suitable for a farmer’s wife” (p. 2). Davin describes two different business models for industrial schools used in the U.S. One model is the contract system (later adopted in Canada and termed the “per capita system”), where a church is contracted to run the school and paid “[o]ne hundred and twenty-five dollars a year ... for each pupil boarder ... in larger schools, one hundred dollars; and even less when the school is of considerable size” (Davin, 1879, p. 2). The second model involved direct government operation of schools as administered “through the [Indian] Agency” (Davin, 1879, p. 2).

Noting concern for child outcomes under the contract system, Davin (1879) argued that this system leads, in the U.S., to the children not getting “a sufficient quantity of food” from the organizations getting paid per head (p. 2). He then provides a financial design “for one of schools of the cheapest kind” run by the Indian Agency, calculating that the schools would be even cheaper to run in Canada than in the U.S. and should be self-supporting in a few years:

At the ordinary industrial school, managed by the Government through the Agency, each pupil costs, on average, one hundred dollars per year. The yearly outlay on an industrial school for fifty children would therefore, [sic] be about five thousand dollars a year. But for the first year the expenses would certainly be more. The aim, however, would be to make these schools self-supporting, and when the sums properly chargeable to capital account had been spread over a number of years, the school meanwhile being conducted on economical and profitable principles, even less than five thousand dollars might be found to meet every demand. (Davin, 1879, p. 3)

Davin (1879) then suggests that the industrial schools would make a profit by having the labour performed by the students themselves, and through the reproductive increase in stock animals over the years (p. 3). In his recommendations, Davin (1879) cautions against “an extensive application of the principle of industrial boarding schools in the North-West” because of the migratory Indian population, saying that, “any great outlay at present would be money thrown away” (p. 13). Instead, he suggests that the government should utilize existing missionary schools and establish four or five new denominational industrial schools to start with (Davin, 1879).

When the Canadian government first started funding schools for Aboriginal children in 1868, only two of the total fifty-seven schools were residential schools that focused on manual labour (AFN, 2014a). After the federal government implemented the Davin report in 1883, the numbers grew, and by 1923 there were seventy-one schools in total. Sixteen of these were industrial schools and fifty-five were boarding schools, “with 5,347 children in their care and in residence” (AFN, 2014a, p. 35). By 1931, the number of schools had grown to eighty, and they were all simply referred to as residential schools (AFN, 2014a, p. 35).

In the first stage of residential school expansion, the Department of Indian Affairs provided grants to churches to build the schools, and they expanded the system “according to their mission strategies and budgets” (AFN, 2014a, pp. 35–36). There was very little government oversight, “planning or restraint” (AFN, 2014a, p. 35), the system was chronically underfunded, and the lack of effective government oversight resulted in the “rapid deterioration and overcrowding” of the schools (Milloy, 1999, p. 52). In 1892, in an attempt to take control of the amount it was handing over to the churches, the government passed an Order-in-Council that introduced “a forced system of economy” into the schools. This system applied “per capita funding to the whole industrial school sector” and formulated “regulations for the more efficient operation of the schools” (Milloy, 1999, pp. 62–63).

The Order-in-Council also declared that the government had the authority to institute “the standard of care to be maintained” within the schools, an aspect formalized in a second Order-in-Council in 1894 (Milloy, 1999, p. 64). However, the per-capita system never met the real costs of operating the schools. By 1904, “the collective debt was \$50,000, an amount equal to thirty-five percent of the government’s expenditure of industrial schools in that year,” and the Auditor General called for a yearly inspection of the finances of each school on behalf of the government (Milloy, 1999, p. 66). By 1913, when Duncan Campbell Scott was Deputy Superintendent of Indian Affairs, the schools were running large deficits, especially the Industrial schools, and the conditions in the schools were appalling (AFN, 2014a, pp. 37–38).

In 1907, Dr. Peter Henderson Bryce, Chief Medical Officer for the Departments of the Interior and Indian Affairs, raised concerns about the illness and death rates of students attending the schools. In his *Report on the Indian Schools of Manitoba and the North West Territories*, Bryce (1907) links the high rates of illness and death in the schools to underfunding, and the attempts by administration and staff to save money. In the report, he reveals his findings that “of 1,537 pupils” within “15 schools which have been in operation on an average of fourteen years, 7 percent are sick and 24 percent are reported dead” (Bryce, 1907, p. 18). Bryce describes the “defective sanitary conditions of many schools, especially in the manner of ventilation” as the method through which tuberculosis spread in the schools. And he connects the schools’ attempts to keep their student numbers up so they can receive per capita payments from the government as a contributing factor in the lack of screening for health upon entry (Bryce, 1907). In addition, he identifies the use of “double sashes” on the windows to “save fuel and maintain warmth” in the dormitories during winter, where the children were confined “for some 10 continuous hours” per night, as the main cause of the spread of tuberculosis. Given the “dangerous conditions” within the schools, Bryce is “surprised the results were not even worse” (Bryce, 1907, pp. 18–19).

Needless to say, Aboriginal parents were even more reluctant to send their children to the schools when they learned of the high illness and death rates, the harsh punishment and discipline the schools meted out to students, and the hard manual labour the children were forced into (AFN, 2014a). In response to the inability of the schools to recruit and maintain attendance

in the numbers required to financially sustain the schools, the *Indian Act* was amended in 1920 to make attendance mandatory for First Nations children ages seven to fifteen. Compulsory attendance was considered urgent, because “the deficits were mounting” and there was a “growing conviction that the schools were not succeeding in their ‘civilizing’ the children” (AFN, 2014a, p. 41). This is a maddening rationale given the extremely poor conditions within the schools and the prolific harms they presented to children. To make matters even worse, parents and bands that resisted the apprehension of their children were punished with further impoverishment. As Thobani (2007) notes, Aboriginal parents who tried to keep their children from attending the schools faced “legal barriers, as well as extra-legal forms of coercion,” including withholding of food rations and the deposing of chiefs who refused the apprehension of their children (p. 121).

As Davin (1879) had warned, the per-capita system, which prevailed until 1957 (AFN, 2014a), created conditions of dire poverty for the students. According to Milloy (1999), the schools were “sites of struggle against poverty, the result of underfunding, and, of course, against cultural difference and, therefore, against the children themselves” (p. 129). The children were, for the most part, inadequately clothed and underfed, and the schools often relied on the “revenue producing potential” of the farm, or on charity, since the government refused to adequately fund them, despite their knowledge of the dire effects (AFN, 2014a, p. 51). In many cases, the students subsidized the upkeep of the schools by performing manual labour in what was called the “half-day system, under which half a day was spent in the classroom and the other half in vocational training” (National Centre for Truth and Reconciliation, 2015, para. 8). The manual labour children performed included carpentry, printing, farming (for boys) and cooking, cleaning, laundry, sewing and knitting (for girls) (Dominion of Canada, 1892, pp. 106–107). In fact, as cited in the epigraph to this section, “the half day classwork” was only “carried out as far as practicable” in some schools, with some children working full time at manual labour when there was a “lack of larger children” available for the “necessary work” (Burman as cited in Dominion of Canada, 1892, p. 104). By 1916, the Indian Commissioner in Saskatchewan reported that the school at Fort Qu’Appelle was “little more than a workhouse” for many of the boys. And in 1930, he wrote that in two Alberta schools, “[t]he boys are being made slaves of, working too long hours” (Graham as cited in Truth and Reconciliation Commission of Canada, 2012, p. 36).

By World War II (WWII), the government acknowledged that the system was costing them far too much money to run, and it was not achieving the “educational” results desired (Milloy, 1999, p. 186), and they decided to “get out of the business of separate residential schools” (Trerise, 2011, p. 30). They integrated many Aboriginal children into the provincial school system, and school boards began receiving funding from the Department of Indian Affairs for students transferred from the residential schools (AFN, 2014a). However, many Aboriginal children remained in the residential schools, which had, since their start, functioned more as “a child-welfare system than an educational one” (TRC, 2015, p. 185).

By the 1940s, writes the TRC (2015), the schools increasingly functioned as “orphanages and child-welfare facilities,” and “[b]y 1960, the federal government estimated that 50% of the children in residential schools were there for child-welfare reasons” (p. 71). The restructuring of the system in 1968 saw a division of the schools into residences and day schools, with the last one closing in the late 1990s. The closure of the residential schools “was accompanied by a significant increase in the number of children being taken into care by child-welfare agencies” (TRC, 2015, pp. 71–72). In Chapter 4, we argue that this increase, along with the rationale employed by

officials to force children they deemed “not properly cared for” to attend residential schools, demonstrates that residential schools were the earliest form of Aboriginal child welfare, and that it is erroneous to think of residential schools and child welfare as two distinct and sequential programs.

“We didn’t learn anything”: A legacy of disadvantage

As described throughout this chapter, contemporary First Nations child poverty is rooted in past colonial policies and practices, which continue in new forms to ensure that First Nations children are the poorest in the country. The decades after WWII saw “a progressive collapse in the Indian economy until the mid-1970s,” when over 70% of Aboriginal people received “welfare assistance of one kind or another” (AFN, 2014a, p. 62). Both the design of the residential schools system and chronic underfunding by government exacerbated the existing effects of the government’s control over Aboriginal cultures, lands and economies, and has contributed immensely to the legacy of disadvantage First Nations continue to experience.

The residential schools themselves created conditions of poverty and hard labour for the children within them, and they put survivors at a major disadvantage when they were released, as this passage from the TRC’s *They Came for the Children* (2012) illustrates:

The legacy was lasting: poorly housed and poorly nourished young students spent their time doing back-breaking, monotonous work to support schools that could not afford to educate them or train them. The experience of one former student, Solomon Johnston, speaks for thousands: “We cut wood, picked stones—all the worst jobs. We didn’t learn anything. We didn’t know anything. I read only a little now.” (TRC, 2012, p. 37)

Most students left the schools with an education that prepared them only for low-paying manual labour jobs. As the TRC (2015) reports, “[t]he Commission has heard many examples of students who attended residential schools for eight or more years, but left with nothing more than Grade Three achievement, and sometimes without even the ability to read” (p. 193). The schools themselves “perpetuated a legacy of disadvantage” by imposing “a multitude of adverse circumstances for First Nations children without imparting an education” (First Nations Child and Family Caring Society of Canada and Assembly of First Nations v. Attorney General of Canada, 2014, p. 111). Finding it difficult to adapt to the world they were released into, where they were expected to fit into either settler-colonial society or their own communities, many survivors often felt pulled in both directions at once. Saskatchewan Aboriginal leader and former student of the Delmas school, John Tootoosis, describes the dilemma:

[W]hen an Indian comes out of these places it is like being put between two walls in a room and left hanging in the middle. On one side are all the things he learned from his people and their way of life that was being wiped out, and on the other side are the whiteman’s ways which he could never fully understand since he never had the right amount of education and could not be part of it. (Tootoosis as cited in TRC, 2012, p. 78)

The ability of former students to earn a living and find a place within either their own or settler-colonial society was further compromised by the trauma of abuse and neglect many experienced in the schools, and by long-term separation from their families, cultures and languages.

Understanding how legacies of colonialism, including land loss, displacement, and attempted assimilation through residential schools, have created the conditions of poverty many First Nations children experience today, is a crucial step towards developing holistic and culturally specific measures and definitions of First Nations child poverty.

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CHAPTER THREE

Defining and Measuring First Nations Child Poverty

ANY WAY CHILD POVERTY IS MEASURED, First Nations children experience the highest levels of poverty in Canada. First Nations children also suffer additional disadvantage related to inequitable federally funded infrastructure and services (Blackstock, Clarke, Cullen, D’Hondt & Formsma, 2004; Macdonald & Wilson, 2013a). The First Nations Information Government Centre’s (FNIGC, 2012) income analysis coincides with Blackstock, Clarke et al.’s (2004) observation that child poverty should be defined in terms of family poverty, and measured in relation to “the ability of the parents or caregivers to ensure that each child in the family has the opportunity to reach his or her full development and potential” (p. 26). Unfortunately, current poverty measures do not account for First Nations historical disadvantage or diverse cultures and contexts. In addition, there is a dearth of disaggregated data for different Aboriginal cultural groups (National Collaborating Center for Aboriginal Health [NCCA], 2009d), resulting in the failure of most studies to account for the significant differences amongst different First Nations (Blackstock, Clarke et al., 2004).

Analysts working on Aboriginal child poverty often acknowledge the limitations of current measures in capturing the extent and depth of First Nations child poverty, sometimes commenting that the rates are probably higher than we can know from available measures and data (Macdonald & Wilson, 2013a; National Council of Welfare [NCW], 2007).²⁰ This chapter describes the barriers to measuring First Nations child poverty, including the inability of standard poverty measures to account for historical and structural disadvantage and First Nations cultural and contextual diversity. It then details efforts within health research, and within research conducted by First Nations organizations, to provide more relevant First Nations child poverty measures, before briefly describing the benefits and limitations of each. Overall, the literature suggests that further work is needed to ensure child poverty measures adequately account for historical and structural disadvantage and diverse cultures and contexts.

Poverty lines: Relative versus absolute measures

Canada does not have an official “poverty line” (Macdonald & Wilson, 2013a; NCW, 2007), meaning the federal government does not recognize a particular measure as a standard indicator

²⁰ The National Council of Welfare (NCW) was established in Canada in 1969 as an advisory group to the federal Minister responsible for issues related to poverty. The NCW published reports on the poverty gap and the social costs of poverty, and provided recommendations to the federal government on tackling poverty. The organization was defunded by Stephen Harper’s Conservative government in 2012 (Voices-Voix, 2012).

of poverty across all provinces and territories. In fact, “Statistics Canada does not define ‘poor’ nor does it estimate the number of poor families and individuals in Canada” (Murphy, Zhang & Dionne, 2012, p. 6). Instead, the government publishes statistics that compare household income levels in order to “provide some indication of the extent, nature, and evolution of persons with low-income *who may be said to be at-risk of poverty*” (Murphy, Zhang & Dionne, 2012, p. 6, emphasis added). Like most OECD²¹ countries, Canada mainly uses measures that determine relative poverty (United Nations Children’s Fund [UNICEF], 2012). These relative measures are the Low Income Cut-Off (LICO) and the Low Income Measure (LIM). In addition, Human Resources and Skills Development Canada developed an absolute measure, the Market Basket Measure (MBM), which has only been available since 2000 (Conference Board of Canada, 2015).

Experts disagree about how best to measure poverty, with the debate circulating around relative versus absolute measures (Betson, 2001; Sarlo, 2013; UNICEF, 2012). Proponents of relative poverty measures point to the ability of these measures to emphasize “the gap between the bottom and the middle in the living standards” within a country (UNICEF, 2012, p. 8). They argue that determining the gap by establishing a cut-off for relative poverty is important, since one’s inability to afford the goods and services others in a society enjoy leads to social exclusion and lack of opportunity (Sarlo, 2013). Measuring median versus average income levels²² can show “the extent to which income is distributed unevenly in countries,” and knowing levels of inequality can provide information about the “economic well-being of a country” and raise “moral questions about fairness and injustice” (Conference Board of Canada, 2015).

Using relative measures, the Broadbent Institute (2014) cites income and other financial asset data to argue that economic conditions are worsening for the majority of people in Canada. As the wealth gap continues to widen, wealth becomes more concentrated in the top 10%, creating “a deeply unequal Canada” (Broadbent Institute, 2014, p. 10). Some critics of relative measures argue that “household income may not always be a reliable proxy for the real resources available to a child” (UNICEF, 2012, p. 10), while others argue that relative measures only give us a sense of relative inequality, and “greatly increase the number of people counted as ‘poor’” (Sarlo, 2013, p. 1).

Though proponents of absolute measures agree they would give us a much better sense of “real” poverty (Sarlo, 2013; UNICEF, 2012), ideas about how poverty should be measured vary widely. The “basic needs” method advocated by Sarlo (2013) “calculates significantly lower poverty lines, rates and trends” than relative methods (Collin, 2008, p. 2). In defense of the basic needs measure, Sarlo (2013) argues that poverty should be considered “a condition of serious deprivation” rather than a condition of inequality, and that “the poor are likely to be hungry, ill-housed, inadequately clothed, or lacking in some other essential need” (pp. iii, 1). UNICEF (2012) warns that absolute measures rest on “shaky ground,” stating that: “[u]nless we wish to argue that the threshold should be set at the minimum income necessary for sheer physical survival then there can in fact be no such thing as an absolute poverty line” (p. 8). *The European Union*

²¹ OECD countries are countries that belong to the Organisation for Economic Co-operation and Development, a forum promoting policies designed to “improve the economic and social well-being of people around the world” (OECD, 2015).

²² Median income is “the amount that divides the income distribution into two equal groups—half having income above that amount, and half having income below that amount.” While “average income” measures “can be distorted by the highest and lowest values,” calculations of the median, or “middle value of the group” are not affected by the highest or lowest values (Conference Board of Canada, 2015).

Statistics on Income and Living Conditions, states UNICEF (2012), uses a Child Deprivation Index (CDI), which provides a much broader measure of absolute poverty than the basic needs measure. The CDI includes measures of adequate food, clothing and housing, suitable books, outdoor leisure equipment, indoor games, access to an Internet connection, and other things necessary for children’s equitable participation in society (UNICEF, 2012).

Researchers generally agree that both relative and absolute measures of poverty relate to changing concepts of what constitutes a need in a society over time (UNICEF, 2012, p. 8). Statistics Canada concurs, arguing that, “poverty is a question of social consensus, defined for a given point in time and in the context of a given country” (Statistics Canada, 2013b). However, they take this idea of poverty as a relative concept to an extreme, stating that “[d]ecisions on [sic] what defines poverty are subjective and ultimately arbitrary” (Statistics Canada, 2013b). UNICEF (2012) asserts that the “real debate” is not “whether poverty lines should be absolute or relative, but how and how often they should be updated to reflect changes in the living standards of society as a whole” (p. 8). The “crisis in monitoring” child poverty is all the more alarming given the current global economic downturn. Close monitoring is crucial for creating “evidence-based policy, political accountability, informed advocacy and the cost-effective use of limited public resources” (UNICEF, 2012, p. 5). Unfortunately, existing national surveys largely exclude those most affected by poverty, such as persons residing in the territories and First Nations living on reserves.

The idea that both relative and absolute measures need to adjust to changing concepts of need is important to keep in mind when designing and evaluating best measures for First Nations child poverty. Effective measures must account for First Nations historical disadvantage and diverse cultures and contexts, as well as impoverishment of infrastructure and services experienced by First Nations children on reserves. However, the failure to establish a “poverty threshold ... [is] ultimately a political decision” (Betson, 2001, p. 1), and the claim that definitions of poverty “are subjective and ultimately arbitrary” (Statistics Canada, 2013b) can be used to evade responsibility and justify inaction. Establishing clear and effective poverty measures that enable close monitoring of child poverty levels in Canada would draw much needed attention to the crisis of poverty for status First Nations children, and to existing public policy. As First Nations and many legal scholars argue, the federal government has a fiduciary obligation to fund programs on reserve that are fundamental building blocks for the healthy development of children into adulthood (Aboriginal Children in Care Working Group, 2015; Boyer, 2004; Office of the Auditor General of Canada [OAG], 2008, 2011). Measuring poverty directly would provide more robust data on the devastating outcomes of chronic federal underfunding of First Nations health, social and educational programs.

Standard measures and (un)available data

Canada uses three measures to establish “low-income” rates: the Low Income Cut-off (LICO), the Low Income Measure (LIM) and the Market Basket Measure (MBM). According to Statistics Canada (2011d), these are “strictly measures of low income,” and not poverty measures. They state that, “none of these measures is best. Each contributes its own perspective and its own strengths to the study of low income,” and that the three measures taken together provide a “holographic or complete picture of low income” (Statistics Canada, 2011d). Despite this claim,

the picture of low income in Canada is far from complete for First Nations. Neither the LICO nor the MBM is available for populations living on reserves (Blackstock, Clarke et al., 2004; NCW, 2007). In addition, although LIM calculations include data from First Nations living on reserve, that data was last collected in 2006, and some reserves were excluded from the survey (Macdonald & Wilson, 2013a). Thus, instead of providing a “holographic or complete picture of low income in Canada,” in the case of First Nations children, Canada’s monitoring of First Nations child poverty is more akin to the kind of crisis UNICEF (2012) warns about.

LICOs are the most frequently used measure of low income provided by Statistics Canada (NCW, 2007), but are not available for people resident in the territories or on reserves (Blackstock, Clarke et al., 2004; NCW, 2007). As the NCW argues, the lack of availability of LICOs for the territories or reserves constitutes “a serious shortcoming when considering the situation of Aboriginal people in Canada” (NCW, 2007, pp. 24–25). As defined by Statistics Canada (2013a), LICOs estimate “income thresholds below which a family will likely devote a larger share [at least 20%] of its income on [sic] the necessities of food, shelter and clothing than the average family.” Macdonald and Wilson (2013a) note that the LICO is calculated both before and after taxes, and is “adjusted yearly by the value of inflation and ... calculated for various community and family sizes” (p. 37). They also point out that the measure has not been updated to reflect the real cost of the goods families purchased since 1992 (Macdonald & Wilson, 2013a).

Despite these limitations, and the government’s insistence that these measures do not constitute “poverty measures,” analysts “rely mostly on LICOs to establish poverty lines in Canada” (Collin, 2008, p. 1). Best Start Research Centre (2012), for example, used the LICO measures from 2006 census data to determine low-income rates for First Nations children living off reserves. They found that 49% of First Nations children under 6-years of age living off reserve were living in low-income households. First Nations children (all ages) living in large cities were fairing even worse, with a rate of 57% living in low-income households (Best Start Resource Centre, 2012).

The MBM is also unavailable for providing a more complete picture of First Nations child poverty. The MBM is calculated using data from the Statistics Canada’s Survey of Labour and Income Dynamics (SLID), which is designed to measure the changes in “labour market activity and income ... experienced by individuals and families through time” (Statistics Canada, 2013e). However, the SLID survey excludes First Nations living on reserves, and residents of the Yukon, the Northwest Territories and Nunavut (Statistics Canada, 2013e). Published by Human Resources and Development Canada, the MBM is based on the cost of material goods and services representing a “modest, basic standard of living” (Statistics Canada, 2013c). It is based on after-tax disposable income, differentiates more effectively than the LICO in terms of geographical location and community size, and was rebased in 2008 (Macdonald & Wilson, 2013a, p. 38). Not only is the MBM unavailable for First Nations on reserve, Macdonald and Wilson (2013a) found it unworkable for measuring Aboriginal child poverty overall, because it “is not available in the census microdata file and its requirement of detailed community size data makes it impossible to calculate from the census Public-Use Microdata file” (p. 38).

The federal government’s controversial decision to cancel the long-form census in 2010 introduces another impediment to determining First Nations child poverty rates.²³ Palmater

²³ Canada’s recently elected Liberal government made a campaign promise to reinstate the long-form census, and experts say it can be reinstated in time for the 2016 survey (Grant, 2015).

(2011) argues that Canada's cancellation of the mandatory long-form census indicates "a tendency to avoid the collection of critical data that would support different policy choices" (p. 117). In 2010, the long-form census was replaced with the National Household Survey (NHS), which included fewer measures and was voluntary: meaning less data was available to inform public policy. The replacement of the long-form census with the NHS has caused major concern amongst analysts, with Statistics Canada's Chief Statistician, Munir Sheikh, resigning his post over the move. The provinces denounced its cancellation, arguing that without a comprehensive survey, it will be impossible to make responsible budget decisions and provide information that would allow provinces to deliver social programs to the most vulnerable (Palmer, 2011). Others question the reliability, validity and robustness of the data, given the low response rates among people with low incomes and among vulnerable groups, and among those from less populated regions (Campaign 2000, 2013). Statistics Canada's (2013d) website notes concerns about the "quality level" of the data produced by the NHS, given the lack of knowledge about the effectiveness of the applied "mitigation strategies to offset non-response bias and other quality limiting effects." Given the shortcomings in the NHS, many researchers continue to base poverty estimates on the last cycle of the long-form census in 2006.

The most recent analysis of Aboriginal poverty in Canada, *Poverty or Prosperity: Indigenous Children in Canada* (Macdonald & Wilson, 2013a), uses Statistics Canada's after-tax Low Income Measure (AT-LIM) and calculates Aboriginal child poverty using data from the last long-form census from 2006. The Low Income Measure (LIM) is adjusted for family size, calculated at 50% of the median income for an equivalent household, recalculated every year, and provides a measure of relative income. It also "consistent with international standards" so allows for international comparisons (Macdonald & Wilson, 2013a, pp. 8–9). The LIM is calculated both before and after tax, and considers "social exclusion, stress related to social comparisons and exposure to stressful environments and material deprivation" (Campaign 2000, 2013, p. 4). Using the AT-LIM, Macdonald and Wilson (2013a) report that the rates of First Nations child poverty are 50% overall in Canada, 62% in Manitoba and 64% in Saskatchewan (Macdonald & Wilson, 2013a). When poverty gap and depth of poverty measures are used to determine "the percentage a given family is below the poverty line," there is "no statistically significant differences between the groups measured" (Macdonald & Wilson, 2013, p. 18).²⁴ Although the 2006 census data includes people living on reserves, some reserves were not enumerated. Macdonald and Wilson (2013a) say an estimated 6% of First Nations children were not included in the census, and warn that this may affect the accuracy of their calculations.

Coming up short: Insufficiency of standard measures for First Nations

In their report on First Nations child poverty in Ontario, Best Start Resource Centre (2012) notes that standard measures of economic poverty are inadequate for understanding poverty in many First Nations families, because they "do not measure non-standard families, such as extended families and multigenerational families, which are seen more frequently in First Nations families" (p. 8). The standard economic measures also fail to account for many other factors that contribute

²⁴ Thus, although the Aboriginal child poverty rate is almost double that of non-Aboriginal children, the depth of poverty for Aboriginal and non-Aboriginal children in families below the poverty line is similar (Macdonald & Wilson, 2013).

to an individual or community's experience of poverty, including both "the public's perception of what it means to be poor" (Betson, 2001, p. 1) and perceptions by different communities about what it means to be poor. These perceptions may differ greatly, depending on what a community considers vital for its citizens to thrive, and how dependent a community is on goods and services provided by individuals within the community, or by the wider society. In addition, Blackstock, Clarke et al. (2004) point out that "[m]ost statistics regarding poverty reflect individual household income abilities, social assistance rates and housing adequacy. They negate the community context as a contributing or compounding factor in poverty" (p. 25).²⁵

In the case of many First Nations individuals and families, the availability of non-contaminated and sustainable traditional territories for hunting and other resource-producing activities plays a large role in whether or not, and how, they experience poverty. The importance of this role is reflected in the longstanding activism by Aboriginal peoples to retain access to their lands, and to maintain economies that rely on hunting, fishing, trapping and other land-based cultural and spiritual activities in the face of settler colonialist practices of land theft and displacement. The conceptualization (and experience) of impoverishment for First Nations peoples within a colonial context is not accounted for by mainstream poverty measures. Yet, according to Alfred (2009), this type of impoverishment is at the root of the unhappiness many "Indigenous people endure" today (p. 53). Alfred (2009) writes that while the lack of "government powers or money" contributes to making "a bad situation worse," financial poverty is not the main source of suffering for First Nations peoples (p. 53). Instead, he argues, "[t]he root of the problem is that [Indigenous people] are living *anomie*, a form of spiritual crisis, caused by historical trauma" (Alfred, 2009, p. 53). The "most significant issues," he states, "are not legal, political or financial in nature, they relate to the destruction of languages, spiritual practices, and social institutions" (Alfred, 2009, p. 52).²⁶

Standard poverty measures also fail to account for the dramatic inequalities in public services and infrastructure found on many reserves (see Chapter 4). Under the Canadian Constitution, the federal government, as represented by Aboriginal Affairs and Northern Development Canada (AANDC), has legislative authority over matters concerning "Indians, and Lands reserved for the Indians" (*Constitution Act*, 1867), and is responsible for on-reserve infrastructure and services, including housing, education, health care, social assistance and child welfare (First Nations Education Council, 2009; Macdonald & Wilson, 2013a; Palmater, 2011; Sinha & Blumenthal, 2014). Service and infrastructure inequalities are rooted in unpredictable and insufficient federal funding, and in inflexible funding policies and funding transfer conditions (Assembly of First Nations [AFN], 2011b; Macdonald & Wilson, 2013a).

The harms arising from systemic service inequities are further exacerbated by jurisdictional disputes within and between provincial/territorial and federal governments that often result in service denials, delays and disruptions to First Nations children living on reserve in ways not experienced by other children (First Nations Child and Family Caring Society, 2014, 2015a; The Jordan's Principle Working Group, 2015; Joseph & Blackstock, 2007; OAG, 2008,

²⁵ For more information on problems with using income measures to determine child poverty more generally, see UNICEF, 2012, p. 9.

²⁶ See Chapter 5 for more on Alfred's analysis and recommendations for addressing this crisis.

2011).²⁷ Poverty measures designed to get an accurate picture of First Nations child poverty would take into account access to public services and infrastructure, and recognize that equitable and culturally based service access is crucial to poverty remediation efforts.

Culturally appropriate measures and interpretive models

Many researchers rely on the social determinants of health to measure the effects of social inequities, including poverty, on the health and overall well-being of populations. Some apply this measure to understand the multi-dimensional manifestations and affects of poverty on First Nations children. According to the World Health Organization (WHO, 2014), social determinants of health are “the conditions in which people are born, grow, live, work and age.” Blackstock (2009d) cautions that the determinants of health are derived from western ontology, and thus are not entirely reflective of Indigenous worldviews. In Table 1, she compares the social determinants of health as proposed by Health Canada in 2007 against the relational worldview principles, as documented by Native American scholar Terry Cross (1997) in “Understanding the relational worldview in Indian families” (Blackstock, 2011b):

Table 1. Contrasting the determinants of health with the relational worldview principles		
<i>Holistic Worldview Dimensions of Individual and Collective Well-being</i>	<i>Determinants of Health (Public Health Agency of Canada, 2007)</i>	<i>Relational Worldview Principles (Cross, 2007)</i>
Physical	Income and social status Employment and working conditions Physical environments Biology and genetic endowment Health services Gender Health child development Culture*	Food Water Housing Safety Security
Emotional	Social support networks Personal health practices and coping skills* Culture*	Belonging Relationship Esteem*
Spiritual		Spirituality Life purpose

²⁷ First Nations children living off reserve do not necessarily experience this double (or compounding) lack, since, in theory, they have access to the same services and infrastructure as all other children.

Cognitive	Education and literacy Personal health practices and coping skills* Culture*	Self-actualization Community actualization Role Identity Service Esteem*
* Cross cutting determinants of health or relational worldview principles entered in multiple holistic worldview dimensions		

This comparison demonstrates that while some elements of the determinants of health are culturally cross cutting, others are reflective of a western worldview. Thus, the social determinants of health should not be assumed to be culturally neutral in either the selected measures or the weight of those measures. While acknowledging the need to compare any culturally appropriate model against the distinct cultures of First Nations, Blackstock (2009e) contends that Cross’s relational worldview principles situated in broad concepts of interconnected time and space provides a more culturally appropriate alternative for measuring Indigenous well-being than those developed by Health Canada.

Nonetheless, most studies continue to focus on the determinants of health developed in the western tradition, noting that the manifestations of the determinants are shaped by “the distribution of money, power and resources at global, national and local levels” (WHO, 2014). As the NCCAH (2009c) argues, the connections between poverty and ill-health are inextricable: “the lower an individual’s socioeconomic status, the worse their health” (p. 1). The First Nations Information Governance Centre (FNIGC, 2012) articulates the relationship between poverty and poor health as compounding, arguing that “those who are poor have greater exposure to risk and perhaps less access to care, and those who are unwell may find it more challenging to participate fully in the labour market” (p. 58). Loppie Reading and Wien (2009) agree, linking low income to increased illness and disability, leading to “diminished opportunities to engage in gainful employment, thereby aggravating poverty” (p. 2). Aboriginal people in Canada, reports the NCCAH (2009c), “experience significantly higher rates of poverty and ill-health than the non-Aboriginal population,” a situation made worse “by their social and cultural marginalization” (pp. 1–2).

The NCCAH (2009c) considers poverty for Aboriginal peoples in relation to both “absolute” and “relative” definitions and measures. Briggs and Lee (2012) argue that in colder climates, “heat” and “transportation” should be added to the list of basic needs (p. 9), while Haines, Heath, and Moss (2000) include “lack of education, social exclusion” and “environmental degradation,” arguing that “each of these diminishes opportunity, limits choices, undermines hope, and threatens health” (p. 4). Given that people in many First Nations communities across Canada suffer from severe deprivation of basics like safe drinking water, proper housing and sanitation, it is clear that reliable poverty measures must take account all of these disadvantages in order to properly account for First Nations child poverty.

The First Nations Regional Health Survey (RHS) is the only “on-going cross-sectional survey of First Nations living on-reserve and in northern First Nations communities ever conducted in Canada” (FNIGC, 2012, p. 2). The RHS was designed as a cultural framework for

measuring the health and well-being of First Nations living on reserve and in northern communities (above the 60th parallel) (FNIGC, 2012), and was conducted in 2 phases, with reports issued in 2002/2003 (Phase 1) and 2008/2010 (Phase 2). The goal of the survey's cultural framework is to provide a "culturally informed interpretation process that can be presented back to communities in a way that is usable to their ways of seeing, relating, knowing and being" (FNIGC, 2012, p. 3). The survey design "sought to balance First Nations content with content from comparable Canadian surveys while remaining culturally and scientifically valid," using ongoing community participation throughout the design, collection and analysis stages, and ensuring the collection of relevant data and appropriate governance and accountability mechanisms (FNIGC, 2012, p. 1).

Employing scientific knowledge "handed down through generations of First Nations people," the RHS interpretive framework design recognizes the diversity in First Nations cultures and worldviews, but states that "for most First Nations people there is a common belief in a connection with the natural world" (FNIGC, 2012, p. 3). The RHS interpretive framework "begins with the understanding that First Nations people use the concept of *Wellness*, which, within a Eurocentric viewpoint, is more commonly referred to as *Health*" (FNIGC, 2012, p. 4). Although reflecting "different philosophical understandings," they write, these two philosophies "are not necessarily mutually exclusive" (FNIGC, 2012, p. 4). In an attempt to simplify the "very complex and multi-layered philosophy" of wellness for First Nations, the RHS outlines seven interconnected levels to "demonstrate that human beings are connected to the natural world, and thus to Creation, through many different levels, or layers, of understanding" (FNIGC, 2012, pp. 5–6). In the RHS framework, First Nations well-being involves an understanding of these multiple layers, including the inter-connections between Indigenous knowledge, culture, language, worldview and spirituality, and the importance of balance in the realms of the physical, mental, emotional and spiritual. They note that the First Nations approach to health is based on seeking, achieving and maintaining balance amongst these interconnected levels. Accordingly, an imbalance at one or more levels will disrupt the "overall balance of the system" (FNIGC, 2012, p. 6).

The RHS collected data on "a holistic range of priority issues for First Nations" in 216 First Nations communities throughout 10 First Nations Regions, including all of the provinces and territories, except Nunavut (FNIGC, 2012, pp. 12, 15). The comprehensive report includes an assessment of "economic variables such as employment and income, since the ability to make a living and the ways of making it are important contributors to the health of First Nations adults" (FNIGC, 2012, p. 32). The report analyses poverty and inequalities in relation to the concept of "living in a good way," which involves a balance of various factors, including "having access to the means of ensuring survival, but also being able to have a useful and productive life, having control over the means of one's livelihood, and living interdependently with the environment and with all of creation" (FNIGC, 2012, p. 32). The RHS adapts Statistics Canada's definitions of what constitutes employment and unemployed persons to determine employment and income levels for adults living in First Nations communities. For example, the survey includes lines for reporting whether or not the participant's workplace is in his or her²⁸ own First Nations

²⁸ The report includes results under sex/gender categories of male/man and female/woman, so assumedly the survey did not allow for identification outside of these binary sex/gender categories. To date, the National Household Survey also fails to account for identifications outside of these two sex/gender categories.

community or elsewhere, and in questions about income, there are lines to report income from royalties and land claim payments (FNIGC, 2012).

Recognizing that some First Nations communities have achieved economic independence and success, the FNIGC (2012) found that “average figures across First Nations communities reveal that a large percentage of First Nations adults are unemployed and continue to live in poverty,” with low levels of personal income caused, in part, by the difficulty of finding work that is stable, rewarding, and year-round (p. 37). The RHS considered economic standard of living as one factor contributing to the well-being of First Nations people, arguing that an increase in the standard of living would help to bring balance to overall well-being and create “success in many other areas of concern among First Nations communities, including educational achievements, health care, and living conditions” (FNIGC, 2012, p. 37).

In its section on child well-being, the RHS analyzed household income in relation to “household environment” indicators linked to the overall well-being of First Nations children, such as: relation to household occupants; household occupancy and crowding; parental education; and child care arrangements (FNIGC, 2012, p. 343). In addition, child well-being was measured in terms of access to education and language (including early childhood education and formal schooling, as well as knowledge of traditional culture and language); physical activity and nutrition; health status; injury; and emotional and behavioural problems (FNIGC, 2012). The RHS analysis of income in relation to multiple other factors coincides with Blackstock, Clarke et al.’s (2004) observation (noted above) that child poverty should be defined in terms of family poverty, and measured in relation to “the ability of the parents or caregivers to ensure that each child in the family has the opportunity to reach his or her full developmental potential” (p. 26). Ensuring that families have the opportunities and resources to enable children to reach their full developmental potentials requires having access to all the resources necessary for making this happen, including financial, infrastructural, emotional, educational and cultural.

Although there is no independent review of the 2007/2008 (Phase 2) RHS, independent reviewers of the 2002/2003 (Phase 1) RHS, prepared by the Harvard Project on American Indian Economic Development [HPAIED] (2006), were impressed with the quality of the survey. In their summary of key findings, reviewers emphasized the survey’s “overall quality,” and “its consistency with previously validated survey research practices and ... innovations with respect to the involvement of First Nations communities and their representatives in the research process” (HPAIED, 2006, p. iv). In addition, they state:

[T]he 2002/2003 RHS was unique in First Nations ownership of the research process, its explicit incorporation of First Nations values into the research design and in the intensive collaborative engagement of First Nations people ... at each stage of the research process. (HPAIED, 2006, p. iv)

The RHS cultural framework was cited by the British Columbia Association of Aboriginal Friendship Centres’ (2010) review of literature as a culturally valid framework. In addition, community representatives in Happy Valley-Goose Bay used the RHS model, in combination with two other models, to develop a well-being and resiliency index for the area (Schiff & Dhlakama, 2013).

Reviewers for the HPAIED (2006) note a number of potential limitations and concerns in their review of Phase 1 of the RHS, including inadequate funding for sampling design, data

collection, and analysis and community engagement. Interviewees cited lack of funding for community-level data collection and training for interviewers as additional limitations (HPAIED, 2006). Other limitations they note are the survey's exclusion of smaller First Nations communities and First Nations communities off-reserve; insufficient sample size for data analysis in smaller communities; and the inability of small and medium-sized communities to use the survey for community planning "due to the inability to obtain community-level estimates" (HPAIED, 2006, pp. vi–vii). In addition, regional coordinator and fieldworker turnover was high, limiting the transmission of knowledge from training sessions and the institutionalization of infrastructure development at regional and community levels. The reviewers also note "high rates of non-response on paper-based surveys" and "inadequate handling of partial non-response" (HPAIED, 2006, p. v). To address these limitations for Phase 2 of the RHS, reviewers recommended that researchers identify barriers to gathering data in specific regions and communities; take measures to increase retention of regional coordinators and fieldworkers; and modify reporting of statistics based on rates of non-response (HPAIED, 2006). They also recommended that researchers gather information that would allow them to "assess possible bias in the selection of respondents within and across communities" (HPAIED, 2006, p. vii).

Though not addressing reviewer recommendations point-by-point, the 2008/2010 (Phase 2) RHS states that researchers increased the target sample of First Nations individuals and communities, improved their sampling approach, and achieved 72.5% of their target sample (FNIGC, 2012). In addition, researchers extensively reviewed and revised the questionnaire, and added new themes to core components based on extensive community feedback. Researchers also assessed comparability, redundancies and non-response, and state that "[c]ommunity participation in all aspects of design collection and analysis continues to ensure that the data are relevant and the governance and accountability mechanisms are appropriate" (FNIGC, 2012, p. 1). The establishment of the FNIGC in 2010 by the AFN gave the RHS a permanent home, increasing its capacity to continue improving in quality and relevance for First Nations peoples. Phase 3 of the RHS was rolled out in 250 First Nations communities in April 2015, and a final report is expected in 2018. In addition, a counterpart survey, the First Nations Regional Early Childhood, Education and Employment Survey (REEES), collected data in summer 2015 in 300 First Nations communities, with a final report expected in 2016 (FNIGC, 2015a, 2015b).

In addition, the Touchstones of Hope principles, designed as a foundation for a reconciliation movement in Aboriginal child welfare, could inform the further exploration of culturally based measures for First Nations child well-being in general, and for poverty in particular. The Touchstones of Hope concept of child well-being focuses less on Eurocentric concepts of health, encouraging affirmation of Indigenous systems of care that are self-determined, holistic and grounded in culture and language (Blackstock, Cross, George, Brown, & Formsma, 2006; Quinn and Saini, 2012). Hopefully, the holistic methods for measuring First Nations child poverty, like those developed by the FNIGC for the RHS, and the theoretical models proposed by Cross and Blackstock, along with the Touchstones of Hope movement, will increase the capacity for researchers to more accurately detect and measure poverty and its impacts on First Nations children and families.

The further exploration of culturally based measures is needed, as is testing for cultural relevancy across First Nations. The enduring legacy of colonialism, coupled with the chronic underfunding of basic services, creates multiple barriers impeding First Nations children from living the lives they wish to have. As outlined in the next chapter, poverty is a devastating

undercurrent to almost all standard measures of well-being, including education levels, housing conditions, suicide rates and health. These hardships echo forward into adulthood, as First Nations adults experience low employment rates, low income levels, high rates of homelessness and food insecurity, and higher levels of exposure to violence, sexual exploitation, criminalization and incarceration.

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CHAPTER FOUR

Enduring Legacies: Child Welfare, Underfunding and Socio-Economic Impacts

Introduction

THIS CHAPTER DOCUMENTS how historical colonial practices of assimilation and impoverishment continue today, placing First Nations children at risk and exacerbating the historical and intergenerational traumas of the earlier colonial and residential school eras. Section I describes why residential schools and child welfare should be viewed as overlapping rather than sequential programs of child removal. In fact, the historical record indicates that residential schools were the earliest form of child welfare, and the reasons the government removed children from their families in the 1800's echo forward to the mass removals of First Nations children from their families today. This section also draws attention to the fact that there are more First Nations in child welfare care today than at any time in the past, including the residential school period. The reasons for the record number of child removals are grounded in colonial practices and the ongoing and chronic underfunding of essential services for First Nations children and families on reserve. Section II documents many of the socio-economic impacts of the structural inequities and discrimination stemming from the long and calculated colonial history of assimilation and impoverishment of First Nations communities in Canada.

SECTION I

Exacerbating the risk factors: Contemporary child removal and the chronic underfunding of essential services

What has come to be referred to as the “Sixties Scoop”—the dramatic increase in the apprehension of Aboriginal children from the 60s onwards—was in some measure simply a transferring of children from one form of institution, the residential school, to another, the child-welfare agency.

—TRC, 2015, p. 71

“Not properly cared for”: Residential schools as child welfare institutions

Residential schools and the child welfare system are frequently characterized as two distinct systems. While both systems remove(d) First Nations children, many people think the residential school removals were motivated by educational and assimilative goals, whereas child welfare aims to protect children. This bright-line distinction in removal motivation does not survive a historical review. The historical documents indicate that contemporary notions of First Nations child protection are rooted in many of the same philosophies and definitions of “neglect” that motivated removal during the residential school era.²⁹

The introduction of “provincial and territorial child welfare services to reserve communities” in the 1950’s facilitated the growth of the child welfare industry and child removals (Gough, Trocmé, Brown, Knoke, & Blackstock, 2005, p. 1). However, the seeds had been sown in 1894, with the publication of the Department of Indian Affairs’ *Regulations relating to the education of Indian children* (1894). The regulations stated that government officials could remove children against the wishes of the parents or guardians if the official deemed the child “not properly cared for”:

An Indian Agent or Justice of the Peace, on being satisfied that any Indian child between six and sixteen years of age is not being properly cared for [emphasis added] or educated, and that the parent, guardian, or other person having the charge or control of such child, is unfit or unwilling to provide for the child’s education, may issue a warrant authorizing the person named therein to search for and take such a child and place it in an industrial or boarding school. (Department of Indian Affairs, 1894, p. 9)

The regulations stipulated that once notified orally or in writing, the parents or guardians had up to four days to give up the child (Department of Indian Affairs, 1894).

In a letter dated August 22, 1895, Duncan Campbell Scott (then Acting Deputy Super-intendent General of Indian Affairs) evoked the “not properly cared for” clause (Section 9 of the regulations), requisitioning a warrant from Acting Deputy Minister of Justice, A. Power, Esq. On August 26, 1895, Power responded to Scott’s request by issuing “a blank form of warrant for the committal of an Indian child to an Industrial or boarding school pursuant to the regulations.” The form’s blank spaces allowed for Indian Agents to fill in the names and ages of any Indian child they deemed “not properly cared for or educated.” This provision was interpreted liberally, and often interpreted within an assimilation agenda, enabling the mass removals of children from their families. The warrant included a right for parents to contest the removals in court, but failed to account for the significant barriers First Nations families faced in accessing justice. For example, all of the proceedings were held in English, and there was no funding for parents to attend at court or hire a lawyer.

The warrant also embedded a two-tiered system of appraising the worthiness of child-rearing environments in society. As Robert Williams (2012) notes, colonial North America is built

²⁹ In Canada, the term neglect “refers to situations in which a child’s caregiver fails to provide adequate clothing, food or shelter, deliberately or otherwise. The term ‘neglect’ can also apply to the abandonment of a child or the omission of basic care such as medical or dental care” (Canadian Child Welfare Research Portal, 2011).

on the assumption that Indigenous peoples are the savages and non-Aboriginal peoples are “civilized.” This theme echoes strongly in government relationships with First Nations children from pre-confederation to today. Although the warrant placed a sharp eye on First Nations families, it did not require the state to ensure the safety of the children at the schools, where the hazards were so severe that Scott himself estimated that “for the first three decades of the 20th century ... up to 50% of Indian children died in the schools from disease or maltreatment” (Blackstock, 2009c, p. 29). Scott, who served as Superintendent of the Department of Indian Affairs for the first three decades of the 20th century, knew about the children’s deaths, had the means to save the children’s lives, but refused to take adequate action, even when other people of the period called his inaction immoral, if not criminal (Blackstock, 2009c).

Evidence of Scott’s and the Department’s neglect is recorded by Dr. Peter Henderson Bryce, Chief Medical Health Officer for the Department of the Interior and Indian Affairs, in his 1922 pamphlet *The Story of A National Crime: Being a Record for the Health Conditions of the Indians of Canada from 1904 to 1921*. In it, he publicized the details of Scott’s refusal to take action. Bryce (as noted in Chapter 2) had conducted a 1907 survey of the health of children in residential schools in the Manitoba, Saskatchewan and Alberta. Out of the 35 residential schools in the survey, he found that,

Regarding the health of the pupils ... 24 per cent. of all the pupils which had been in the schools were known to be dead, while of one school on the File Hills reserve ... 75 per cent. were dead at the end of the 16 years since the school opened. (Bryce, 1922, p. 4)

Bryce made seven recommendations, including “[t]hat the health interests of the pupils be guarded by a proper medical inspection and that the local physicians be encouraged through the provision at each school of fresh air methods in the care and treatment of tuberculosis” (Bryce, 1922, p. 4). Bryce continued to report annually between 1907 and 1914, consistently making “reference to the unsatisfactory health of the pupils, while different local medical officers urged greater action in view of the results of their experience from year to year” (Bryce, 1922, p. 5).

However, as Bryce argues, Scott was in “active opposition” to Bryce’s recommendations, and thus “no action was taken by the Department to give effect to the recommendations” (Bryce, 1922, p. 5). Scott also disregarded the solicited opinion of Professor George Adami, a pathologist at McGill University and president in 1910 of the National Tuberculosis Association. Adami told Bryce that Scott had prevented Bryce’s medical report of the schools “from becoming a matter of critical discussion” at the meeting of the Association in 1910 (Bryce, 1922, p. 5). Another contemporary critique of Scott’s failure to act came from lawyer Samuel Hume Blake, who noted that, “in doing nothing to obviate preventable causes of death it brings itself into unpleasant nearness to manslaughter” (Blake as cited in Milloy, 1999, p. 77).

Dr. Bryce’s multiple attempts and increasing frustration with Scott’s inaction are well documented, and his findings were widely publicized. A 1907 front page newspaper article entitled “Schools aid white plague: Startling death rolls revealed – Absolute inattention to bare necessities of health,” published by the Ottawa-based newspaper *The Evening Citizen*, expressed outrage at Bryce’s findings and the conditions in the schools. However, Scott held firm, believing that the \$10,000 to \$15,000 cost of Dr. Bryce’s reforms in Ontario and Quebec was too steep (Titley, 1986). That paltry amount is equivalent to anywhere from \$215,000 to \$325,000 in

today's dollars, and Scott's refusal to pay meant children continued to die unnecessarily. While the death toll related to Scott's decision is unknown, the Truth and Reconciliation Commission of Canada (TRC) found the death rate amongst children who attended the schools was 4.9 times higher than for other children during that same period (TRC, 2015, p. 93).

The "not properly cared for" provision was a popular reason for placement in residential schools throughout their operation (RCAP, 1996d). In 1967, a study in Saskatchewan found that 80% of the children in the schools were child welfare placements, although there was "no social work staff at any stage in the admission process, or in the institution" (Caldwell, 1967, p. 67). Tragically, although there were routine public reports by people of the period about the deaths, abuses and neglect of the children in the schools, there is no record that child welfare officials ever investigated the schools themselves. They did, however, investigate the children's homes. In a memorandum written in 1967 by the Regional Supervisor of Social Programs for Indian Affairs, the official recommends that "[t]he home circumstances of [each child enrolled in the Albany Residential School] should be investigated by the Children's Aid Society, to determine whether the child could be returned to his family, or whether a foster home or adoptive placement might be preferable" (Bailey, 1969, p. 1). However, there is no suggestion that the school itself should be investigated for the safety of the children. The Albany Residential School referred to in the letter is St. Anne's residential school, where children were strapped into an electric chair by the clergy for amusement and for "discipline" (Barrera, 2015; CBC, 2013).

The Canadian Association of Social Workers (CASW) must have been aware of the abuse and neglect in the schools, since it was publicized in reports and media. However, there are no records indicating that they made a sustained effort to intervene for the well-being of the children (Blackstock, 2009c). In 1948, the CASW filed a submission for a joint Parliamentary and Senate Committee review of the *Indian Act*. The submission clearly stated the CASW's support of the government's assimilative goals, and argued for the expansion of child welfare services on reserves as a means of achieving them. The CASW comments in general terms about conditions in the schools, but does not recommend their closure or investigation of the abuse complaints (Blackstock, 2009c). Instead, as Blackstock (2009c) argues, social workers were necessary for the operation of the schools and active participants in the assimilation of First Nations children. While Canadians from many walks of life were raising the alarm about the conditions of the children, social workers largely ignored the problems.

This same pattern of moral ignorance continued when provinces began extending provincial child welfare mandates on reserves in the 1950's. Non-Aboriginal social workers codified the trauma of residential schools as evidence of the inability of First Nations families to care for their children, and began removing mass numbers of First Nations children under the "not properly cared for" provision: commonly referred to as neglect in child welfare statutes. This justification for removal by social workers demonstrates the direct link between residential schools and child welfare agencies. Residential schools functioned as child welfare agencies, and child welfare agencies and residential schools ran concurrently. Those working in these systems removed First Nations children from their families, and often actively discouraged First Nations families from raising their children. When residential schools eventually closed, child welfare placement rates began to outstrip the residential school period, and the key reason cited for the removals continues to be neglect (as discussed in more detail below). These mass removals resulted in First Nations children being permanently placed in non-Aboriginal families around the globe, further eroding First Nations cultures.

Similar to the residential school era, while child welfare applies structured decision-making tools to assess the risk that families pose to their children, none of these tools are applied to the risks the system itself poses to the children. This means that when child welfare removes a First Nations child, often for neglect, there is no meaningful assessment indicating that the child will actually experience a better life. In fact, numerous studies confirm that children placed in child welfare typically fair significantly worse than other children in education, and in mental and physical health. In addition, they are more likely to experience a plethora of hazards ranging from juvenile justice, substance misuse, sexual exploitation and teen pregnancy (see Section II of this chapter).

Overall, the savage/civilized dichotomy continues to pervade child welfare in the following ways: (1) there is a presumption that non-Aboriginal child welfare systems, although flawed, are better than Aboriginal approaches; (2) systemic disadvantage is codified as personal and cultural deficit; and (3) there is a pervasive use of neglect to remove First Nations children, whilst little is done to address its underlying causes. Taken together, these factors set First Nations children and their families on a pathway of disproportionate disadvantage, including over-representation amongst the poor.

Legacies of residential school and the growth of the child welfare industry

The federal government began closing residential schools in the 1950s, with the last federally funded school closing in 1996. However, removal of children continued at an accelerated pace, as the government “effectively continued an assimilationist policy through the removal of Aboriginal children from their cultures and communities and their adoption into non-Aboriginal families” (Gough et al., 2005, p. 1). As noted in Chapter 2, the residential school system left survivors at a severe disadvantage when they left the schools; they received an inadequate education and an erosion of cultural teachings on sustainable living. They left the schools carrying the burden of childhood trauma to face prolific societal and structural discrimination, and the schools had created conditions for deep impoverishment and further hardship (TRC, 2012; 2015).

These hardships often had intergenerational effects, as many residential school survivors who were denied positive parenting models in the schools experienced difficulty when they became parents themselves (TRC, 2012). Muir and Bohr (2014) assert that “[c]olonialism, historical and intergenerational trauma as inflicted by the residential school system have doubtlessly affected Traditional child rearing techniques” (p. 67). Fournier & Crey (1998) argue that the residential school system’s “deliberate assault on the aboriginal family ... created the conditions that rendered First Nations vulnerable to the next wave of intervention” (p. 81). As part of her expert testimony to the Canadian Human Rights Tribunal on First Nations child welfare, Dr. Amy Bombay drew upon her research that demonstrates “a statistical link between being inter-generationally affected by residential schools and the likelihood of spending time in foster care” (Assembly of First Nations [AFN], 2014a, pp. 157–158). Many residential school survivors returned home with patterns of “abusive behaviours” modelled after their punishers in residential schools (Bombay, Matheson, & Anisman, 2009, p. 14). As Gough et al. (2005) note, many survivors “reported diminished capacity to care for their own children” as a result (p. 1).

In their analysis of collective and intergenerational trauma, Bombay et al. (2009) argue that “[y]ears of colonization and attempts at forced assimilation,” as well as “socioeconomic

disadvantage” and “discrimination,” are directly related to “negative parenting” and “adverse childhood experiences, such as abuse, neglect and household substance abuse” (pp. 7, 20). These interrelated experiences create the effects of historical and ongoing trauma experienced by many today. According to the TRC (2012), the multiple and inextricably related effects of the residential school system “began to cascade through generations” (p. 77). Under these conditions, “[f]amily and individual dysfunction grew, until eventually, the legacy of the schools became joblessness, poverty, family violence, drug and alcohol abuse, family breakdown, sexual abuse, prostitution, homelessness, high rates of imprisonment, and early death” (TRC, pp. 77–78). As Thobani (2007) notes, “the direct legacy of the residential schools were subsequently used by the child welfare system to legitimize its apprehension of Aboriginal children” in the 1960s and 1970s (p. 122).

In promotion of social work as an industry and profession, the Canadian Welfare Council (CWC) and the CASW argued to the federal government in 1947 that Aboriginal children who were orphaned or neglected in their homes should no longer be enrolled in residential schools (Fournier & Crey, 1998, p. 83). They reasoned that child welfare laws should be applicable on reserves, because “Indian children who are neglected lack the protection afforded under social legislation available to white children in the community” (CASW as cited in Shewell, 2004, p. 191). The CWC and CASW recommended that Indian agencies should hire “thoroughly qualified” welfare specialists and social workers, and that “social workers in the agencies would provide general welfare services, including child and family welfare” (Shewell, 2004, p. 192). This, they argued, would contribute to the “full assimilation of Indians into Canadian life,” which should be the “goal of the Government’s Indian program” (CWC and CASW as cited in Shewell, 2004, p. 192). The CASW’s support for assimilation and lack of intervention in the abuses and deaths of children in residential schools is hard to reconcile with its description of the organization’s aims in 1926:

Not many of you will know of the formation of a new professional association.... It is the professional Association of Canadian Social Workers, and its formation will perhaps be the first indication to many that the problems of inequalities and human relationship which arise from and live to burden our social structure have evolved a profession of social workers to meet them — a professions [sic] with a technique all its own, demanding rigorous training, and a code of ethics and standards to be lived up to. (CASW as cited in Jennissen & Lundy, n.d., p. 1)

A clear-eyed examination of social work’s history in relation to Aboriginal peoples makes it clear that the CASW and its members failed to live up to their own values, ethics and aims.

In 1951, the federal government responded to the call of CASW and others by changing the *Indian Act* so that Aboriginal children were now subject to provincial child welfare laws and services. These services had been designed for “non-aboriginal people living in urban areas,” but were now “extended to rural and First Nations communities in the name of equality of service” (Armitage, 1995, p. 120). Extending these services to people living on reserves resulted in the assimilation of Aboriginal children into mainstream settler culture, even more aggressively than they had been through the residential school system.

The transfer of jurisdiction was made through an amendment to section 88 of the *Indian Act* (1985), which stated that, “in the absence of federal law, provincial law of a general application will apply to Indians”(as cited in Bennett & Sadrehashemi, 2008, p. 21). This

effectively “delegated the responsibility for aboriginal health, welfare and educational services to the provinces, although [the federal government] remained financially responsible for status Indians” (Fournier & Crey, 1998, p. 83). The delegation of responsibility to the provinces and territories was accompanied by “a lack of funding arrangements to purchase such services or reimburse the provinces for providing them. This launched a squabble over jurisdiction and funding which still continues” (Trerise, 2011, p. 29).³⁰ This meant, in effect, that “from the 1950s to well into the 1980s ... there would be no preventive or supportive services available for First Nations families, but only child removal in severe situations” (Trerise, 2011, p. 29). Although Trerise’s statement suggests that preventive and supportive services became available sometime during the 1980s, the evidence indicates this is not the case. Instead, inequitable funding and funding formulas continue to deny First Nations delegated child and family service agencies the ability to provide preventive and supportive services that would enable families to have the “opportunity to redress the risk that resulted in their child being removed” (Blackstock, Prakash, Loxley & Wein, 2005, p. 21; see also First Nations Child and Family Caring Society of Canada and Assembly of First Nations v. Attorney General of Canada [Caring Society & AFN] 2014; and below under sub heading: “The Canadian Human Rights Tribunal: Inequitable funding in First Nations child welfare”). Because “a century of misguided federal policy” had created “emergency” conditions on many reserves, “housing, sanitation, safe drinking water, schools, hospitals, clinics and social programs were urgently required” (Fournier & Crey, 1998, p. 84). However, federal/provincial funding disputes meant that child “apprehensions were usually the only child welfare ‘service’ provided to Aboriginal communities” (National Collaborating Centre for Aboriginal Health [NCCA], 2009a, p. 1).

The transfer of jurisdiction and lack of funding for basic services other Canadians take for granted perpetuated the impoverishment of First Nations people, rendering them more vulnerable to child welfare interventions than any other population in Canada (AFN, 2014a; Office of the Auditor General of Canada [OAG], 2008; Blackstock, 2011a; di Tomasso & de Finney, 2015; Harris, Russell & Gockel, 2007). As Fournier & Crey (1998) argue, these conditions created a “ready-made industry” for “[e]ager social work professionals” (p. 88). Many of these professionals believed that “Indigenous children needed to be ‘saved’ from tribal life” and that “ideal adoptive parents were ... ‘white, middle-class couples of conventional behavior and values with good material standards” (di Tomasso & de Finney, 2015, p. 9). The practices carried out under this new system in the 1960s and 70s were characterized by “[c]hild welfare interventions and secretive external adoptions on a massive scale,” in what we now know as the Sixties Scoop (di Tomasso & de Finney, 2015, p. 7). As di Tomasso and de Finney (2015) argue, the mass removals during the Sixties Scoop, and more recently the Millennium Scoop, are “merely more recent iterations of colonial strategies of removal, abuse, and theft, not only of Indigenous children, but of their culture and land” (p. 7).

³⁰ As documentation of this continued struggle, Trerise footnotes the complaint to the Human Rights Tribunal on First Nations child welfare launched in 2007 by the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations, which alleges that “Canada’s failure to provide equitable and culturally based child welfare services to First Nations children on-reserve amounts to discrimination on the basis of race and ethnic origin” (Caring Society, 2015b). The Caring Society is at the forefront of documenting the underfunding of health services and education for First Nations children on reserve (Caring Society 2015c, 2015d).

“Export products”: The socio-economics of the Sixties Scoop

Just as the churches had received per capita payments from the federal government for each student inducted into residential school, provincial child welfare agencies began receiving payments for each First Nations child removed from his or her family into the care of social workers (Fournier & Crey, 1998; Trerise, 2011). This arrangement correlated with a drastic increase in the number of Aboriginal children removed from their homes. Informed by racist and assimilative colonial ideologies and practices, non-Aboriginal social workers began “the wholesale abduction of aboriginal children” from parents, “whose only crime was poverty—and being aboriginal” (Fournier & Crey, 1998, pp. 84–85, 88).

Most social workers had no knowledge of Aboriginal cultures and often interpreted the lack of Euro-Canadian food and appliances in the home as a sign of neglect. Many “Aboriginal parents who were living in poverty but otherwise providing caring homes had their children taken from them with little or no warning and absolutely no consent” (Hanson, 2009d). The “accelerated removal of children” during the Sixties Scoop actually began in 1959 and lasted into the 1980s (Fournier & Crey, 1998, p. 88). In the early 1980s, most provinces and territories placed a moratorium on transracial adoption (di Tomasso & de Finney, 2015; Sinclair, 2007). Prior to that time, most Aboriginal children were placed in foster care or adopted into non-Aboriginal homes, and many were “shipped out of Canada by aggressive American adoption agencies” (Fournier & Crey, 1998, p. 88).

Although researchers report difficulty gathering reliable data about removal rates during the early years of provincial jurisdiction over child welfare, according to statistics gathered by the government of British Columbia, the percentage of children in the care of provincial child welfare authorities rose from less than 1% in 1955 to 34.2 % by 1964 (or, from 29 children in 1955 to 1,446 children in 1964) (Hanson, 2009d; Trerise, 2011).³¹ In 1959, only 1% of the children in child welfare care nation-wide was Aboriginal. By the late 1960s, 30-40% of all legal wards were Aboriginal children (Fournier & Crey, 1998), “even though Aboriginal people accounted for only 4 percent of the population” (TRC, 2012, p. 79). Using data from the Johnston report, Trerise (2011) notes that in 1979/80, “the percentage of status Indian children being placed in care was more than 4.5 times the comparable rate for all children in Canada” (p. 35). According to Gough et al. (2005), between 1960 and 1990, “[o]ver 11,132 Aboriginal children with Indian status” were removed from their families and communities (p. 1).

In a review of child welfare during the early 1980s in Manitoba, Judge Edwin Kimelman³² declared that “a cultural genocide had taken place,” and Aboriginal children in Manitoba were being treated as an “export product” (as cited in Fournier & Crey, 1998, p. 88; di Tomasso and de Finney, 2015, p. 9). Kimelman imagined Aboriginal children “stacked in foster homes as used cars are stacked on corner lots, just waiting for the right ‘buyer’ to stroll by” (as cited in Fournier & Crey, 1998, p. 88). This metaphor of Aboriginal children as products waiting for buyers is not an exaggeration, given that child welfare agencies often placed advertisements in newspapers about

³¹ These numbers do not account for children who were placed in residential schools under the “not properly cared for” provision prior to the transfer of authority to provincial child welfare agencies.

³² Kimelman, who led the Review Committee on Indian and Métis Adoptions and Placements for the Manitoba government, published the committee’s findings in 1985 under the title *No quiet place: Final report to Honourable Muriel Smith, Minister of Community Services*.

children up for adoption (CBC, 2015d). Swidrovich (2004) claims that assimilation was not the underlying ideology driving the high rates of apprehension of Aboriginal children by the child welfare system, and that the authorization of placements outside the country “appear to have been ... due to the difficulty in finding enough adoptive homes in Canada (p. 96).³³ Despite these assertions, it is clear that the massive number of removals effectively furthered earlier assimilation efforts and led to dire consequences for the majority of Aboriginal children who were apprehended and removed from their families and cultures, and the generations that followed (Bombay, 2009; Gough et al., 2005).

In 1963, Armitage (1995), a social worker in British Columbia, was tasked with a special project to find permanent placements for approximately 40 First Nations children who had been apprehended from their families living in northern reserve communities. He describes the “typical” process of apprehension as one in which children were removed after limited inquiries by a social worker because of an “allegation of risk” made by an outsider to the Aboriginal community (pp. 9-10). As Native Child and Family Services of Toronto, Stevento and Associates, and Budgell (NCFST et al, 1999) note, Aboriginal children were frequently “removed without parental consent, or removed under false pretenses” (p. 14). Armitage (1995) writes that social workers routinely sought court orders so they would not need consent from Aboriginal parents to adopt their children out, describing the “typical” process as follows: “children would be removed from their parents at birth, be declared children in care, and then the provincial child welfare agency would apply to the court to waive adoption consent. Placements were then made with non-Aboriginal families” (p. 128). In B.C., Aboriginal children were usually placed hundreds of miles from their homes, completely isolated from their families, communities, languages and cultures. According to Armitage (1995), these children would, “often languish in foster homes [often several different homes] for up to three years,” while overworked social workers had little time to find permanent homes for them or return them to their parents (p. 10). Attempts to return children to parents when it was deemed suitable were made extremely difficult by communication challenges, including language differences and relocation of parents (Armitage, 1995).

During the Sixties Scoop, approximately 70% of Aboriginal children were placed in non-Aboriginal homes (Hanson, 2009d). In Manitoba, up until 1980, “a majority of First Nations adoptees were placed in the United States” (Armitage, 1995, p. 129). Adoptions were usually “closed,” meaning that adoptees had “no access to their adoption records and no information about their birth, birth families, cultural backgrounds, or communities of origin” (di Tomasso & de Finney, 2015, p. 10). In addition, non-Aboriginal adoptive parents often changed the names of Aboriginal children, further severing their connection to birth families, ancestors and land of origin, and creating “a profound sense of loss for First Nation adoptees, who descend from a tribal background” (Carrière as cited in di Tomasso and de Finney, 2015, p. 11). Closed and external

³³ In her 2004 MA thesis, Swidrovich researched First Nations adoptees who had an overall positive experience of adoption, and she claims that her evidence “effectively refutes claims of an assimilative agenda” put forth in what she terms “polemic works” that began appearing in the 1980s with “themes of colonial domination, racism, oppression and wrongful removal of Aboriginal children from their home communities” (pp. 15, 97). Swidrovich argues that representing the child welfare system as intentionally assimilative is biased, and overlooks the positive experiences of some adoptees, as well as early efforts (1950s and 1960s) of special programs developed in “most provinces and territories” to “recruit Native homes” (p. 94), and resistance to these recruitment initiatives by Aboriginal communities (p. 99). While Swidrovich provides some important exceptions—in terms of individual programs and people who attempted to place Aboriginal children in Aboriginal homes—her argument is unconvincing.

adoptions thereby effectively erased many Aboriginal identities and furthered the assimilation process that had begun more than a century earlier. In some cases, social workers received “incentives” for procuring out of province adoptions, made easy by the fact that “until 1982, there were no legal barriers to out-of-province or international adoptions or to social workers accepting financial ‘incentives’ for finding adoptable children” (Fournier & Crey, 1998, p. 89).

Disturbing similarities, disturbing differences: Child welfare and residential schools

Richardson and Nelson (2007) write that they “are startled by the unsettling qualitative similarities between the residential school and the present day foster residences, from a systemic perspective related to processes of cultural assimilation” (p. 79). While both the qualitative and quantitative similarities are indeed startling, Armitage (1995) argues that, “[i]n many ways, the child welfare system put First Nations children under more pressure to assimilate than did the residential school system (p. 133). During the residential school era, most Aboriginal children attended only one residential school, but “[t]he average Aboriginal child in foster care may experience between three and thirteen families before the age of nineteen” (Richardson & Nelson, 2007, p. 80). First Nations children forced into residential schools had “the companionship of their peers, the annual return to their home communities and parents, and the daily presence of many other First Nations peoples” (Armitage, 1995, pp. 133–34). However, those in the child welfare system, especially those in closed adoptions, “were isolated from each other” and had “no promise of return to their home communities and people. Immense pressure was put on them to forget all those things which made them First Nations persons” (Armitage, 1995, pp. 133–34). The isolation and often life long separation from their original cultures severed the “natural laws of interconnection” valued by many Indigenous people (Carrière as cited in di Tomasso and de Finney, 2015, p. 10), and “the transfer of ancestral knowledge, culture, and language” was ruptured (di Tomasso & de Finney, 2015, pp. 10–11).

Just as children suffered neglect in residential schools, the child welfare system often fails to protect the Aboriginal children removed from their families and communities. As the TRC (2015) states, “[t]he child welfare system apprehends too many Aboriginal children while, at the same time, failing to protect them” (p. 188). Writing about survivors of the Sixties Scoop, Fournier & Crey argue that, “behind the closed doors of foster or adoptive homes, aboriginal children were even more isolated and vulnerable than they had been in residential school” (1998, p. 85). Many were forced to labour for their upkeep, or face other abuses, as had been the case for many in residential schools. Many were physically and sexually abused and/or treated as servants within the home (Fournier & Crey, 1998; Longman, 2008; TRC, 2015).

Mary Longman, Sauteaux artist and academic, experienced this type of abusive treatment as a foster child. She writes that although there were some foster homes that were loving, these were in the minority: “many foster homes took children in just for the money, and others more corrupt saw an opportunity to exploit these children for labour of domestic and farm duties, or even worse, to fill their pedophilic desires” (Longman, 2008, p. 5). Longman was removed from her family at the age of five, and shuffled from foster home to foster home, until she ended up in a “permanent foster home” for eleven years. The incentive for this foster family was, she writes,

a regular cheque in the mail for each child, and they also banked on the advantage of having extra hands for work ... The child labour and discipline in this home was excessive. There was a strict regime, and if we fell out of line or didn't do a job exactly right we were physically punished. (Longman, 2008, p. 5)

Describing a childhood “spent as an ‘indian’ slave for a white family,” Longman writes about being forced to look after the other children and do all the housecleaning. She likens her childhood to “a modern Cinderella story” of labouring away “behind closed doors for many years,” where she was treated as inferior to the household’s biological children, who took advantage of the situation “by casting blame and being abusive without repercussions” (Longman, 2008, p. 5). Sadly, Longman’s story is not uncommon for children apprehended during the 60s and 70s (Fournier & Crey, 1998), and it resonates with the stories of Aboriginal children and youth with more recent experience in the child welfare system (TRC, 2015).

In the 1970s, First Nations mobilized for greater control and jurisdiction over child welfare, and began establishing their own child welfare agencies under a delegated authority model (Blackstock, 2011a; Hudson & McKenzie, 2003). Located on reserves and funded by the federal government (responsible under the *Indian Act* for funding programs and services on reserve), delegated First Nations agencies were developed to provide “culturally-based child welfare services comparable to what other children in similar circumstances receive” (Blackstock, 2011a, p. 188). However, various bi-lateral or tri-lateral agreements between federal, provincial and First Nations governments, which require First Nations delegated agencies to administer services according to provincial child welfare guidelines, and through AANDC’s funding formulas, largely control the services First Nations can provide (Aboriginal Affairs and Northern Development Canada [AANDC], 2013b; Caring Society & AFN, 2014).

The ability of First Nations agencies to provide culturally-based and equitable services is thereby restricted by “provincial legislation and federal government funding regimes that are often not culturally appropriate and are rarely grounded in research evidence relevant to First Nations” (Blackstock, 2011a, p. 188).³⁴ In addition, the government’s own officials admit that inequitable funding and inadequate funding formulas severely limit the services available to First Nations families and drive children into care (Caring Society & AFN, 2014). As Hudson and McKenzie (2001) note, benefits of delegated First Nations agencies have included their delivery of “better quality services, including more prevention and resource development initiatives” (p. 50). And Blackstock (2011a) notes that,

Despite all odds, First Nations agencies have created some space for culturally-based practices and emerging evidence suggest that they are having a positive impact in keeping First Nations children safely in their communities and in developing award winning programs responsive to the needs of First Nations children. (p. 188)

Sadly, these positive impacts are vastly overshadowed by the lack of adequate funding and self-

³⁴ For more information about the history and current structure of Aboriginal child welfare in Canada, including variations in legislation and standards, service delivery models and funding formulas across the provinces and territories, see Sinha and Kozlowski, 2013.

determination in terms of service provision.

Although Aboriginal children are now more often placed with grandparents or other kin than non-Aboriginal children are (Gough et al., 2005), the numbers of Aboriginal children in government care “have skyrocketed,” with many “institutionalized through long-term foster and institutional care with little chance for adoption” (Sinclair, 2007, p. 9). According to Gough et al. (2005), “[b]y 2003, there were more Aboriginal children living in out-of home care than there were in residential schools at the height of the residential school movement” (p. 1). First Nations children continue to be placed in the care of child welfare authorities at 6-8 times the rate of other children, leading Blackstock (2011a) to call the over-representation “unrelenting and staggering” (p. 187). In 2011, Statistics Canada (2011b) reported that “[o]ver 11,700 First Nations children aged 14 and under (4.5%) were foster children,” and that those who were “Registered Indians were more likely to be in foster care than those who were not registered (5.0% compared with 2.9%).” And as Blackstock (2011a) writes, “the estimated 27,000 First Nations children in child welfare care account for 30 to 40% of all children in child welfare care even though they represent less than 5% of the child population” (p. 187). The closing submission of the Canadian Human Rights Commission on First Nations child welfare (2014) states that, “[i]t is well documented that First Nations children are overrepresented in child welfare all across Canada,” both disproportionately and “at each stage of the child welfare process” (p. 134). Additionally (and as noted in Chapter 1), data collected by Indian and Northern Affairs Canada [INAC] (2012) recently released at the Canadian Human Rights Tribunal shows that First Nations children cumulatively spent over 66 million nights in out of home care between 1989-2012 (see also Caring Society and AFN, 2014).

Poverty major cause of overrepresentation in child welfare system

Sinclair (2007) attributes the massive rise of First Nations children in long-term foster and institutional care as a “deleterious outcome of the moratoria on transracial adoptions” (p. 9). However, there are many factors that contribute to these high numbers, not least of which is the federal funding program for First Nations child and family services agencies: Directive 20-1.³⁵ As AANDC admits, Directive 20-1 “has likely been a factor in increases in the number of children in care and Program expenditures because it has had the effect of steering agencies towards in-care options—foster care, group homes and institutional care because only these agency costs are fully reimbursed” (INAC, 2007, p. 47). Researchers attribute the continued rise in removals of Aboriginal children to “systemic disadvantages in Aboriginal communities coupled with the drastic under-funding of First Nations child welfare agencies by the federal government” (NCCA, 2009a, p. 1; see also Canadian Human Rights Commission, 2014; OAG, 2008; 2011). Researchers also link removals to the continued imposition of racist colonial values onto First Nations communities, and the requirement to comply with federal and provincial child welfare laws and policies at the expense of First Nations self-determination.

As di Tomasso and de Finney (2015) note, “although most provincial and territorial child welfare legislation now stipulates that preserving an Indigenous child’s cultural identity must be

³⁵ Implemented in 1991, Directive 20-1 is the federal formula for funding maintenance and operations costs of First Nations child and family services agencies. For details, see AANDC, 2012b; Caring Society, 2015b; and Joseph and Blackstock, 2007.

considered in determining the child's best interests," insufficient funding and "Eurocentric notions of attachment and stability usually override the preservation of identity and cultural connectedness in cases where custody is disputed" (di Tomasso & de Finney, 2015, p. 12). Bennett, Blackstock and De La Ronde (2005) contend that forced compliance with federal and provincial child welfare laws and policies "would not be so controversial if the provincial and federal systems were meeting the needs of Aboriginal children and youth" (p. 45). Instead, they argue, "the evidence overwhelmingly indicates that current legislation, policy and practice in child welfare are not making meaningful differences in supporting the well-being of Aboriginal children and youth" (Bennett et al., 2005, p. 45). In addition, they question why the federal government fails to recognize "tribal authority that sustained child well-being for millennia" (Bennett et al., 2005, p. 45).

Other researchers suggest that now, as in the past, systemic disadvantage, including "poverty and inadequate housing among Aboriginal families" lead to "perceptions of child neglect" and provide the main rationalization for child welfare authorities to remove Aboriginal children from their families (Brown, Knol, Prevost-Derbecker & Andrushko, 2007, pp. 56–57). The TRC (2015) argues that "the grossly disproportionate rates of child apprehension among Aboriginal people" are a cumulative result of the following: the adverse effects of the residential school experience and the Sixties Scoop on "parenting skills and the success of many Aboriginal families"; "prejudicial attitudes toward Aboriginal parenting skills"; and "a tendency to see Aboriginal poverty as a symptom of neglect, rather than as a consequence of failed government policies" (p. 186).

In Canada (as noted in footnote 1), the term "neglect" defines "situations in which a child's caregiver fails to provide adequate clothing, food or shelter, deliberately or otherwise" (Canadian Child Welfare Research Portal, 2011). It can also apply to "the abandonment of a child or the omission of basic care such as medical or dental care" (Canadian Child Welfare Research Portal, 2011). As noted by the Office of the Child and Youth Advocate, Alberta (OCYAA, 2012), "the underlying factors of neglect often go unaddressed" because child welfare systems often treat "acts of omission and commission in the same way" (p. 45). Failing to address underlying causes results in "many children ending up in out-of-home care when what they really needed were effective and targeted family supports" (OCYAA, 2012, p. 45).

Researchers involved in the *Canadian Incidence Study on Reported Child Abuse and Neglect (CIS)*³⁶ looked at the specific reasons for the designation of neglect for Aboriginal families and found that "the only factors that accounted for the overrepresentation were caregiver poverty, poor housing and substance misuse" (Blackstock, 2007, p. 75). This means that children were being removed not because "their families are putting them at greater risk, but rather *because their families are at greater risk, due to social exclusion, poverty and poor housing* (Blackstock, 2007, p. 76, emphasis added). Writing about the U.S. government's targeting of Native American children for apprehension, Gustavsson and MacEachron (1997) argue that neglect remains the context through which dominant society can "impose child rearing standards and living requirements" on the poor (p. 88), and that "poverty has been used as the primary weapon and excuse to destroy Native American Families" (p. 85). The *CIS* findings suggest that Gustavsson and MacEachron's claims are pertinent to the Canadian context, where the destruction of First

³⁶ See Trocmé, MacLaurin, Fallon, Knoke, Pitman & McCormack, 2006.

Nations families via the removal of children in extremely high numbers advances the government's assimilative agenda.

As Blackstock (2007) notes, poverty and poor housing are factors that parents have very little ability to change (p. 75). Substance misuse has been linked to poverty (Loppie Reading & Wien, 2009) and to long-term historical trauma, including residential school and child welfare trauma (Bombay et al, 2009; TRC, 2012).³⁷ In addition, structural inequities experienced by many First Nations on reserve put families at much greater risk of being reported for neglect, and thus having their children removed for this reason. These structural inequities include substandard housing (NCCAH, 2009b); inequities in government and voluntary sector services, including education, health services and clean drinking water (Chiefs Assembly on Education, 2012; Canadian Paediatric Society, 2012; NCCAH, 2011); and substance misuse linked to colonialism and poverty (Blackstock & Trocmé, 2005; Loppie Reading, & Wien, 2009).

Children as profit: More critiques of the child welfare industry

Recent critics of the child welfare industry argue that the main beneficiaries of the child welfare system are not children, but rather a myriad of individuals, companies and corporations that provide services within the industry. While these critics focus mainly on how the system operates in relation to all children, the overrepresentation of First Nations and other Aboriginal children involved in the child welfare system means that these critiques may be extremely pertinent to Aboriginal children apprehended by the child welfare system. People Assisting Parents Association (PAPA, 2014), a non-profit organization in British Columbia, argues that while the discourse of child protection (including the discourse of neglect) enables the mass removal of children, the industry receives payment for each child under its care, as well as spin-off revenue for those involved peripherally. PAPA (2014) lists the following as those who benefit financially from involvement in the industry, either via wages, per capita payments for children under their care, or revenue generated through the sale of services: child protection workers, lawyers (representing child protection agencies and parents), foster parents, supervised visitation workers and psychotherapists.

Critics also argue that the payment formula that increases money paid to agencies and foster homes based on the number of medications a child is prescribed promotes exploitation of the system and the over-diagnoses of children (Desmoulin, 2012). McKay (2007), a former psychologist with the Children's Aid Society in Ontario, points to a disturbing and increasing trend of "medical" or "psychotropic abuse" in the child welfare industry where, "over time, child psychiatrists and the exotic diagnoses they bring with them, have become institutionally entrenched, and with them the drugs" (p. 64). Children in group homes and foster care facilities are increasingly diagnosed as "mentally disordered" and prescribed psychotropic drugs, which they are compelled to take via authorization by caseworkers, who often lack the knowledge or time to consult the child to "understand his/her needs and the effect these drugs may be having on him or her" (McKay, 2007, p. 64). Medical professionals and pharmaceutical companies, "[t]ellingly referred to as 'stakeholders'," writes McKay (2007), make a lot of money from these

³⁷ As the TRC notes, many of the children who were abused in foster homes responded to this trauma in similar ways as those who attended residential schools, turning to "drugs, alcohol, crime, and suicide" (TRC, 2012, p. 80).

diagnoses, which are “frequently made without any medical examination of the child, no blood or other laboratory tests, and on the basis of checklists filled out by third parties who have their own vested interests” (p. 64). “In some jurisdictions,” McKay (2007) “the obscurity of a child’s diagnosis” results in a larger fee paid to the group home or foster parent, and the more a psychiatrist can charge for treating the child (p. 64).

In 2007, *The Globe and Mail* reported that in Ontario, “47 percent of the Crown wards – children in permanent CAS care – at five randomly picked agencies were prescribed psychotropic drugs,” which is more than three times the rate among children in general (Philp, 2007). In the same article, McKay states that in some group homes, “close to 100 percent of the kids ... are on ... drug cocktails with multiple diagnoses.” Ontario’s chief child advocate at the time, Judy Finlay, noted that the use of psychotropic drugs on young people on children and adolescents in group homes increased after an investigation into young people who had died after being forcibly restrained resulted in “tougher regulations on using physical restraints” (Philp, 2007). As Finlay suggests, the use of psychotropic drugs is “more about behavior management than it is about intervening into mental health issues” (Philp, 2007). A 2009 study by the National Youth in Care Network on the use of psychotropic medications on “systems youth” found that the youth respondents also “viewed psychotropics as a control measure” or “chemical restraint” for workers to gain “compliance to rules and regulations” (pp. 22-23). Youth involved in the study “viewed psychotropics as ‘cheap’, ‘quick’ and ‘easy’ methods used within the system to deal with their emotional and/or behavioural struggles” (National Youth in Care Network, p. 24), noting that medicating youth in care is “a more cost effective approach when compared to expenses related to intensive psychotherapeutic services such as counseling or ‘talk therapy’” (National Youth in Care Network, p. 24). In order to understand who benefits financially from the removals of First Nations and other Aboriginal children and youth from their families and communities, more research is needed on how individuals and companies profit from the removals, as well as the prevalence and economics of over-drugging children and youth in the child welfare system.

Another area where more research is needed is the economics and effects on children and youth of the move towards the privatization of child welfare services. Researchers have raised concerns about the inherent conundrum that arises when the “financial and operational goals of private providers” meet with the “aims of child welfare” (Zullo, n.d., pp. 2–3). Based on research of privatized services in the U.S., Zullo (n.d.) points out that “service through contract, regardless of design, imposes economic value on specific outcomes,” and that “the contract terms shape the behavior of private providers” (p. 2). For instance, if private contractors are financially rewarded for each child adopted, more children are adopted; if the contractors are paid per foster-care placement, more children remain in temporary care (Zullo, 2002).

The Alberta model of privatizing services, the Outcome Based Service Delivery Model (OBSD), is roundly critiqued by the Alberta Union of Provincial Employees (AUPE, n.d.), who argue that “the government’s scheme to transfer responsibility for Child Protection Services to private agencies will severely impede or even eliminate crucial services from being delivered to the children and families that need them most” (p. 3). AUPE (n.d.) lists the following impacts of implementing the OBSD: decrease in government accountability and responsibility, in professionalism and regulation, and in front-line services funding; higher costs to government; increase in health, justice, and welfare costs; and increase in the number of children at risk of abuse and neglect (pp. 5–6). In addition, AUPE (n.d.) points out, the model was not tested on an urban Aboriginal population, even though Aboriginal children and families account for a

significant percentage of those receiving services (p. 6).

Further consequences of foster and institutional care for children and youth

The deliberate and ongoing impoverishment of First Nations people provides legitimacy for the state to continue its assimilative practices, including apprehension of Aboriginal children and youth by the child welfare system at increasingly higher rates. Removals often lead to similar experiences of cultural loss and abuses as those surviving residential schools and the decades long Sixties Scoop, including high rates of death in care (see below) and overrepresentation in impoverished and homeless populations (Baskin, 2007; Patterson, Moniruzzaman & Somers, 2015; Roos et al., 2014; Ruttan, LaBoucane-Benson, Munro, 2010). According to Irwin Elman, President of the Canadian Council of Child and Youth Advocates, “Aboriginal children in care often live in poverty and have poorer health status, lag in educational outcomes, and are too often the victims of sexual exploitation and violence” (PR News Wire, 2014).

Long-term impacts for those who have experience in the child welfare system are increased likelihood of health problems later in life and lower likelihood of “success in education programs” (Native Women’s Association of Canada [NWAC], 2010, pp. 9–10). In a Winnipeg study on how “a history in-care relates to health and demographic profiles in a currently homeless population with mental illness,” Roos et al. (2014) found that approximately 60–70% of participants were Aboriginal, and about half of the participants had been in the care of the child welfare system (pp. 1619, 1624). The study also found that those with a history in care were “more likely to be female and Aboriginal compared to individuals without a history in-care,” were likely to experience homelessness at a younger-than-average age, and more often reported “longer lifetime homelessness, less education, and increased trauma” (Roos et al., 2014, p. 1624).

While there are several published narratives available by and/or about those who experienced adoption and foster care during the 1960s, 70s and 80s (Fournier & Crey, 1998; Longman, 2008; Sinclair, 2007), there is less available from the perspective of Aboriginal youth currently or recently in child welfare care. Two exceptions are research with Aboriginal youth conducted by Baskin (2007) and by Navia (2015). Baskin uses a culture-based research methodology to explore the structural factors contributing to homelessness for twenty-four Aboriginal youth in Toronto. She considers the connections between colonization, poverty and child welfare, and found a “strong link between Aboriginal children growing up in poverty and involvement in child welfare and becoming homeless as youth” (Baskin, 2007, p. 31). Focusing on “how displacement and ongoing settler colonialism shape the lives of Indigenous youth in Canada,” Navia interviewed twenty Aboriginal youth in Calgary who “provided insight into how systemic inequality has shaped their lives” (Navia & Brittain, 2015). She found that, for these youth, “being placed in care often facilitates further disconnection with their family and culture and promotes assimilation,” and that “involvement with child welfare is closely linked to other systems of displacement, policing and state control” (Navia & Brittain, 2015).³⁸

A report from the Youth Leaving Care Hearings held by Ontario’s Child and Youth

³⁸ See, also, *Uncovering colonial legacies: Voices of Indigenous youth in child welfare (dis)placements* (Navia, 2015, Master’s Thesis, University of Calgary).

Advocate echoes the concern voiced by the youth in Navia's study. It indicates that on top of the challenges both Aboriginal and non-Aboriginal youth in care often face—vulnerability, instability, lack of control over life-decisions, ridicule and abuse by workers, disconnection from families, isolation, unpredictable care, and lack of support when they leave care—lack of access to their own culture has a devastating impact on First Nations youth (Office of the Provincial Advocate for Child and Youth, Ontario, 2012).

Current research and news reports suggest that Aboriginal children in the care of child welfare services experience physical, sexual and emotional abuse, as well as higher death rates than non-Aboriginal children in care (TRC, 2015). While current child welfare policies and practices make it difficult for researchers to gather figures on the number of deaths of children in foster care, recent investigations and news stories suggest that these numbers may be higher than previously revealed. In Alberta, for instance, Kleiss and Henton (2013) inform readers that between 1999 and 2013, the number of deaths of children in the province's care was "dramatically under-reported" by the Ministry. Kleiss and Henton (2013) found that 145 foster children died in care during that time, which is "nearly triple the 56 deaths revealed in government annual reports over the same time." They also report that "[a]n exhaustive analysis" of "3,000 pages of ministry death records, historical fatality inquiry reports and lawsuits spanning 14 years" reveals "an alarming trend: A third of children who die in care are babies, another third are teenagers, and the vast majority are aboriginal" (Kleiss & Henton, 2013).

Other recent news stories point to the woefully inadequate care Aboriginal children and youth receive in the hands of some provincial governments. The 2014 murder of fifteen-year-old Tina Fontaine of Sagkeeng First Nation received national media attention. News stories about her murder revealed the Manitoba government's common practice of housing youth in hotels with inadequate supervision, creating yet another wave of protest calling for an overhaul of the child welfare system, and promises from government officials that changes will be made (Carlson, 2014). Despite these promises, youth often face increasing danger and punitive actions by the child welfare system. As reported in the *Globe and Mail*, youth in care sometimes end up in jail for minor infractions. In Manitoba, youth are sometimes imprisoned after a group home charges them for "actions such as punching a wall or throwing an empty water bottle" (Puxley, 2015). The province sometimes keeps them in detention long after charges have been dropped, or after they have served the prescribed time, saying that prolonged detention in jail is sometimes required because there is a lack of available foster care spots, and they want to avoid housing them in hotel rooms (Puxley, 2015). Corey Shefman, president of the Manitoba Association of Rights and Liberties, asserts that the practice of "keeping kids in custody is a violation of their right to due process, as well as of their right not to be arbitrarily detained," calling arbitrary detentions "detention[s] of convenience" for "government actors" (Puxley, 2015).

In 1989, Monture argued that the connection between child welfare institutions and prisons is "part of a vicious cycle of abuse," arguing that both are "institutions of confinement" and function as methods of "punishment, force and coercion" that enable the government to exercise power over First Nations people (pp. 4-5). In addition, by "remov[ing] citizens from their communities," these systems have "a devastating effect on the cultural and spiritual growth of the individual," and they severely damage "the traditional social structures of family and community" (Monture, 1989, p. 5). First Nations children and youth who are institutionalized pay the cost of the systemic discrimination enacted through these systems (Wickham, 2009).

Chronic and ongoing government underfunding: Deepening poverty and heightening risks for children

Today, Canada may be full of apologies and regrets, but the fact remains that federal laws and policies not only put First Nations in their current state of extreme poverty, but the same laws and policies keep them in this state.

—Palmater, 2011, p. 113

As outlined in Chapter 2, persistent attempts by the governments of the day to impoverish Aboriginal peoples in Canada have been ongoing since the mid-1700s. Since the *Indian Act* designated First Nations peoples as “wards of the state,” the government has consistently underfunded the services they are responsible for providing. Palmater (2011), citing a 2004 report by the AFN, notes that First Nations governments receive inequitable funding for “essential social services when compared to funding provided for provincial services,” and “[o]nly \$7,200 is spent on each First Nation individual in comparison to \$14,900 per non-Aboriginal person” (p. 114). Transfer payments from the federal government for social services, including health care, child and family services, education, housing and income supports, have been capped at 2% per year since 1996, “unadjusted for population growth or need” (Macdonald & Wilson, 2013a, p. 6). The government itself confirms that, “the 2 percent escalator ... does not properly account for inflation and increased population growth in First Nations communities let alone allow for the redress of existing inequalities across these programs” (First Nations Child and Caring Society of Canada [Caring Society], 2015a, p. 5).

Macdonald and Wilson (2013a) argue that removing the 2% cap on federal funding “could reduce the alarming rate of status First Nations households living in poverty” (p. 6), and others argue that increased funding is a necessary but not sufficient step to ensure equity of services for First Nations communities. The Auditor General (OAG, 2011), for instance, argues that “structural impediments” such as “lack of clarity about service levels; lack of legislative base; lack of an appropriate funding mechanism; and lack of organizations to support local service delivery” are all factors that “severely limit the delivery of public services to First Nations communities and hinder improvements in living conditions on reserves” (OAG, 2011, p. 2; see also OAG, 2015a, and discussion of Jordan’s Principle below).

The federal government has repeatedly, consciously, and wilfully chosen to defer, deny and avoid the devastating poverty rates and their effects (Caring Society & AFN, 2014; Palmater, 2011). They have done this despite calls by the United Nations Human Rights Committee to “[dedicate] higher resources to social services for indigenous peoples” (United Nations, Human Rights Council, 2014, p. 7), and numerous warnings about the crisis levels of poverty from First Nations organizations, and from the government’s own officials, including the OAG and INAC itself (now AANDC). In 2011, the Auditor General’s report on “Programs for First Nations on Reserve” stated that “living conditions are poorer on First Nations reserves than elsewhere in Canada,” and that the federal government continually fails to apply the Office’s recommendations on the structural impediments that “severely limit the delivery of public services to First Nations communities and hinder improvements in living conditions on reserves” (OAG, 2011, pp. iv, 2). In 2004, INAC stated that:

The lack of in-home family support for children at risk and inequitable access to services have been identified by First Nations child and family services agencies, and INAC, as important contributing factors to the over representation of Aboriginal children in the Canadian child welfare system. (pp. 1-2)

This explicitly points to the government's acknowledgement of the connection between underfunding of all services and the growing overrepresentation of First Nations children removed from their homes for neglect.

The Canadian Human Rights Tribunal: Inequitable funding in First Nations child welfare

On February 23, 2007, the Caring Society and the AFN filed a landmark case against the Canadian government for inequitable funding of First Nations child welfare. Filed to the Canadian Human Rights Commission, the complaint alleges that AANDC policies and funding regimes are discriminatory contrary to the *Canadian Human Rights Act*, “in that Registered First Nations children and families resident on reserve are provided with inequitable levels of child welfare services because of their race and national ethnic origin as compared to non Aboriginal children” (Joseph & Blackstock, 2007, p. 3). First Nations child and family service (FNCFS) agencies receive “22% less funding *per child* ... than the average province” (Joseph & Blackstock, 2007, p. 2).

The funding formula used by the government, Directive 20-1 (see footnote 7), states the government's commitment to “the expansion of First Nations Child and Family Services on reserve to a level comparable to the services provided off reserve in similar circumstances” (AANDC as cited in Caring Society & AFN, 2014, p. 46) and to services that are culturally appropriate (AANDC, 2012b). While this arrangement provides “an unlimited amount of funds to place children in foster care,” it provides inadequate funding for prevention supports, or “least disruptive measures” (Caring Society & AFN, 2014, pp. 1–2). Least disruptive measures are services intended to “deal with at risk and child maltreatment issues before making a decision to remove a child from that family and place him/her in out-of-home care” (Shangreux & Blackstock, 2004, p. 30).³⁹ In the case of First Nations children, the federal government makes “more resources available to children who are removed from their homes than for children to stay safely in their homes” (Caring Society, 2005, p. 19).

In 2007, AANDC announced a new Enhanced Prevention Focused Approach model it would implement in Alberta, Saskatchewan, Nova Scotia, Quebec, PEI and Manitoba,⁴⁰ claiming it would provide FNCFS agencies with “improved capacity to provide services to on reserve First Nations children on a proactive basis” (AANDC, 2013c). However, critics argue that although the Enhanced Prevention model is an improvement over Directive 20-1, it “replicates several

³⁹ An assumption that child and family service agencies will provide least disruptive measures is incorporated into all provincial and territorial legislation. Although the range of services legislated varies across Canada, examples of supplied services in-home parental support, family counseling, housing and financial services, dispute mediation, and substance misuse treatment programs, and other services (Shangreux and Blackstock, 2004).

⁴⁰ Directive 20-1 still applies in British Columbia, New Brunswick, Newfoundland and Labrador and the Yukon Territory (Caring Society & AFN, 2014).

problems identified in the old formula” (Sinha, Trocmé, Fallon, MacLaurin, 2013, p. 823), and it is “flawed and inequitable” as well as “outdated” (Caring Society & AFN, 2014, p. 4; Auditor General, 2008, sections 4.64 and 4.51). The 1965 Indian Welfare Agreement, the funding regime that applies in Ontario, is considered the “most effective of all federal government child and family services regimes” (Caring Society, 2015, p. 3). However, it reimburses based on the 1978 child welfare legislation, failing to account for legislative advancements that prioritize family preservation and protect First Nations cultures (Caring Society, 2015a, p. 3). It also results in “no prevention services to keep [First Nations] children safely at home,” no funding to support “the requirement for band representatives” and no “formula adjustment to provide culturally based services” for First Nations children and youth (Caring Society, 2015a, p. 3).

The case on First Nations child welfare was referred to the Canadian Human Rights Tribunal (CHRT) for a full hearing on the merits of the case. The hearings concluded in October of 2014. According to a report in *The Globe and Mail*, the Canadian government spent over \$3-million between 2007 and 2012 in a failed attempt to quash the case (Scofield, 2012). This should come as no surprise, given Canada’s long colonial history of creating and implementing policy that simultaneously impoverishes and attempts to assimilate First Nations people. The case “marks the first time in history that the Canadian government has been held to account for its contemporary treatment of First Nations children before a body that can make a legally binding determination of discrimination and order an enforceable remedy” (Caring Society, 2015a, p. 2). A favourable ruling for the complainants could “set an important legal precedent to address inequalities in First Nations education, health and housing” (Caring Society, 2015a, p. 2), and is already exposing the myriad ways the government discriminates against First Nations children through inequitable funding and insufficient implementation of policy (AFN, 2014a; Caring Society & AFN, 2014; Caring Society, 2015a).

Multiple funding inequities increase risks and removal under neglect portfolio

Testimony and documents submitted to the Human Rights Tribunal expose, in a legal and public forum, how inequities in funding for other services maintain and deepen First Nations poverty, actively putting the well-being of First Nations children at grave risk. For instance, the defendants submitted a document that reveals that AANDC reallocates infrastructure funds that should be going towards “vital services to First Nations such as housing, water, sanitation, and the building of First Nations schools” to cover shortfalls in funding for child welfare (Caring Society, 2015a, p. 5). This practice, argues the Caring Society, heightens inequities and increases the chances that children will be removed from their families for reasons of poverty (Caring Society, 2015a). As Blackstock testified during the CHRT:

The three major factors driving kids into child welfare care under the neglect portfolio for First Nations are poverty, poor housing and substance misuse. So, if you’re pulling money out of housing, you’re actually exacerbating the risk factor ... of kids coming into care in the first place. (Caring Society & AFN, 2014, p. 92)

This reallocation practice increases the risk that children will be put into care, and puts First Nations children “in a situation in which having access to better child welfare services comes at

the expense of other access essential services” (Caring Society & AFN, 2014, p. 93). Since other Canadian children are not put in the situation of choosing between accessing equal child welfare services or adequate housing, the AANDC practice of reallocating infrastructure funds to cover shortfalls in funding for child welfare is discriminatory (Caring Society & AFN, 2014).

The case is also bringing much-needed attention to the denial of equitable health care funding to First Nations children on reserve, which can land them in child welfare care, even when they are in no need of child welfare protection. The federal government is responsible for “funding and/or delivery of primary and supplementary services” to First Nations people, “no matter where they live in Canada (Health Canada, 2012). However, “it is widely recognized that there are significant disparities in the health of Aboriginal peoples in Canada compared to other Canadians” (NCCA, 2011, p. 1). Many Aboriginal people face “significant barriers to appropriate and equitable treatment” (Bowen, 2001, p. 28), including geographic, socio-economic and cultural barriers (The Jordan’s Principle Working Group [JPWG], 2015; United Nations Children’s Fund [UNICEF], 2009; OAG, 2008).

Other complexities, like the transfer of responsibility to provide services from provinces to communities, and limited access to increased funding, can also result in unequal access to health services (NCCA, 2011). Jurisdictional disputes over which government will pay for particular health services is also a significant problem, and some children who face one or more of these barriers are actually placed in child welfare care simply to access needed medical services (Caring Society & AFN). This dilemma draws attention to the ways that underfunding of services for First Nations children continues the colonial practice of assimilation in contemporary Canada, since it forces families “to choose between keeping the child in contact with community and culture, or leaving in order to access more equitable services” (Caring Society & AFN, 2014, p. 153).

Jordan’s Principle is a child first principle that compels the government of first contact (federal, provincial or territorial) to ensure that First Nations children have equitable access to public services, including “services in education, health, childcare, recreation, and culture and language” (Caring Society, 2015c). Although the House of Commons unanimously supported Jordan’s Principle in 2007, recent analysis found the government’s implementation of the principle exceedingly inadequate. As Sinha and Blumenthal (2014) argue, the government’s implementation of Jordan’s Principle fails to “apply to all Status First Nations children in need of health, social, educational, or other services normally available to non-Aboriginal children” (p. 83). According to JPWG (2015), “the potential for underfunding and jurisdictional ambiguities is intrinsic to the complex system for funding and delivering services to First Nations children,” making “the potential for new jurisdictional disputes omnipresent (p. 84).

In fact, the government’s administrative response to Jordan’s Principle has narrowed its application so much that it is only applicable “to children with multiple disabilities requiring services from multiple providers” (Sinha & Blumenthal, 2014, p. 83). This denies protections to children without these specific needs, and “potentially introduces new disparities in the services available to different groups of Status First Nations children” (Sinha & Blumenthal, 2014, p. 83). With the limited application and the intrinsic potential for new jurisdictional disputes, it is more likely that First Nations children will experience “services that are more restricted in range, poorer in quality, or less timely than those available to other children (a service disparity),” and that they will simply not get services that are available to other children (service gap) (JPWG, 2015, p. 17). The failure of the government to uphold Jordan’s Principle reveals how jurisdictional

disputes delay and deny government services to First Nations children.

Historical impoverishment of First Nations peoples through starvation, disease, murder, land loss and assimilation facilitated removal of their children by government officials to residential schools. Similarly, contemporary government policies and practices result in service disparities and service gaps for First Nations children, rendering them more vulnerable to intervention by the child welfare system. The dislocation and disconnection resulting from removals and the long history of colonial oppression make First Nations youth and adults more vulnerable to other state controlled systems, including the judicial/penal and mental health systems (Wesley, 2012), homelessness and poverty, higher rates of ill-health and lower rates of life expectancy.

SECTION II

Calculating colonial history: Multiple socio-economic impacts

Poverty shapes almost every aspect of the lives of Aboriginal children and families who experience it.

—Blackstock, Clarke, Cullen, D’Hondt & Formsma, 2004, p. 25

Now, in the twenty-first century, it is for all Canadians to recognize the collective burden imposed on its indigenous population by the state even as it opened the country to our immigrant ancestors to recast the land to suit the needs of the global economy in the late nineteenth century.

—Daschuk, xxii, 2013a

Inequitable education

The chronic underfunding of education is another major cause of impoverishment and displacement of First Nations children. First Nations children and youth are often compelled to leave their families, communities and cultures “if they wish to obtain a higher education, even at the high school level” (TRC, 2015, p. 195). Although the government committed to “devolving control of education to First Nations people” in 1973, it did so without providing “adequate funding or statutory authority” for First Nations education (TRC, 2015, p. 195). As a result, the curriculum for many First Nation schools is “virtually identical to that found in the provincial and territorial schools,” and the funding formula, not updated since 1996, is capped at 2%, with no adjustment for inflation and population growth, and does not allow for the delivery of “a good-quality education in the twenty-first century” (TRC, 2015, p. 195). As noted by Blackstock, Clarke et al. (2004), “[e]ducational attainment by the parent(s) or caregivers is a strong predictor of child poverty” (pp. 30-31).

The government’s obligations regarding education are based on section 114 of the *Indian Act*, and also instituted through various treaties and self-government agreements (Caring Society, 2013, July). In addition, the *United Nations Declaration on the Rights of Indigenous Peoples*

(UNDRIP) states that Indigenous peoples have the right to culturally based and equitable education, including “when possible ... an education in their own culture and provided in their own language” (United Nations, 2008, Article 14.3). From a First Nations perspective, key priorities include “cultural and language retention” and “the need to recognize key differences in learning needs and the current state of education gaps, rather than simple notions of comparability” (AANDC, 2012c, p. 2).

While the federal government is responsible for funding education on reserve, “First Nations have repeatedly stated that current funding levels for First Nations education is inadequate and well below the funding levels provided to provincial school systems” (First Nations Education Council [FNEC], 2009, p. 9). In 2011, the AFN reported that, “students attending on-reserve schools are funded at a rate of \$3000–\$7,000 less than students attending other schools in Canada” (AFN, 2011a, p. 3). The FNEC (2009) estimates that between 1996 and 2008, the 2% cap on funding for services on reserve has created a funding shortfall of \$1.5 billion “for instructional services alone, and an immediate funding shortfall of \$223 million in 2008” (p. 25). While instructional services were underfunded by 4.2% per year in that twelve-year span, “almost every provincial and territorial education system in Canada has undergone a complete restructuring, which resulted in an average annual funding increase of 3.8%” (FNEC, 2009, p. 16). In addition, the government’s funding formula for education on reserves excludes “costs for essential element[s] of a school system—such as libraries, technology, sports and recreation, or First Nations languages” (FNEC, 2009, p. 25). This brings the funding shortfall estimate for “other educational elements” to “at least \$200 million in 2008,” with an approximate capital cost shortfall of \$235 million over five years (FNEC, 2009, p. 25). More recent estimates show that First Nations schools are funded between 20% and 50% less, on a per capita basis, than provincial schools (Drummond & Rosenbluth, 2013, p. 3).

The government’s 2008 promise to spend “\$70 million over two years to improve First Nations education” (Department of Finance Canada as cited in FNEC, 2009, p. 10) was tied to integrating First Nations education systems with provincial systems, an assimilative attempt that the FNEC vehemently rejects (FNEC, 2009, p. 11). In 2014, the federal government and former AFN National Chief Shawn Atleo tabled Bill C-33, the First Nations Control of First Nations Education Act, which caused a division between Atleo and many regional chiefs, prompting Chief Atleo’s resignation. The bill was ultimately rejected by the AFN (CBC, 2014a), who insisted that the government withdraw the bill “and engage in an honourable process with First Nations that recognizes and supports regional and local diversity leading to true First Nations jurisdiction of education based on [First Nations] responsibilities and inherent Indigenous and Treaty rights” (APTN, 2014a). Other critics of the bill also cite a lack of meaningful consultation, as well as a lack of focus on language education. The First Nations Education Steering Committee (FNESC, 2014) point out that, if implemented, the act would give the government far too much control over First Nations education and displace systems First Nations have been building for themselves for years. In addition, the new legislation would require First Nations “to take on massive new responsibilities” without sufficient funding to meet them (Rae, 2014).

Inequitable funding and lack of culturally appropriate programs for First Nations education further displace First Nations children and contribute to the government’s assimilative agenda by forcing students to leave their communities to pursue secondary education in provincially run schools. Those who do not leave to complete their secondary education join the growing number of First Nations people on reserve who have not completed high school. In 2011,

only 35.5% of First Nations youth living on reserve had graduated from high school, compared to the national average of 78%. Based on data from the 2006 Census, 31% of First Nations people between 25 and 64 living off reserve had not completed high school: double the rate of the general Canadian population. Given that First Nations peoples are the fastest growing population in Canada, this educational gap will continue to increase, unless the inequities are addressed (Bougie & Sénécal, 2010; Drummond and Rosenbluth, 2013).

There are 40 First Nation communities without schools, and in some communities, children have not been to school for over two years (AFN, 2011a, p. 3). Residential school attendance also plays a factor in the education gap, as demonstrated by a 2010 study of Aboriginal parents and children living off reserve. The study found that there was a 28% high school completion rate for former residential school students compared to a 36% completion rate for those who did not attend (Bougie & Sénécal, 2010). Starting with early childhood education, First Nations children are at a disadvantage, with 257 first Nations communities reported as having no access to childcare in 2006 (National Council of Welfare, 2007). The Aboriginal Head Start program, considered one of the best early childhood programs, serves only 12% of children on reserve who are eligible (National Council of Welfare, 2007). To improve completion rates at all levels of education, funding inequities must be addressed, but so must all the other factors that contribute to the dismal completion rates. These include poverty, infrastructure and housing problems, the impacts of colonial and residential school history on young people, cultural irrelevance of school curriculum and lack of access to culturally appropriate education (Bougie & Sénécal, 2010; National Council of Welfare, 2007).

Although graduation rates are important for understanding the factors that contribute to low income and employment rates (see below), the Canadian Council on Learning (CCL, 2007) argues that they are insufficient for measuring success for Aboriginal learners. The CCL calls for an expansion of “current indicators ... to reflect the holistic, lifelong nature of Aboriginal learning,” because the usual data and indicators focus mainly on deficits, and fail to take into account “the unique political, social and economic realities of First Nations, Inuit and Métis” peoples (CCL, 2007, p. 2). Indicators also do not consider “work-related learning” and “job-related training,” which account for much of the adult learning required for sustaining paid employment (CCL, 2007, p. 10).

Highest unemployment and lowest income levels

The First Nations Information Governance Centre (FNIGC, 2012) considers economic standard of living as one of the contributing factors to the overall well-being of First Nations peoples. They argue that increasing the economic standard of living would facilitate “success in many other areas of concern among First Nations communities, including educational achievements, health care, and living conditions” (FNIGC, 2012, p. 37). The NCCA (2009c) argues that material deprivation, low income, unemployment and social exclusion all contribute to diminished opportunities and limitations, undermining hope and leading to increased risk of ill-health for Aboriginal Canadians.

Ciceri and Scott (2013) report that Aboriginal people in Canada are “less likely to be employed, more likely to be unemployed, and more likely to be outside the labour force” compared to non-Aboriginal people (p. 22). In addition, Aboriginal people experience sharper

declines in employment levels during financial downturns. This is especially true of those with less than a high school diploma (Statistics Canada, 2011a). The average employment rate for Aboriginal people in 2009 was 57%, compared to 61.8% for non-Aboriginal people. After the 2008 economic downturn, the unemployment rates for Aboriginal people increased sharply, going from 10.4% in 2008 to 13.9% in 2009 (Statistics Canada, 2011a).

Based on data collected on the last long-form census in 2006 (the most recent national data for First Nations people living on reserve), the AFN (2011a) reports that First Nations people living on reserves in Canada have a labour force participation rate of 52%,⁴¹ which is the lowest of any Aboriginal group, and 15% lower than the participation rate for non-Aboriginal people (p. 3). They also report that the unemployment rate for First Nations people living on reserves in 2006 was 25%, which is “approximately three times the rate for non-Aboriginal Canadians,” and that “the average household income for First Nations living on reserve was \$15,958, compared to \$36,000 (before taxes) for non-Aboriginal Canadians” (AFN, 2011a, p. 3). As noted in Chapter 3, data on First Nations people living on reserves is getting more difficult to obtain since the federal government cancelled the long-form census in 2010, and the Survey of Labour and Income Dynamics (SLID) excludes residents in the Yukon, the Northwest Territories and Nunavut, as well as people living on reserves (NCW 2007, p. 23; Statistics Canada, 2013e).

According to a recent *Globe and Mail* article, “roughly half of this country’s First Nations people don’t show up in unemployment numbers,” which is a serious problem, given the government’s stated priority to increase job training and economic development opportunities for First Nations (Friesen, 2015). As Friesen (2015) points out, the government claims it does not gather employment data via the Labour Force Survey on First Nations people living on reserves because is “too costly and it’s hard to find people to interview.” A new pilot project, which gathered employment data on the Siksika Nation reserve east of Calgary, confirmed that it was indeed more costly to gather the information required; however, it also found that response rates were slightly higher on the reserve than in the rest of Alberta (Friesen, 2015). Despite the higher cost of gathering the information, researchers considered the project a success, because it provided the data necessary to glean unemployment rates on the reserve, which are roughly five times the rate of unemployment for non-Aboriginal people in the province: 26.6% on reserve compared to 5.3% for non-Aboriginal people in Alberta (Friesen, 2015). The pilot project also found that people living on the reserve were “significantly less likely to be employed” than non-Aboriginal people in the province who had “a similar level of education” (Friesen, 2015).

Research shows that “educational attainment is the key determinant of employment for Aboriginal people” (Ciceri & Scott, 2013, p. 17), and that health status and disability rates also influence rates of employment (NCW, 2007). Thus, barriers to equitable education and health services for First Nations children put them at a disadvantage from the start. Ciceri and Scott (2013) found that the likelihood of employment for Aboriginal people increases more significantly with each educational degree than it does for non-Aboriginal people, and that the “rate of return of higher levels of education is higher for Aboriginal people” (p. 17). Research also indicates that there are multiple and interconnected contributing factors that play a role in higher unemployment rates, including higher rates of reserve and rural-urban migration and mobility

⁴¹ Labour force participation rates reflect the percentage of people employed or actively seeking employment (Stanford, 2008).

(Clatworthy & Norris, 2013),⁴² poor health status, high disability rates and systematic racial discrimination (NCW, 2007, p. 35). Also, Aboriginal people existing outside the labour force may be in educational programs, accessing social assistance, or participating in other work “outside the cash economy,” including “[r]aising children, hunting, fishing and other forms of economically valuable and often essential work” (NCW, 2007, p. 34).

In addition to high unemployment rates, Aboriginal employees, on average, make lower wages than non-Aboriginal employees. In 2007, the NCW reported that Aboriginal people in the western provinces earn 81% of the wages earned by their non-Aboriginal counterparts, while First Nations employees make only 78% of the non-Aboriginal wage. There are numerous interconnected reasons “for these poor wage outcomes,” writes the NCW (2007), “including low levels of educational attainment; a comparatively young population; the geographical location of many Aboriginal peoples; lack of training and of language proficiency; gender; and not least, discrimination in the labour market” (p. 40). Reporting on the income inequality between Aboriginal peoples and non-Aboriginal Canadians, Wilson and Macdonald (2010) note that “the income gap between the wealthiest Canadians and the rest of us is growing at an alarming rate,” but that the growing income inequality for Aboriginal peoples is even more troubling (p. 6). They report that Canada’s most recent census (2006) reveals that the median income of Aboriginal peoples in Canada was \$18,962, which is 30% lower than the \$27,097 median for all other Canadians. Although this gap narrowed slightly between 1996 and 2006, at the current rate, it would take 63 years to close the gap (Wilson & Macdonald, 2010).

Wilson and Macdonald (2010) point out that the census does not capture data on non-monetary sources of income, like food produced by gardening, agriculture, hunting and trapping. They argue that, “the value of a moose—which would provide an average of 150 kilograms of usable meat—cannot be estimated in dollars” (p. 11). When considered in a holistic way, the harvesting and sharing of traditional foods adds both economic and nutritional value, and “provide[s] a social bonding activity that respects the value of caring for the whole community” (FNIGC, p. 90). By making the selling of wild game meat illegal, governments eliminated “a potential source of monetary income for Aboriginal peoples” (Wilson & Macdonald, 2010, pp. 11–12).

Although analysts have pointed to geographical location as the reason for the massive income disparity for rural Aboriginal peoples (NCW 2007), and especially for First Nations peoples living on reserve, Wilson and Macdonald (2010) refute this claim. Although employment earnings are lower in rural or isolated communities across Canada, “rural non-Aboriginal Canadians still make over \$2,000 a year more than urban Aboriginal workers,” and “employed non-Aboriginal Canadians have median earned incomes of \$7,083 higher, on average, than employed Aboriginal people in urban settings and \$4,492 higher, on average, in rural settings” (Wilson & Macdonald, 2010, pp. 11, 13). In addition, non-Aboriginal workers make significantly higher incomes than First Nations people when they work on reserves. On urban reserves, write Wilson and Macdonald (2010), “non-Aboriginal people make up to 44% of those working and earn 34% more than First Nation workers” (p. 13). On rural reserves, the numbers are much more shocking; non-Aboriginal Canadians make up 9% of the working population but make 88% more

⁴² Contrary to the myth that there is a larger outflow of First Nations from reserves to the cities, Clatworthy & Norris (2013) found that “reserves have tended to gain population due to migration instead of the other way around,” making it imperative to create additional employment, housing and infrastructure on reserves (p. 230).

than First Nations people working on reserves (Wilson & Macdonald, 2010).

It is important to note that there is an employment gap between Aboriginal women and men, making Aboriginal women more susceptible to poverty. Aboriginal women experience lower rates of unemployment and lower incomes than both Aboriginal men and non-Aboriginal women, and are “far more likely to be single parents than Aboriginal men” (NCW, 2007, pp. 12, 18, 35). In 2010, NWAC reported that, “over 40% of Aboriginal women live in poverty” (p.11). Unemployment rates for Aboriginal women in 2006 were 13.5% compared to 6.4% for non-Aboriginal women (NWAC, 2010, p. 11). Data from 2001 shows that the unemployment rate for Aboriginal women living on reserve was 22%, and that “60% of Aboriginal women with jobs work part-time and/or part-year and most are concentrated in low paying occupations, such as sales, service, business finance, or administration jobs” (NWAC, 2010, p. 11). Along with higher levels of poverty, research shows that Aboriginal women also experience “lower educational attainment, higher unemployment, poorer physical and mental health and lack of housing” (NWAC, 2010, p. 11).

According to Sethi (2007), “[h]igh rates of unemployment coupled with limited welfare services” for Aboriginal women “leads to poor health, violence, cultural disintegration and increased poverty rates” as well as “high rates of sexual exploitation” and homelessness (Sethi, 2007, p. 62). The high levels of socio-economic marginalization that impact Aboriginal women renders Aboriginal children and youth highly vulnerable to poverty, and associated risks, such as lack of access to education, health care, inadequate housing, inadequate food and, in some cases, lack of access to clean drinking water. Poverty also puts First Nations children at higher risk of “cognitive and social-emotional deficits, increased prevalence of health conditions ... higher rates of death due to unintentional injury, and risk of later addiction, mental health difficulties, physical disabilities, and premature death as adults” (FNIGC, 2012, p. 343). And, as noted above, poverty also makes First Nations children much more vulnerable to apprehension by child welfare authorities (Canadian Centre for Policy Alternatives [CCPA], 2013).

Substandard and inadequate housing

Aboriginal peoples experience much higher rates of substandard and inadequate housing and higher rates homelessness than non-Aboriginal Canadians (NCW, 2007, pp. 1–2). Using data from the 2006 census, the NCCAH (2009b) reported that between 1996 and 2006, although there were improvements in “the availability and quality of housing for Aboriginal people ... housing and living conditions across Canada remain a critical health issue for Aboriginal people, particularly with respect to the spread of communicable disease like tuberculosis” (p. 2). While homelessness is more acute in urban populations, the substandard and inadequate housing crisis is much more severe for First Nations people living on reserve, especially “for those living in band-owned housing and those with lower household income” (FNIGC, 2012, p. 49).

The severe crisis in housing on many First Nations reserves was most recently brought to national attention in 2011, when the Cree community of Attawapiskat First Nation (on James Bay) declared a state of emergency. James Anaya, special rapporteur for on the rights on Indigenous Peoples, expressed “deep concern” over the situation, noting that the conditions in

Attawapiskat “reflected the conditions of many aboriginal communities in Canada” (CBC, 2011).⁴³ Charlie Angus, NDP Member of Parliament for the James Bay region, visited Attawapiskat after the state of emergency was declared. He said, “it was like stepping into a fourth world.” He reported that while temperatures dropped to minus 25 degrees Celsius, “families [were] living in uninsulated tents” and “makeshift cabins and sheds” with no running water or electricity (Angus, 2011). He provided a breakdown of the conditions community members were living in:

Presently there are five families living in tents; 19 families living in sheds without running water; 35 families living in houses needing serious repair; 128 families living in houses condemned from black mould and failing infrastructure; 118 families living with relatives (often 20 people in a small home); there are 90 people living in a construction trailer. There’s a need for 268 houses just to deal with the immediate backlog of homelessness. (Angus, 2011)

After his visit to the community, Dr. John Waddell stated that because of the housing crisis, “[f]amilies are facing ‘immediate risk’ of infection, disease and possible fire from their increasingly precarious conditions” (Angus, 2011). But as Angus noted three weeks after the community declared a state of emergency, “not a single federal or provincial official ... bothered to visit the community,” and no aid agencies or disaster management teams offered anything but short-term help (Angus, 2011).⁴⁴ In response to the government’s inaction, Angus (2011) stated: “the federal and provincial governments have developed a staggering capacity for indifference” when it comes to “the misery, suffering and even the death of First Nations people.”

The federal government blamed Attawapiskat First Nations Chief and council for the crisis, placing them under third party financial management. As the Chiefs Ontario (2011) argued, the situation in Attawapiskat “has emerged as a result of ongoing and systemic oppression, colonization held in place by the *Indian Act* and the continual interference by the federal government.” They further called on the government to respond with an approach that respects the human rights of the citizens in Attawapiskat and honours the government’s responsibilities under the Treaty relationship (Chiefs of Ontario, 2011). As the FNIGC (2012) notes, “[t]here is great variation in the administration of housing among First Nations communities and among the provinces and territories” (p. 51). Communities are covered under various subsidy programs based on the government’s fiduciary obligation to supply housing and other infrastructure on reserves under the *Indian Act* and/or Treaty agreements made between individual Nations and the Crown (FNIGC, 2012, pp. 51-52). As the Chiefs of Ontario (2011) argue, Treaty agreements were made with the “spirit and intent” that First Nations would participate in the “equitable management of the great wealth generated from the natural resources of our shared lands.” The failure of the government to uphold its Treaty obligations, they write, has resulted in “[First Nations] citizens becom[ing] the poorest of the poor while all around us government and industry

⁴³ For an excellent and accessible background to the housing crisis in Attawapiskat, see Alanis Obomsawin’s 2012 documentary *The People of the Kattawapiskak River*, available on the website of the National Film Board of Canada: https://www.nfb.ca/film/people_of_kattawapiskak_river/

⁴⁴ Angus (2011) notes that after a few weeks, the Canadian Red Cross addressed some of the community’s short-term needs.

exploit our resources to enrich themselves at our expense” (Chiefs of Ontario, 2011).⁴⁵

While the Attawapiskat housing crisis was, and continues to be, the most publicized one in the country, the situation is dire in many other First Nations communities as well. The FNIGC (2012) found that 23.4% of First Nations adults living in First Nations communities live in overcrowded conditions.⁴⁶ This is an increase of 5.2% since the 2002/2003 Regional Health Survey, and 16.4% higher than the general Canadian population, where only 7% of adults live in over-crowded conditions (FNIGC, 2012, p. 50). The FNIGC (2012) also found that 37.5% of First Nations children living in First Nations communities were living in crowded conditions, which is an increase since 2002/2003 (p. 344). The FNIGC (2012) outlines some benefits of “living within a larger family network, including transmission of language and traditional values, division of labour, and child care” (p. 343). They note, however, a number of drawbacks of crowded housing, including increased stress levels, ill health, higher incidence of injury, increased rates of transmission of infectious disease, mental health problems, family tension, and violence (p. 343).

In addition to high rates of over-crowded housing conditions, “37.3% of First Nations adults report that their home is in need of major repairs,” 3.4% lack hot running water, 2.1% lack cold running water, and 2.7% lack flush toilets (FNIGC, 2012, p. 50). In addition, “[m]ore than one-third (35.8%) of First Nations adults living in First Nations communities did not perceive the main water supply in their home to be safe for drinking year round,” and “[h]alf of First Nations adults were living in homes with mould or mildew (50.9%)” (FNIGC, 2012, p. 50). According to Macdonald and Wilson (2013a), “Indigenous children in poverty are much more likely to live in houses that require ‘major repairs’ compared to low-income non-Indigenous children” (p. 23). Also, they report that “[t]he housing quality disparity is worse in the prairies with more than 40% of low-income status children in Manitoba, Saskatchewan and Alberta living in houses requiring major repairs” (Macdonald & Wilson, 2013a, p. 23).

The impacts of the housing crisis are inextricably linked to poverty and have multiple overlapping and deleterious effects. According to the NCW (2007), “[i]nadequate Aboriginal housing can be viewed as both cause and effect of poverty” (p. 73). Overcrowding can lead to high stress environments and no space for children to study, and thus lower educational attainment. Inadequate housing has also been linked to “high unemployment rates, poor health and outcomes involving children in care and the justice system” (NCW, 2007, p. 73). The NCCAH (2009b) found that housing conditions that include overcrowding, exposure to mould, and lack of safe drinking water are linked to “increased risk of morbidity from infectious disease, chronic illness, injuries, poor nutrition, and mental disorders” (p. 1).

The effects of poverty and the lack of safe and affordable housing for Aboriginal peoples lead to limited options for girls and women, putting them at increased risk of sexual exploitation and violence (Blackstock, 2009b; NWAC, 2010; Sethi, 2007). According to Sethi (2007), “[i]n the face of extreme poverty and consequently the absence of safe and affordable housing, girls become vulnerable to sexual exploitation to meet their basic needs of food, clothing and shelter” (p. 62). As NWAC (2010) points out, “[p]oor housing options” translate into “limited choices for

⁴⁵ Attawapiskat First Nation receives only about 0.5% of revenues generated by the De Beers diamond mine located on their traditional territory. AFN Ontario Regional Chief Stan Beardy said that First Nations considering mining deals in the future need to look beyond the Impact Benefit Agreement model that provides compensation: “we’re talking about compensation for being displaced from your traditional homelands.... that’s not really sharing the wealth” (CBC, 2013a).

⁴⁶ The definition of overcrowded conditions is “more than one person per habitable room” (FNIGC, 2012, p. 344).

Aboriginal women in terms of leaving violent relationships or escaping unsafe situations” (p. 33). Aboriginal single mothers are in a particularly precarious situation; in 2001, over 50% of the single parent households headed by Aboriginal women were in core housing need (NWAC, 2010, p. 33). The lack of safe and affordable housing is exacerbated for First Nations women living on reserve:

[P]rovincial and matrimonial property laws do not apply to real property on-reserve.... First Nations women currently have no right in law to certain assets on-reserve where their marriage breaks down, unlike all other women in Canada; they and their children are therefore left with no legal claim to occupy the family residence. They may be forced to leave the matrimonial home and due to acute housing shortages, may also have to leave the reserve. (NCW 2007, pp. 78–79)

While “women living on-reserve may be forced to choose between remaining in a violent home or leaving their community,” those living in urban centers will “often live in marginalized areas ... where housing fails to meet the criteria of being safe, secure, affordable or appropriate” (p. 12). And because Aboriginal women are at an increased risk of homelessness (NWAC, 2010, p. 12), they are also at a much greater risk of having their children apprehended (CCPA, 2013, p. 33).

Highest rates of homelessness

Aboriginal peoples in Canada are “disproportionately homeless and inadequately housed” (Patrick, 2014, p. 10). The Canadian Observatory on Homelessness Network (COB) defines Canadian homelessness as “the situation of an individual or family without stable, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it” (p. 1). They also note that for many people, homelessness is “a fluid experience” rather than a “static state” (COB, 2012, p. 1). For Aboriginal peoples, homelessness is often “the result of a complex interaction of factors at the individual level and at the societal level,” including “the historical dispossession of Aboriginal lands, colonial and neo-colonial practices of cultural oppression and erosion, intergenerational traumas, systemic racism, governmental politics, the current economy and housing markets” (Patrick, 2014, pp. 10–11).

In urban centers in Canada, 1 in 15 Aboriginal people experience homelessness (6.97%), compared to only 1 in 128 of the general population (9.78%) (Patrick, 2014). In the Northwest Territories, almost 100% of the “visibly homeless people” are Aboriginal (Dene, Inuit, or Métis); in Canadian cities, the rate is between 40% and 50% of the overall homeless population (Patrick, 2014, pp. 17, 19). Although research on Aboriginal youth who experience homelessness is sparse, Patrick (2010) reports that, “researchers, advocates, and front-line workers alike have declared homelessness among Aboriginal youth ... a rapidly escalating national emergency” (p. 32). Although the urban Aboriginal youth population is diverse, prior to experiencing homelessness, many Aboriginal youth have similar life experiences. In particular, they often experience poverty and inadequate housing, have negative experiences in the child welfare system and/or have “family histories scarred by colonization and its traumatic effects” (Patrick 2010, p. 32).

Even more than substandard and inadequate housing, homelessness has a “devastating influence on health” and “reduces one’s length and quality of life” (Patrick, 2014, p. 50). As the

NCCAH (2009b) reports, the physical and social conditions of people experiencing homelessness put them at much higher risk of premature death and “a wide range of health problems” (p. 3). Homeless people in general face many barriers to accessing health care. They are “admitted to hospital up to 5 times more than the general population” and struggle, on a daily basis, simply to gain access to the essentials of life, such as food and shelter (NCCAH, 2009b, p. 3). Those who experience homelessness or are unsuitably housed have more difficulty recovering from wounds, fractures and pre-existing medical conditions. They are also much more prone to sleep deprivation, “which can lead to or exacerbate a variety of medical and psychiatric conditions including heart attacks and depression” (Patrick, 2014, p. 50).

Health disparities: Historical and socioeconomic determinants

The First Nations Regional Health Survey (FNIGC, 2012) reports that 62.6% of First Nations adults living in First Nations communities stated that they had “at least one chronic health condition,” and that the most commonly reported conditions were high blood pressure, arthritis, allergies, back pain, and diabetes (p. 114). The NCCAH (2009c) notes that, “First Nations suffer from ‘third world’ diseases such as tuberculosis at eight to ten times the rate of Canadians in general” (p. 2), and a new (unpublished) study by infectious disease specialist Mona Loutfy suggests that on some First Nations reserves in Saskatchewan, new HIV infections are eleven times higher than the overall national rate (Leo, 2015). Greenwood and de Leeuw (2012) report that Aboriginal children in Canada currently “experience higher rates of infant mortality, tuberculosis, injuries and deaths, youth suicide, middle ear infections, childhood obesity and diabetes, dental caries and increased exposure to environmental contaminants including tobacco smoke” (p. 381). Palmater (2011) echoes these findings, adding that the prevalence of Type 2 diabetes amongst Aboriginal children is twice as high than for non-Aboriginal children (p. 115). She also links these health disparities, along with the high rates of depression, substance abuse and suicide amongst young Aboriginal people, to colonialism, and argues that these effects “are greatly exacerbated by poverty and social marginalization” (Palmater, 2011, p. 115).

In *Clearing the Plains: Disease, politics of starvation, and the loss of Aboriginal life*, Daschuk (2013a) provides a detailed investigation of the “*material conditions*, the result of long-term economic and environmental forces,” that lie at the root of the health disparities that currently exist between Aboriginal and non-Aboriginal people in Canada (ix). Daschuk (2013a) traces the history of disease amongst Aboriginal populations on the plains before Europeans and up until the late 1800s, and argues that, “the decline of First Nations health was the direct result of economic and cultural suppression” (p. 186). He also argues that discrimination against Aboriginal people, at public and policy levels, affected their health and well-being, since it created a “double standard for acceptable living conditions for the majority of the population and the indigenous minority” (Daschuk, 2013a, ix –x). In addition, Daschuk (2013a) notes that, according to the UN Human Development Index,⁴⁷ Canada “consistently places among the top nations,” but if considered separately, “Canada’s indigenous population would rank sixty-third on the same index,” and that on average, Aboriginal Canadians “die between five and eight years earlier than other Canadians” (ix).

⁴⁷ The UN Human Development Index reports statistics on life expectancy, education, and per capita income for almost 200 countries.

The NCCAH (2009c) writes that there is an inextricable link between poverty and ill health (p. 1). But while there is a correlation between low income and higher rates of ill health for Aboriginal peoples, “low income cannot provide a complete explanation of the differences in health status among populations” (Reading & Halseth, 2013, pp. 8–9). It is thus important to look at all of the social determinants of health, including cultural, economic and political. All of these factors “interact in a multitude of ways to contribute to or harm the health of individuals and communities” (Reading & Halseth, 2013, p. 5). Greenwood and de Leeuw (2012) write that health inequities experienced by Aboriginal children in Canada “can only be understood and intervened upon if understood as holistic challenges,” arguing that we must “[move] beyond the physical realm, or the absence of disease, to include the social, spiritual and emotional realms” (pp. 381-382). They say that creating the conditions for Aboriginal child well-being requires consideration of three interrelated dimensions. First are the “proximal determinants of health,” which include employment, income and education, and “have a direct impact on the physical, emotional, mental and/or spiritual health of an individual” (Greenwood and de Leeuw, 2012, p. 382). Second are the “intermediate determinants,” which include “community infrastructure, cultural continuity and health care systems.” The third dimension consists of “distal determinants,” which include “colonialism, racism, social exclusion and self-determination” (Greenwood and de Leeuw, 2012, p. 382). The distal determinants provide the context in which Aboriginal peoples experience the proximal and intermediate determinants of health. And although the most difficult to change, addressing the distal determinants “may yield the greatest health impacts and, thus, long-term change to Aboriginal child health inequities” (Greenwood and de Leeuw, 2012, p. 382).

Emotional stress and suicide

Aboriginal children and families who experience poverty, socio-economic stress and multiple barriers to accessing services also experience numerous mental and emotional impacts, including depression, frustration, shame, hopelessness and despair (NWAC, 2010, p. 12). The FNIGC (2012) reports that 50.7% of First Nations adults experience high levels of psychological distress, and 22% “reported suicide ideation at some point in their lifetime,” compared to only 9.1% in the general Canadian population (p. 197). Using 2005 data, Health Canada (2015) reports that, “[s]uicide and self-inflicted injuries are the leading causes of death for First Nations youth and adults up to 44 years of age.” Suicide rates for First Nations youth are five to six times the rate of non-Aboriginal youth, and are only lower than the rates for Inuit youth, which are eleven times higher than the national average (Health Canada, 2015).

Suicide rates are linked to mental health challenges, including depression, and to economic and social determinants (Health Canada, 2015). Ontario’s first Aboriginal Lieutenant Governor connects youth suicide in northern Ontario fly-in communities to poverty-related structural risk factors: poor housing, poor food, poor education, health problems, unsafe drinking water, and the legacy of residential school, among others (Bartleman 2012, p. 371). The FNICG (2012) found higher rates of psychological distress amongst First Nations adults is linked to “[l]ow socio-economic status and experiences with aggression and racism” and with “their experiences at residential school” (p. 196). They also found higher levels of suicide ideation amongst First Nations adults experiencing a chronic health condition and amongst those with higher levels of formal education. There were lower rates of suicide ideation amongst First Nations adults who speak their First

Nations language and who eat a nutritious and balanced diet (FNIGC, 2012). The FNIGC's (2012) analysis of data on suicidal thoughts amongst First Nations youth suggests that nutritious eating and physical activity could be important factors to consider when developing strategies in preventing youth suicide (p. 249).

The FNIGC considers cultural continuity, self-esteem and First Nations identity through promotion of language, ceremony and other First Nations cultural elements as key components of “improving community wellness for First Nations youth” (pp. 313, 321). Alfred (2009) attributes the “serious substance abuse problems, suicide and interpersonal violence” in First Nations communities to “a state of profound alienation” brought on by the cumulative and ongoing effects of colonialism, which disconnected Aboriginal peoples from “the spiritual, cultural and physical heritage of their homelands” (pp. 49, 53). He argues that only reconnection to homelands and restoration of “land-based cultural practices” will facilitate “[h]ealth and healing, in the true sense of these terms” (Alfred, 2009, pp. 42, 53).

Experiences with disability

According to Durst (2006), Aboriginal people experience disability at twice the rate of the non-Aboriginal population (p. 4). Using data from the First Nations Regional Longitudinal Health Survey, Health Canada (2009) reports that 22.9% of all First Nations adults living on reserve “reported having at least one disability,” where disability was defined “as having a physical or mental condition or health problem ... that limited the kinds or amount of activity they can do at home, work or school, or in other activities such as leisure or travelling” (“Prevalence of Disability”). The FNIGC (2012) notes that 27.9% of First Nations adults living on reserve “reported activity limitations in their daily lives, including problems with vision, lifting, physical exertion, hearing, ambulation, dexterity, pain cognitive challenges, speech and “[e]motional challenges” (p. 161). The FNIGC (2012) also found that one covariant of activity limitation is income; those who had under \$20,000 per year income reported “twice as much activity limitation as those earning \$60,000 or more” (p. 170).

Urban First Nations people often face major challenges when trying to access health and social service programs, because of “confusing jurisdictional and bureaucratic structures” and the fragmentation of services (Durst, 2006, p. 4). Like Aboriginal adults, Aboriginal children also experience disability at twice the rate of the general population, and First Nations children living on reserves often go without services altogether, since their communities often lack necessary services and programs, and they face complex and lengthy jurisdictional barriers and disputes when they attempt to access them (Woodgate, 2013). According to the most recent evaluation of Jordan’s Principle, inequitable access to programs and services actually drives up the number of First Nations children in foster and other out-of-home care (JPWG, 2015). The “unique challenges” First Nations children face in accessing services, including the denial, delay or disruption of services because of jurisdictional barriers and disputes, sometimes leads “parents whose children require [assisted living] services” with no option but to give “Child and Family Services custody” to secure disability services for their child (JPWG, 2015, pp. 8, 77).⁴⁸

⁴⁸ For an infographic on the difficulty First Nations children experience accessing services in New Brunswick, see the Assembly of First Nation’s *Jordan’s Principle: The 8 steps to get there*.
http://www.fncaringociety.com/sites/default/files/JP%20Final%20with%20logo_AFN%20Graphic.pdf

Food insecurity, past and present

Aboriginal peoples in Canada have faced government-induced food insecurity through multiple and interconnected methods since colonization began: government expropriation of traditional lands and resources; displacement onto resource-poor and non-farmable reserve land; reduction of reserve land; reduction of hunting and fishing territories; environmental destruction; and discriminatory laws that limited success in agricultural and fishing industries (Blackstock, Clarke et al., 2004; Daschuk, 2013a; Hanson, 2009c; Manore, 2014; Ray, 1999). In Daschuk's (2013a) history and analysis of the government's deliberate starvation of Aboriginal peoples on the plains to gain control over their territories, he describes the process in detail. As the bison population declined on the prairies due to overhunting and introduction of disease through importation of cattle, First Nations leaders signed treaties in an attempt to stave off starvation and get assistance in converting to the settler agricultural economy (Daschuk, 2013a). Cree leaders pushed hard to ensure food security was included in their treaties, but government negotiators would only agreed to supply food relief in the case of a region-wide famine. When the bison herds completely collapsed at the end of the 1870s, famine did hit the plains, but the government failed to provide sufficient food relief (Daschuk, 2013a).

The lack of famine relief from the government, combined with confinement to reserves, and "years of hunger and despair," resulted in a tuberculosis outbreak in plains First Nations communities (Daschuk, 2013a, p. 100). Hunger and disease weakened the ability of First Nations in the region to press the government to keep its treaty obligations. By the turn of the 1880s, officials exploited these conditions "to further their agenda of development in the west" (Daschuk, 2013a, p. 100). By keeping the Aboriginal people of the plains "in a constant state of hunger," the government "quickly turned the food crisis into a means to control them to facilitate construction of the railway and opening of the country to agrarian settlement" (Daschuk, 2013a, pp. xxi, 101).

The government's deliberate undernourishment of Aboriginal peoples carried on throughout the residential school period. As the TRC (2015) notes, testimony from survivors reveals that children were underfed and constantly hungry. Although government officials knew from their own inspectors and from reports from schools that the funding was insufficient to feed the children properly, they refused to fund the schools enough for them to properly equip kitchens or properly train cooks, and to purchase food in "sufficient quantity and quality for growing children" (TRC, 2015, p. 92). Just as starvation had left Aboriginal peoples on the plains increasingly vulnerable to disease in the late 1800s, the government's decision to keep Aboriginal children malnourished in residential schools "left thousands of Aboriginal children vulnerable to disease" (TRC, 2015, p. 92).

Another method through which Aboriginal peoples have been deliberately malnourished is through scientific experiments in which the federal government took part. Between 1942 and 1952, with the help of various federal departments, a group of leading Canadian scientists conducted "nutritional studies" in Aboriginal communities and residential schools. They found that many people were already severely malnourished, and the illness rates were vastly higher than in the non-Aboriginal population (Mosby, 2013). In a preliminary report, the researchers suggested that characteristics such as "shiftlessness, indolence, improvidence and inertia" may be the result of malnutrition rather than heredity, and that "[the Indian's] great susceptibility to many diseases ... may be directly attributable to their high degree of malnutrition arising from lack of proper foods" (Mosby, 2013, p. 147). But instead of recommending food relief, the

researchers exploited the situation, proposing a “one-to-two year study ... to demonstrate the effects of nutritional interventions into the diet of an already malnourished population” (Mosby, 2013, p. 147). They rationalized the project through a familiar colonialist claim that the project could help make “the Indian ... an economic asset to the nation” (Tisdall & Kruse as cited in Mosby, 2013, p. 147).

By conducting studies that involved over 1,300 Aboriginal people, most of them children, the researchers exploited Aboriginal people’s bodies as “experimental materials’ and residential schools and Aboriginal communities as ‘laboratories’ that they could use to pursue a number of different political and professional interests” (Mosby, 2013, p. 148). In many cases, they divided malnourished Aboriginal children into experimental and control groups. One group received nutritional supplements and the other placebos. In one case, the researchers provided no changes to the diets of students in a residential school where researchers knew children “were being fed poor quality, unappetizing food that provided inadequate intakes of vitamins A, B, and C as well as iron and iodine” (Mosby, 2013, p. 162). The researchers also made sure that students in the experimental schools were denied dental services, since treating gum disease could interfere in the assessment of their nutritional status (Mosby, 2013).

The federal government’s complicity in the undernourishment of Aboriginal peoples is well documented, and the food insecurity Aboriginal people face today must be understood in this historical and colonial context. Food insecurity is defined as the limited or uncertain access to “nutritionally adequate and safe foods or the ability to acquire acceptable foods in socially acceptable ways” (Anderson, 1990, p. 1560). Today, Aboriginal children in Canada still face what Macdonald and Wilson (2013a) term “nutritional challenges” (p. 19). The NCCAH (2009c) reports that, “[m]ore than one quarter of Aboriginal people off reserve and 30% of Inuit children have experienced food insecurity at some point” (p. 2). Socha, Zahaf, Chambers, Abraham and Fiddler (2012) report that Aboriginal people in remote northern communities are the most vulnerable to food insecurity, and that lack of sufficient food is “directly related to income” (p. 6). Undernourishment today, write Macdonald and Wilson (2013a), is due to low income, and to the “loss of traditional foodstuffs and the high cost of imported foods in remote northern communities” (p. 19).

In addition to limited or uncertain access to nutritional food, many First Nations communities lack access to safe drinking water, which “is essential for food security and safe food preparation” (Socha et al., 2012, p. 12). The OAG (2011) reports that “more than half of the drinking water systems on reserves continue to pose a risk to the people who use them” (p. 15), and Socha et al. (2012) note that “as of March 31, 2011, 107 remote northern Aboriginal communities were under boil-water advisories” (p. 12). As of January 2015, 169 drinking water advisories were in effect across 126 First Nations communities (Lui, 2015).

The OAG (2014) reports that Nutrition North Canada, a program implemented by AANDC “to make healthy foods more accessible and affordable to residents of isolated northern communities” has been a failure (p. 1). The OAG’s (2014) review of the program found that AANDC did not establish fair and accessible community eligibility criteria (p. 4), nor did the department ensure that retailers provided the full subsidy to consumers through price discounts of items at stores (p. 6). Profiteering from the undernourishment of Aboriginal people is nothing new. In his summary of the I.G. Baker Company’s monopoly over government contracts to supply reserves with food rations paid for by the government in the early 1880s, Daschuk (2013a) states:

The company ... abused its privileged position by delivering substandard food to reserves.... By 1883, reports of tainted food and reserve deaths were common. In addition, government regulations that kept the distribution of provisions on reserves to a minimum required to sustain life exacerbated the TB problem and led to provisions rotting in storehouses even as the reserve population suffered from malnutrition. (p. xxi)

As in the past, malnutrition in Aboriginal communities coincides with high rates of ill health, including a rate of diabetes for First Nations people three to five times the rate of the general population (Macdonald & Wilson, 2013a, p. 20). Food insecurity “contributes to malnutrition, poor learning outcomes, developmental delays, low birth weights, depression, anxiety, and suicide” (Socha et al., 2012, pp. 6–7).

Power (2008) advocates for a “conceptualization of food security” that takes into “full account” the perspectives of Aboriginal peoples, including “Aboriginal worldviews and ontologies” (p. 95). Remedies to food insecurity must thus consider access to both country or traditional food and market food (Power, 2008, p. 2). In northern communities, food security would also involve food sovereignty, which has a pre-requisite of political sovereignty (Socha et al., 2012, p. 5). The “availability, supply, and safety of traditional/country food,” which is more nutritious than market food, is seriously impacted by environmental contamination and “the impact of global climate change on ecosystems” (Power, 2008, p. 96). As Socha et al. (2012) argue, both the “denial of access ... to traditional food (through seizure of Indigenous lands, residential schools, loss of traditional language and foodways) and of market foods (because of transport, price, and poverty) are tools of colonialist control” (p. 6). It is no wonder that visions of Indigenous resurgence include “increased access to traditional foods,” relearning traditional ways of collecting and preparing these foods, and community food sharing initiatives (Socha et al., 2008, pp. 11–12).

Violence

Deconstructing [settler] identity and history necessitates a rethinking of what constitutes violence as well as a closer investigation of its more nuanced forms.

—Paulette Regan, 2010, p. 5

As an ongoing system of domination and oppression designed to dispossess Indigenous peoples of their lands, cultures and means of survival, colonialism is inherently violent. Along with the physical and legislative violence that historically displaced Aboriginal peoples from their traditional lands and ways of life, Aboriginal peoples have suffered murderous violence at the hands of settlers and government employees, including police (Carter, 1997; Human Rights Watch, 2013; Loppie, Reading, de Leeuw, 2014; Razack, 2000). Thousands of Aboriginal children experienced violence at the hands of the government and those who ran residential schools. These children suffered through “child abduction, sexual abuse, physical abuse, medical experimentation, exposure to disease, death, the extermination of languages, the destruction of families [and] the elimination of cultures” (Thielen-Wilson, 2012, p. 3). Many Aboriginal children

and youth continue to suffer from the violence of removal from their families, whether through legitimate concern for their safety or because of “caregiver poverty, poor housing and substance misuse” (Blackstock, 2007, p. 75). They also endure various forms of violence when in child welfare custody (see above), and violence perpetuated by police and the judicial system (Human Rights Watch, 2013; Razack 2000, 2014).

Much of the available research on the violence against Aboriginal peoples focuses on the high rates of violent crime perpetrated against Aboriginal adults by other individuals (Amnesty International, 2014; Brennan, 2011; Committee on the Elimination of Discrimination Against Women [CEDAW], 2015; Harper, Khoury & Taibi, 2011; NWAC, 2010, 2014; Perreault, 2011; Royal Canadian Mounted Police, 2014; Scrim, 2010; Sikka, 2009). Since children rely on parents and other adult caregivers for their safety and well-being, individual violence suffered by adults impacts children, and is one way that ongoing colonial violence impacts the lives of Aboriginal peoples today in multiple, generational, systemic and overlapping ways.

Perreault (2011) reports that in 2009, 37% of the Aboriginal population in the provinces self-reported being a victim of at least one crime (compared to 26% of non-Aboriginal people), and of that percentage, 41% of the incidents were violent: sexual assault, robbery or assault. Aboriginal people experience violent crime at a rate of 58% higher than non-Aboriginal people, and are more likely to be victims of non-spousal violence (Perreault, 2011). Young Aboriginal people are at the highest risk of non-spousal violent incidents,⁴⁹ with those aged 15 to 24 experiencing 47% of the non-spousal violent incidents reported by Aboriginal people. Young Aboriginal people experience 425 violent incidents per 1,000 compared to 268 per 1,000 for non-Aboriginal people of the same age (Perreault, 2011).

Amnesty International (2014) states that, “[t]he scale and severity of violence faced by Indigenous women and girls in Canada ... constitutes a national human rights crisis” (p. 2). NWAC (2010) reports that, “rates of spousal assault (physical or sexual assault and threats of violence) against Aboriginal women are more than three times higher than non-Aboriginal women” (p. 4). In addition, almost 25% of the Aboriginal women surveyed for the 2004 General Social Survey “experienced some form of spousal violence” (NWAC, 2010, p. 4). Aboriginal women in Canada also experience higher rates of severe violence, and “the national homicide rate for Indigenous women is at least seven times higher than for non-Indigenous women” (Amnesty International, 2014, p. 2).

Additionally, Aboriginal women are overrepresented in long-term missing persons cases. In Saskatchewan, 60% of missing women are Aboriginal, even though they make up only 6% of the population of the province (Amnesty International, 2014). NWAC (2010) documented 582 cases of missing or murdered Aboriginal women and girls as of March 2010, with 153 cases identified as murders. The 153 women murdered represent around 10% of the “total number of female homicides in Canada,” while Aboriginal women make up only 3% of the female population in Canada (NWAC, 2010, p. ii). A report published by the RCMP in 2014 brings to light even more alarming numbers. It found that there are 1,181 “[p]olice-reported incidents of Aboriginal female homicides and unresolved missing Aboriginal female investigations,” including 1,017 Aboriginal women murdered between 1980 and 2012, and 164 “currently considered missing” (RCMP, 2014,

⁴⁹ Perreault (2011) defines non-spousal violence as “sexual assaults, robberies and assaults committed by anyone but the victim’s partner (e.g., friends, acquaintances, strangers, other family members) that occurred in the 12 months preceding the survey” (p. 7).

p. 6). Noting the limited data on Aboriginal girls who have experienced sexual violence, Sethi (2007) writes that data from Correctional Services of Canada (late 1990s) showed that, “75% of Aboriginal girls under the age of 18 have experienced sexual abuse, 50% are under 14, and almost 25% are younger than 7 years of age” (p. 59).

Much of the research contextualizes the current overrepresentation of Aboriginal women and girls as victims of violence within the traumatic history of colonization and the residential school system, and within the current overlapping conditions of inequity and discrimination. Current conditions include poverty, racism, inadequate housing and homelessness, low employment rates, limited access to education and health services, and overrepresentation of Aboriginal children in the child welfare system (Amnesty, 2014; CEDAW, 2015; Harper, Khoury, & Taibi, 2011; NWAC 2010, 2014; Sethi, 2007; Sikka, 2009; TRC, 2015). As Amnesty International (2014) states, violence against Indigenous women and girls is deeply rooted in poverty, racism and other forms of systemic marginalization:

Decades of government policy have impoverished and broken apart Indigenous families and communities, leaving many Indigenous women and girls at heightened risk of exploitation and attack. Deep inequalities in living conditions and discrimination in the provision of government services have pushed many Indigenous women and girls into precarious situations—ranging from inadequate housing to sex work—where there is a heightened risk of violence. (p. 3)

NWAC (2010) argues that while women in prostitution experience high levels of violence, “involvement [in the sex trade] is not a ‘cause’ of disappearances or murders; rather, many women arrive at that point in the context of limited options and after experiencing multiple forms of trauma or victimization” (p. 29). In addition, many Aboriginal women and girls who were murdered, or are still missing, “were vulnerable’ only insofar as they were Aboriginal women” (NWAC, 2010, p. 2). As Amnesty International (2014) points out, “there is clear evidence that some men seek out Indigenous women as targets of attack” (p. 3).

The deliberate targeting of Aboriginal women for attack is rooted in “Canada’s dispossession of Indian people from the land” (Simpson, 2014, p. 156), justified through dehumanizing stereotypes of Aboriginal women constructed by settler colonial culture (NWAC, 2010; Razack, 2000; Sikka, 2009). As Simpson (2014) asserts:

The [contemporary] ‘phenomenon’ of the disappeared women, the murdered and missing Native women in Canada, is not a mystery, is not without explanation.... Their bodies have historically been rendered less valuable because of what they are taken to represent: land, reproduction, Indigenous kinship and governance, an alternative to heteronormative and Victorian rules of descent. (p. 156)

As Razack (2000) demonstrates, the portrayal of Aboriginal women in the 19th century as “licentious and bloodthirsty” worked discursively to justify “the increasing legal regulation of Aboriginal women’s movement and confinement to reserves,” and the increasing sexual violence towards Aboriginal women in Canada (pp. 98-99). By dehumanizing Aboriginal women, settlers “naturalized” the colonially-enforced boundaries between settler space and reserves by creating an idea of “white respectability and entitlement” against a stereotype of “Aboriginal criminality”

(Razack, 2000, p. 96). In addition, the making of settler societies involved the construction of “a white, masculine self as dominant through practices of violence directed at a colonized woman” (Razack, 2000, p. 96). Contemporary forms of police violence (see below) demonstrates how this dehumanizing image continues to justify violence against Aboriginal women and girls while simultaneously criminalizing and incarcerating them at three times the rate of non-Aboriginal women (OCI, 2014b).

NWAC (2010) draws attention to the fact that although Aboriginal women and girls are “more likely to be killed by a stranger than non-Aboriginal women,” Aboriginal women today “experience violence by both non-Aboriginal and Aboriginal offenders” (p. 30). According to Innes (2015), available data “suggests that the majority and perhaps even the overwhelming majority of acts of violence against Indigenous women are committed by Indigenous men” (p. 46). Both sources stress the importance of contextualizing violence perpetrated by Aboriginal men within the long history of colonization as well as intergenerational abuse and violence. Innes (2015) asserts that violence perpetuated by Indigenous men must be understood within the context of “the imposition of the White supremacist heteronormative patriarchy”: the settler-colonial power structure imposed on Aboriginal peoples and internalized through the colonization of “Indigenous peoples’ bodies, minds, and lands” (p. 51).

In addition, Innes (2015) argues that violence perpetuated by Indigenous men must be contextualized in relation to “the level of violence *against* Indigenous men, which, according to some reports, occurs at a much higher level than that against Indigenous women” (p. 47). Cobbling together available Canadian homicide data, Innes (2015) reports that between 1997 and 2000, “Indigenous men in Canada were victims of homicide at nearly 2.5 times the rate of Indigenous women, almost seven times the rate of white men, and over fifteen times that of white women” (p. 49). He also states that since the 1950s, “824 Indigenous men have been missing or murdered,” and between 1980 and 2012, “745 Indigenous women and 1,750 Indigenous men were victims of murder” (Innes, 2015, pp. 49–50). Innes (2015) also notes that negative treatment of Indigenous men by “white male police officers” is normalized “because of [Indigenous men’s] supposedly violent and dangerous nature” (p. 53). Failure to contextualize the involvement of Indigenous men as both perpetrators and victims of violence, asserts Innes (2015), allows the government to continue its denial of the need for a national inquiry on murdered and missing Aboriginal women. This denial is justified through “deflect[ion of] any culpability regarding the current state of Indigenous communities from the government onto those communities, and more specifically onto Indigenous men” (Innes, 2015, pp. 46–47, 52).

The failure to contextualize the underlying causes of high rates of violent crime perpetrated by and against Aboriginal peoples also enables the Canadian government, and many of its citizens, to ignore and deny the perpetuation of structural violence. According to Botes (2008), structural violence arises from “the social, political, and economic structures that sanction the unequal distribution of power and resources” (p. 273). Structural violence stemming from colonialism is “woven into the fabric of Canadian history in an unbroken thread from past to present” (Regan, 2010, p. 6), and includes Canada’s continued efforts to “control Indigenous lands and resources” (Thielen-Wilson, 2012, p. 7). Colonial structural violence also includes “racism, poverty, cultural domination, power and privilege”: forms of violence that “permeate everyday Indigenous-settler relations” (Regan, 2010, p. 10).

Sexual exploitation and criminalization

There is a direct relationship between the impoverishment and starvation of Aboriginal peoples, Aboriginal women's vulnerability to sexual exploitation and violence, and the criminalization of Aboriginal peoples, both past and present. Daschuk (2013a) writes that, by the 1880s, "the inadequate rations provided by the [Department of Indian Affairs] had probably driven many women to prostitution simply to feed their families" (p. 153). Sexual exploitation of Aboriginal women and girls by government officials was now well known, and in 1883, the Cree chiefs at Edmonton wrote to the prime minister, imploring him to address the problem. As Pocklington noted that same year, the chiefs wrote that, "their young women were now reduced by starvation and prostitution, a thing unheard of among their people before" (as cited in Daschuk, 2013a, p. 153).

Today, Aboriginal women and girls are involved in the sex trade at disproportionately high numbers in comparison to non-Aboriginal women (Sikka, 2009). Sikka (2009) reports that in one study of sex trade workers in Winnipeg, "between 70 percent of sexually exploited youth and 50 percent of adult sex workers ... [were] of Aboriginal descent," even though Aboriginal peoples constituted only 10% of the city's population (p. 10). NWAC (2014) reports that out of 100 women and girls working in the street sex trade in Vancouver in 2005, 52 identified as First Nations; the vast number of these women experienced childhood abuse, rape, and sexual assault, as well as high rates of violence and rape while working in prostitution (NWAC, 2014).

Systematic poverty and involvement in child welfare are also major factors in the current overrepresentation of Aboriginal women and girls in the sex trade, as are racism, the legacy of residential schools, ongoing colonialism and childhood physical, emotional and/or sexual abuse (Seshia, 2005; Sikka, 2009). Poverty, "lack of recreation and social activities for youth on-reserve" and inadequate public transportation often lead to hitch-hiking by young First Nations girls, a practice that makes them even more "vulnerable to sexual exploitation" (Sethi, 2007, p. 60), abduction and murder (Lheidli T'enneh First Nation et al., 2006). Most Aboriginal girls and women who become involved in the sex trade "enter at a very young age," writes Sikka (2009), and involvement in the child welfare system is "perhaps the most common feature among girls who entered prostitution" (pp. 11, 14). As Seshia (2005) reports, "63 percent of sexually exploited youth have had experiences with the child welfare system and 77.8 percent had been in agency care and lived in foster or group homes for years" (p. 17).

Razack (2000) argues that contemporary "encounter[s] in policing between white people and Aboriginal people maintain all of the characteristics of the 19th century colonial encounter," including violence, sexual exploitation, criminalization and dramatic rates of incarceration (p. 104). During the 19th century, the North-West Mounted police often failed to intervene when Aboriginal women were beaten or raped, or when government agents exploited Aboriginal women by "with[holding] rations to reserve communities unless Aboriginal women were made available to them" (Razack, 2000, p. 99). Recently, NWAC (2010) found that "police often stereotype missing Aboriginal girls and act based on those stereotypes" (pp. 32-33). A report by Human Rights Watch (2013) on "the dysfunctional relationship between the Canadian police and indigenous communities" (p. 7) in northern British Columbia documents cases of police violence against Aboriginal women and girls. The report states that Aboriginal women and girls are "under-protected by the police" and many are victims of direct abuse by police:

In ten towns across the north, Human Rights Watch documented RCMP violations of the rights of indigenous women and girls: young girls pepper-sprayed and Tasered; a 12-year old girl attacked by a police dog; a 17-year old punched repeatedly by an officer who had been called to help her; women strip-searched by male officers; and women injured during excessive force used during arrest. (Human Rights Watch, 2013, pp. 7–8)

Clearly, police violence perpetrated against Aboriginal peoples remains a major problem (APTN, 2014b; CBC, 2013b, 2015a; Innes, 2015; Razack, 2014). This violence is often justified by the colonial fiction that Aboriginal peoples are inherently criminal (Razack, 2000).

Interviews with community activists and victims of police abuse conducted by Human Rights Watch (2013) suggest that the RCMP “bring a general presumption of criminality to their interactions with indigenous girls in the north,” and that Aboriginal women and girls are targeted for “the most trivial reasons” (p. 46). Sikka (2009) draws attention to how historical representations of Aboriginal women, along with current conditions of “poverty, racism and criminalization of Aboriginal girls,” intersect to “cloak crimes committed against them in invisibility” (p. 9). She asserts that the criminalization of young Aboriginal girls is facilitated by their overrepresentation in the child welfare system, as well as fewer options for employment and a higher rate of a history of abuse and neglect (Sikka, 2009). These conditions often lead to increased drug use and entry into prostitution “as a means of survival,” where Aboriginal girls are “more likely to be viewed as “perpetrators ... rather than victims of crime” (Sikka, 2009, p. 9). In addition, given high rates of poverty amongst Aboriginal peoples, especially Aboriginal women, the criminalization of poverty increases their risk of criminalization by police. As Briggs and Lee (2012) report, poverty is criminalized through laws and bylaws that penalize people for sleeping in parks, “urinating in public, or free-riding on public transit” (p. 26).

Incarceration

Socioeconomic factors ... appear on the surface as neutral criteria. They are considered as such by the legal system. Yet they can conceal an extremely strong bias in the sentencing process.... When the social, political and economic aspects of our society place Aboriginal people disproportionately within the ranks of the [unemployed, transient and poorly educated population], our society literally sentences more of them to jail. This is systemic discrimination.

—Quigley, 1994, pp. 275–276

The Office of the Correctional Investigator (OCI, 2014b) reports that although Aboriginal peoples comprise only 3.8% of the population in Canada, they “now account for 23.2% of the total inmate population,” an increase of 37.3% over the ten years leading up to the 2011-2012 report (para. 1). In 2013, 71% of the Aboriginal population in federal penitentiaries was First Nations (24% were Métis and 5% were Inuit) (OCI, 2013, High and growing incarceration rates for Aboriginal peoples section, para. 1). Over this time, the inmate population of Aboriginal women increased 109%, with Aboriginal women now “compris[ing] 33% of the total inmate population under federal jurisdiction” (OCI, 2014b, para. 1).

Rudin (2005) connects the current overrepresentation of Aboriginal peoples in prison to colonialism, including the long history of the criminalization of various spiritual practices, and of Aboriginal resistance to colonial oppression. In the 1880s, as Aboriginal peoples on reserves faced government-induced starvation, illness and increasing control over their day to day lives, the government continued to place “severe restrictions on fundamental rights and liberties of Aboriginal people with respect to freedom of speech and assembly, mobility, and voting” (Rudin, 2005, p. 26). With these restrictions, the government sought to control and confine Aboriginal peoples; those who resisted were considered in violation of the colonizer’s laws, were rendered criminals, and were severely punished. When First Nations fought back against the government-induced food shortages and abuse by government officials in the 1880s, the government punished them by withholding annuities, cutting off food rations, confiscating weapons and horses, and imposing the pass system, whereby reserves became “essentially places of incarceration” (Daschuk, 2013a, p. 159). In this colonial history, we can see the roots of the criminalization and mass incarceration of Aboriginal peoples in Canada today.

This increasing overrepresentation continues, despite the amendments to the *Criminal Code of Canada* in 1996 instigating the *Gladue* principles, which compel sentencing judges to consider “available alternatives to imprisonment” based on consideration of the specific circumstances of Aboriginal people (Wesley, 2012, p. 39). However, as Mallea (2010) points out, instead of making use of alternatives to incarceration, “such as substance-abuse treatment, Aboriginal spirituality centres, and community sentencing circles,” courts have been applying harsher sentences, and the government’s current “tough-on-crime” agenda will only increase the over-incarceration of Aboriginal peoples (p.16). Through the tough-on-crime bills, the government is expanding “the range of crimes to which mandatory minimum sentences apply,” effectively denying a judge’s ability “to mitigate sentences, regardless of the circumstances surrounding the offence” (Mitchell, 2007, p. 1).

In 2013, Howard Sapers, the Correctional Investigator of Canada, reported that although crime rates are down, the custody population is growing, with conditions for Black and Aboriginal inmates becoming harsher: “These groups are over-represented in maximum security institutions and segregation placements ... are more likely to be subject to use of force interventions ... incur a disproportionate number of institutional disciplinary charges” and are less likely to be granted parole (Brosnahan, 2013). Dawn Harvard, interim president of NWAC, is not surprised by the increasing incarceration of Aboriginal women, attributing it to colonization, racism and poverty. She is, however, “deeply concerned that non-violent crimes committed by indigenous women are ending up as indeterminate sentences because of punishments given inside the prisons” (CBC, 2015c).

In 2004, the Department of Justice reported that Aboriginal youth were eight times more likely to be in custody than non-Aboriginal youth (Latimer & Foss, 2004, p. 3). In 2010/2011, Aboriginal youth made up 26% of youth admitted into the correctional system in eight jurisdictions, although they made up only 6% of the total youth population in the same jurisdictions (Munch, 2012). Latimer and Ross (2004) point to “[h]igh rates of poverty, substance abuse and victimization” as some of the “interactive factors” related to the high incarceration rates (p. iii). In addition, they write that, “[p]ossible discrimination within the youth criminal justice system may lead to the differential treatment of Aboriginal youth” (Latimer & Foss, 2004, p. iii). In Ontario, Aboriginal youth are incarcerated at twice the rate of non-Aboriginal youth who commit the same offence, and “Aboriginal people also have less access to parole and

rehabilitation programs than other inmates” (Mallea, 2010, p. 16). Ormond (2014) argues that mass incarceration is the end of the “prison pipeline,” a system that has replaced residential schools as “a key colonial instrument for disrupting, dividing and controlling Indigenous populations” (Criminalization and mass incarceration as a tactic of colonial control section, para. 5). Beginning with child apprehension, the prison pipeline moves children into foster care and/or group homes, then youth detention, then adult prisons, thereby functioning as “a main instrument of colonial containment” (Criminalization and mass incarceration as a tactic of colonial control section, para. 5).

The links between poverty, involvement in child welfare and incarceration of Aboriginal youth are well researched. As Palmater (2011) notes, “over 28% of federal Aboriginal inmates were raised in the child welfare system and another 15% in residential schools” (p. 116). According to the AFN (2006), [c]hildren who experience long periods of poverty between the ages of 0 and 5 years or in their early teen years are more likely to commit crime,” and 40% of First Nations youth convicted of a crime are either wards of the state or “have active files with a child welfare agency” at the time of conviction (p. 3). Reporting similar findings, the NCW (2007) reports that “47% of Aboriginal youth in custody came from families on social assistance ... [with] 39% of Aboriginal youth in custody ... involved with child protection agencies at the time of their admission—of these youth, one in four was a ward of the state” (p. 99). Sikka (2009) found that “the first point of entry into the criminal justice system” for Aboriginal girls was “for an offence committed within a care facility” (p. 9).

There are also well-researched connections between poverty, lower education attainment and incarceration of young people in general. Of those under the age of 25 incarcerated in Canada’s federal prisons in 2014, 52.5% entered prison with a grade 8 or lower education (OCI, 2014a). According to the AFN (2011a), the 49% rate of high school graduation for First Nations youth on reserves means that “[a] First Nation youth is more likely to end up in jail than graduate from high school” (p. 2). However, instead of supplying the legislative and funding support First Nations need to reduce incarceration rates through poverty reduction and equitable education, the Canadian government continues to increase spending on the prison system, despite the much lower cost, fiscally and socially, of funding education for First Nations (AFN, 2011a).⁵⁰

Continuing to incarcerate Aboriginal peoples instead of reducing poverty and education inequities makes no fiscal sense. In fact, it only makes sense within a system of colonial domination, where the government would rather confine First Nations people in child welfare and penal institutions than to see results of self-determination and reconciliation. It is within this context, along with all the others outlined above, that the most promising strategies for improving the outcomes for First Nations children must be considered.

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CHAPTER FIVE

Poverty interventions: Ensuring First Nations child well-being

Canada cannot and need not allow yet another generation of Indigenous citizens to languish in poverty. Poverty is neither inevitable nor immutable. Transformative change is clearly possible, desirable and required. It is a question of will on the part of all Canadians.

—Macdonald & Wilson, 2013a, p. 5

Introduction

ENSURING THE WELL-BEING of First Nations children⁵¹ requires urgent poverty interventions coupled with long-term solutions to address the historical, purposeful and systematic impoverishment of First Nations communities. Specific components for meeting the needs of individual First Nations communities to ensure child well-being will vary according to the distinct cultural, traditional, spiritual and linguistic community where a child belongs. While acknowledging this, the literature stresses three overarching and cross-cutting components necessary for First Nations child well-being: the opportunity for children to grow up safely with their families in nurturing homes and communities; the assurance that children will enjoy high levels of health and wellness; and the opportunity for children to receive an equitable education that provides access to learning their languages and cultures, so they can understand these ways of knowing and being, and be proud of who they are. (First Nations Child and Family Caring Society of Canada [Caring Society], 2015e; First Nations Health Authority; New Agenda Working Group and the Chiefs of Ontario Education Coordinating Unit, 2011; Tikinagan Child and Family Services).

This chapter describes existing and proposed interventions to address the impoverishment of First Nations communities. Section I outlines criteria articulated by First Nations researchers, organizations and advocates for designing and assessing poverty interventions, and discusses how government-imposed solutions fail to meet these criteria. Section II discusses the urgency of addressing inequities in the provision of public services for First Nations children on reserves. This section also outlines various interventions that target

⁵¹ See Chapter 3 for a summary of how First Nations child health and well-being is understood and measured in the literature, including a comparison of the determinants of health derived from western ontology and the relational worldview principles outlined by Cross (1997). In addition, Blackstock (2009d) summarizes the principle of well-being as conceptualized amongst First Nations as the “balance among spiritual, physical, emotional and cognitive dimension of experience at the individual, community, and natural world levels across time” (p. 12).

provision of these public services, including examples of promising differential response interventions in child welfare. Section III describes economic development initiatives undertaken by First Nations communities, and outlines some of the critiques of these models, and visions for moving forward.

SECTION I

Poverty Intervention Criteria

Poverty interventions that do not align with criteria set out by First Nations communities will inevitably fail. Viable approaches will be guided by the vision of child well-being outlined above, and in consultation with individual communities. Viable approaches will address specific community needs, and build on the multigenerational strengths of First Nations cultures and communities. They will also take into account the historic and contemporary factors that contribute to the current First Nations poverty crisis, and the resulting depth of poverty for the most vulnerable members, such as children and Elders. While the specific nature of the interventions will vary, many agree that effective programs must be self-determined, be designed by First Nations communities, be adequately and sustainably funded, and be holistic and comprehensive. Meaningful interventions also require respectful and sustained partnerships between First Nations communities and non-governmental organizations and governments.

Self-determination and adequate funding

Self-determination is critical to the physical, social and economic health and well-being of First Nations communities. UNDRIP (2008) defines the right of self-determination for Indigenous peoples as the right to “freely determine their political status and freely pursue their economic, social and cultural development” (p. 3). It also includes a right to the “ways and means for financing their autonomous functions” (UNDRIP, 2008, p. 3-4). As Assembly of First Nations (AFN) National Chief Ovide Mercredi asserted in 1994, “if [First Nations] gain [political] power for the community but we don’t get the economy, we have power that cannot exercise itself” (Mercredi, 1994 as cited in Kendall, 2001, p. 48). Ladner (2009) notes that increased self-determination without adequate resources can have “a negligible or even negative effect on community wellness” (p. 96). This happens when a community’s responsibility to administrate and fund services increases, but the funding is inadequate to pay for the added responsibility (Ladner, 2009, p. 96).

First Nations communities, supported by access to reliable and valid research, are in the best position to determine their needs and develop effective and relevant approaches for meeting those needs. When Aboriginal communities have the power and resources to design and implement their own solutions, the solutions “[reflect] Indigenous agendas and knowledge, making it more likely that solutions will be appropriate and viable” (NCCA, 2009c, p. 3). Because the federal government determines which poverty alleviation programs it will fund, First Nations communities have not had sufficient influence or control over designing approaches that

would work best for them. In addition, the government has largely relied on the unfounded assumption that “what works [to alleviate poverty] for the average Canadian family” will also work for First Nations families (Blackstock, Clarke, Cullen, D’Hondt & Formsma, 2004, p. 41). The result is that programs are often inefficient and irrelevant to varying community needs (Blackstock, Clarke et al., 2004). Instead of imposing programs and solutions, the government needs to provide adequate, sustained and flexible funding for self-determined solutions.

Revitalizing tradition to strengthen self-governance

Many argue that in order to create effective and long-lasting community well-being, self-determination and self-governance must be developed within a framework of traditional governance structures, philosophies and leadership. As Baskin (2007) notes, “mainstream legal and political discourses regarding self-government, Aboriginal rights and treaties” are not grounded in First Nations traditions (p. 40). Instead, they are “grounded in Western constructions of nationhood that originate from European history and cultures” (Baskin, 2007, p. 40). These discourses marginalize Aboriginal worldviews and “entrench Eurocentric-Canadian structural power imbalances”; thus, they must be carefully evaluated to determine if and how they might be used to create “inclusive and sustainable Aboriginal communities” (Baskin, 2007, p. 40).

Several proponents of self-governance argue that traditional self-governance would require leaders now elected under *Indian Act* legislation to be replaced by “traditionally grounded leaders and structures,” and others assert that “change will emerge from the grass roots as women rebuild communities through families, a renewal of traditional teachings and local mobilization” (Ladner, 2009, p. 94). Still others insist that “traditionally-minded nation builders with business savvy [sic]” will best enable community well-being (Ladner, 2009, p. 94). Those advocating for the radical transformation of leadership and governance structures assert that “the resurgence of traditions, traditional leadership and traditional governance” will have an enormously positive impact on individual and community well-being (Ladner, 2009, p. 95). Operating from a place of traditionally-informed self-determination, they argue, will enable communities to rebuild “from the ground up,” creating capacity to “[dismantle] a perpetual state of crisis” by fostering healing and wellness for individuals and the community as a whole (Ladner, 2009, p. 95).

Holistic and multi-faceted approach

Most researchers agree that a holistic and multi-faceted approach is crucial to developing and implementing solutions to First Nations child poverty. Strategies must be “integrated and multi-faceted,” and they require both “top-down and bottom-up approaches that target the full range of health determinants such as education, employment opportunities, and housing conditions” (NCCA, 2009c, p. 3). Dinsdale echoes the need for a holistic approach, saying “the issue for us is that it’s very hard to have a conversation about housing, and education and lifelong learning in isolation of each other as they are all part of a whole; of the whole person” (Dinsdale as cited in NCW, 2007, p. 30). Arguing for a restoration of “strong and healthy indigenous identities” through a holistic reconnection to the land and to each other, Alfred (2009) writes that “[t]here is no one solution, so a multiplicity of strategies and tactics must be developed with respect to First Nations’ particular colonial experiences and situations” (p. 57).

A holistic model of well-being common amongst First Nations envisions “balance among spiritual, physical, emotional and cognitive dimension of experience at the individual, community, and natural world levels across time” (Blackstock, 2009d, p. 12).⁵² What is needed to achieve this holistic balance varies, depending on individuals, the community and the context. For example, outlining a holistic approach to First Nation child well-being in the context of self-determination of Aboriginal child welfare, Blackstock, Clarke et al. (2004) advocate focusing primarily on protecting and nurturing children while supporting families and communities. They promote replacing individual programs that target only one area at a time with multiple programs that target multiple areas at once. This method of holistic program design would, they assert, “ensure that parents can provide for their children [while being] ... responsive to existing inequities experienced by Aboriginal peoples” (Blackstock, Clarke et al., 2004, p. 39). In addition, a holistic approach would be combined with interdisciplinary approaches that “bring child welfare, substance misuse, poverty eradication and housing together to support families” (Blackstock, Clarke et al., 2004, p. 165).

Holistic approaches to First Nations child poverty would also involve an interdisciplinary socio-political analysis across time to account for the colonial tools used to disrupt First Nations economies, cultures, communities and families throughout the last two centuries. These tools include removal from land, disruption of traditional economies, cultural genocide and attempted assimilation. A holistic approach must also consider how economic relations in a capitalist market economy have radically altered and undermined traditional economic structures, compromising the political and economic autonomy of First Nations women and impacting the land, water and generations to come (Kuokkanen, 2011). In addition, a holistic approach would consider the “significance of subsistence-based economic activities and household production” to self-determination and self-governance, and to kinship structures, social organization and systems of knowledge (Kuokkanen, 2011, pp. 277, 278).

Creating respectful partnerships

Respectful partnerships with non-Aboriginal organizations and governments are needed to support First Nations communities as they work towards self-determined and holistic solutions. The United Nations Human Rights Council (UNHRC, 2014) articulates real partnership as a process that requires the Canadian government to engage with First Nations to reach a “common understanding ... of objectives and goals” that are grounded in “full respect for [First Nations] constitutional, treaty, and ... internationally-recognized rights” (p. 23). Government partnerships need to be complemented by relationships with non-governmental organizations in order to buffer the vulnerability of government programs to political priorities. As the Mamow Sha-way-gi-kay-win North-South Partnership for Children in Remote First Nations Communities (2007) indicates, there are many possibilities for partnerships, including within civil society, the volunteer sector and the private sector, as well as with spiritual leaders and elders, academics, the media and community professionals.

Each community must decide on its own model for creating these partnerships. The Touchstones of Hope principles, developed by Indigenous and non-Indigenous leaders to guide

⁵² See, also, Chapter 3 above for measures and models of well-being within a First Nations holistic worldview.

reconciliation in child welfare, provide a model that could be used across a wide-range of contexts to guide the creation of real partnerships (Blackstock, Cross, George, Brown, & Formsma, 2006). The five Touchstone principles are self-determination, culture and language, holistic approach, structural intervention, and non-discrimination. The principles are constitutional in nature, and start from the recognition that “Indigenous peoples are in the best position to make decisions about Indigenous children and youth”; thus, the principles can be “interpreted at a local community level” to allow for “unique cultural, linguistic and contextual differences” (Blackstock as cited in NCW, 2007, p. 91). The Touchstones principles are nested in a four-phase process for reconciliation. First is truth telling, which involves open exchange regarding the past. Second is acknowledging, described as “[a]ffirming and learning from the past and embracing new possibilities for the future” (Blackstock et al., 2006, p. 7). Third is restoring, which requires participants to address the problems of the past in order to create a better path for the future. Fourth is relating, where participants “move forward together in a respectful way, along a new path, to achieve better outcomes for Indigenous children and youth” (Blackstock et al., 2006, p. 7).

Paternalism and failure to consult: Government-imposed solutions

Since implementing the *Constitution Act* in 1867, the Government of Canada has assumed legislative control over “Indians, and Lands reserved for Indians,” continuously “rolling out preformed solutions” for First Nations communities (Blackstock as cited in NCW, 2007, p. 91). And First Nations advocates of self-determined and holistic solutions have continuously rejected government-imposed programs and legislation. Preformed solutions epitomize the paternalistic assumption of western superiority over First Nations approaches. This colonial arrogance played an enormous role in creating the current conditions of poverty for First Nations. Native American legal scholar Robert Williams (2012) stresses that the colonial dichotomy of western governments as “civilized” and Indigenous governments as “savage” is foundational to American and Canadian society. This dichotomy continues as the underlying ideology informing government-First Nations relations in Canada. It is reflected in the leadership and governance structure imposed on First Nations by the *Indian Act*, and in the government’s perpetual failure to adequately consult with First Nations on decisions affecting them, including best ways to address poverty in First Nations communities.

In contrast to the government’s ongoing imposition of paternalistic control, Morellato (2008) argues that Government of Canada has a constitutional and legal duty to consult “and accommodate aboriginal and treaty rights” (p. 1). This responsibility requires true engagement with First Nations communities in planning and making decisions that reflect “the choices and priorities” of communities (Morellato, 2008, p. 74). According to the UNHRC (2014), the Government of Canada acknowledges that it “lacks a consistent consultation protocol or policy to provide guidance to provinces and companies concerning the level of consultation and forms of accommodation required by the constitutional duty to consult” (UNHRC, 2014, pp. 21–22). Federal officials and leaders consistently fail to consult with First Nations on decisions that “very seriously impact not only fundamental constitutions rights but, [sic] also, the very health and well-being of hundreds of thousands of women, men and children living in Canada” (Morellato, 2008, p. 1).

A recent example of the government's failure to adequately consult with First Nations is Bill C-33, the First Nations Control of First Nations Education Act (outlined in Chapter 4). First Nations leadership asked the Federal Government to work with them in partnership to co-write a new First Nations education bill. However, the government chose to go it alone and tabled Bill C-33 in the House of Commons in February 2014, with little, to no, consultation with First Nations, and no regard for regional or local diversity (APTN, 2014a; First Nations Education Steering Committee [FNESC], 2014; Rae, 2013; Taber, 2013). This government-designed bill increased government oversight of First Nations schools and imposed higher education standards without ensuring provision of adequate funds to achieve these standards (FNESC, 2014; Rae, 2014). Moreover, First Nations schools would be obligated to teach English or French, and may, so long as there are adequate funds, teach Indigenous languages (Drummond & Rosenbluth, 2013).

To some First Nations leaders, this sounded like a set up for failure (Rae, 2014; Taber, 2013). While First Nations agree that having high standards of education is important, they reasonably argue that these standards must be enabled by the provision of adequate and sustained resources, including adequate supports for cultural and linguistic education (Rae, 2014; Taber, 2013). Then AFN National Chief Shawn Atleo, and a few Chiefs across Canada, supported the deal, but the majority of First Nations rejected it, because the federal government had failed to engage in a meaningful, respectful and honourable process with First Nations (APTN, 2014a). Bill C-33 has not been passed, and the funds to address inequalities in First Nations education have not yet been provided. When challenged about the inequalities in First Nations education, the office of the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) pointed the finger at First Nations, saying they should have accepted Bill C-33, and that it was the AFN, not the federal government, that "did not honour its agreement" (APTN, 2014a). This pattern of government perpetuation of inequality by proposing solutions that are completely unworkable, and then blaming First Nations for rejecting them, is longstanding and damaging. In this case, the government's paternalism and failure to meaningfully consult with First Nations undermines the potential education has to eradicate poverty for First Nations children.

Additional examples of government-designed and imposed solutions that claim to address First Nations poverty include the *Federal Framework for Aboriginal Economic Development (FFAED)* and *Renewing the comprehensive land claims policy (CLCP)*. The Government of Canada (2009) claims that the *FFAED* will "[build] on a number of recent federal actions to improve the participation of First Nations, Inuit and Métis people in the Canadian economy," promising to invest \$200 million through Canada's Economic Action Plan "to unlock the full economic potential of Aboriginal Canadians, their communities, and their businesses" (p. 1). This echoes Hayter Reed's 1889 desire to make the "Indian' ... a source of profit to the country" through assimilation with the settler population (Reed as cited in TRC, 2012, p. 12). When launching the plan, Chuck Strahl, then Minister of Indian Affairs and Northern Development Canada, said the *FFAED* would pave "[t]he road forward out of dependency" (Strahl as cited in Government of Canada, 2009, p. 7). In addition, Strahl claimed the plan would enable development of "innovative solutions, instead of pouring money into futile programs that don't produce results" (as cited in Government of Canada, 2009, p. 7). This rhetoric follows the same old pattern of attempting to justify a government-imposed solution while insinuating that First Nations are to blame for past failures. It also begs the question: what "results" does Strahl hope to "produce" this time?

One needs to look no further than Strahl's own words to answer this question. The

FFAED and the *CLCP* sets the groundwork necessary to enable the federal government and corporations to gain further access to First Nations lands and resources. This is clear in Strahl's claim that the *FFAED* is designed to "address barriers in the *Indian Act* and replace outdated regulations that impede economic development and investment, particularly on reserves" (as cited in Government of Canada, 2009, p. 8). Under the transparent subtitle "Access to Lands and Resources," the Government of Canada (2009) states that the *FFAED* will accelerate "[t]he resolution of land claims" and "[g]overnment processes" in order to adapt them "to the speed of business" (p. 8). The slate of legislation introduced under the *CLCP*, dubbed "Canada's termination plan" by policy analyst Russell Diabo (2013), requires First Nations to sign agreements accepting the government's "core mandates" or have their funding cut. These mandates include modification or extinguishment of Aboriginal title; acceptance of a funding formula linked to own-source revenue; and conversion into a municipality, which would convert reserves into fee simple lands (Diabo, 2013).

Policies that promote economic development and initiatives that promise to be beneficial for First Nations, such as the ability for individuals to own private property on reserve land, may appear beneficial within a mainstream capitalist framework. However, as Diabo (2013) and Palmater (2011) argue, they are designed to eliminate reserves, impose provincial property laws, and gradually eliminate the number of people registered as having Indian status under the *Indian Act*. Not only is property ownership contrary to traditional First Nations laws, where lands were always collectively owned for collective benefit, critics wonder how private property ownership would actually reduce poverty. Only people with sufficient financial means would be positioned to gain equity through property ownership. Furthermore, the ability to own private property does not address housing shortages or lack of services related to housing, like access to clean water (Diabo, 2013; Sayers, 2013). In addition, those who could afford to buy property would be free to sell to non-band members, contributing to the elimination of reserves and collective use of this land by First Nations.

Moreover, questions of "free choice" to sell the land require consideration. Is a person truly free to make a choice when the government has constructed deep poverty on reserves, and then offers private property ownership as the only pathway out of the poverty? The government frames policies under the "comprehensive land claims" rubric as a pathway for First Nations to move "out of dependency" and prosper, using the term "modern treaties" and suggesting these arrangements will benefit "all Canadians" (AANDC, 2015a). While some First Nations are signing on (Land Claims Agreements Coalition, n.d.), many others decry the paternalistic "take it or leave it" approach taken by the government at these so-called negotiation tables (Diabo, 2012). They argue that the resulting agreements effectively off-load federal responsibilities onto First Nations and the provinces (Diabo, 2013). In addition, as a legal review of the *CLCP* for the Union of B.C. Indian Chiefs argues, the policy "imposes a unilateral approach which is inconsistent with Canada's fiduciary relationship to Indigenous peoples and its obligations to act in good faith in negotiations concerning Aboriginal title and rights" (McIvor, 2014, p. 1).

SECTION II

Closing the funding gap

As stressed throughout this review, First Nations children face significant challenges. Half of First Nations children in Canada live in poverty (Macdonald & Wilson, 2013a, p. 6), and they are also 6 to 8 times more likely to be removed from their families by child welfare agencies than non-Aboriginal children (OAG, 2008). Contrary to prevailing stereotypes, First Nations children receive less public funding than other children. The most recent report on Aboriginal child poverty points shows that First Nations children living on reserves fare much worse than those living off reserve, largely because of the federal government's underfunding of education, health care and social services on reserve (Macdonald & Wilson, 2013a). The funding for these services has increased by only 2% per year since 1996, and remains "unadjusted for population growth or need" (Macdonald & Wilson, 2013a, p. 6), and per capita spending on First Nations equals approximately half that of what other Canadians receive: \$7000-\$8000 compared to \$15,000-\$16,000, making closing of the funding gap "a key strategy for reducing Aboriginal poverty" (NCCAH, 2009c, p. 2).

Macdonald and Wilson (2013a) argue that simply removing the 2% per year cap on funding "could reduce the alarming rate of status First Nations households living in poverty" (p. 7). Increasing spending by \$580 million per year (11% of AANDC's budget for the comparable year) would "lift status First Nations children to the poverty line" (Macdonald & Wilson, 2013a, p. 7). As Macdonald and Wilson (2013a) argue, the cost of continuing to underfund and neglect these children is much higher, "both to Canada's economy and to the children" (p. 7). In 1996, the Royal Commission on Aboriginal Peoples [RCAP] estimated that "the cost of doing nothing" was \$7.5 billion annually; this figure represents "lost productivity and increased remedial costs," and would be much higher today (Macdonald & Wilson, 2013a, p. 7).

As described in Chapter 4, researchers and First Nations child advocates argue that the social costs of underfunding for First Nations children and youth are enormous. And they assert that equitable funding across all areas, including child welfare, education, health care and housing, would go a long way towards assisting communities in supporting and achieving child well-being. Palmater (2011) argues that "equitable funding and First Nation jurisdiction over key areas like health, education, justice, and child welfare" will lead to higher employment rates, lower suicide rates, and improvements in education rates (p. 123). And Arsenault and Sharpe (2010) assert that "improved Aboriginal social and economic well-being" will have a positive "cumulative effect on government balance sheets" in the coming years (p. v).

While government-designed funding plans always claim to be increasing funding and improving efficiency (AANDC, 2012a, 2013a, 2014a), critics continuously point out the massive funding shortfalls (AFN, 2014a, 2014b; OAG, 2011; Caring Society, 2015b; Rae, 2014). Critics also draw attention to how the government dictates funding terms in ways that push First Nations towards integration into existing federal and provincial systems rather than self-determined models (AFN, 2014a; Caring Society, 2014; New Agenda Working Group and the Chiefs of Ontario Education Coordinating Unit, 2011; FNEC, 2009). These inequalities continue, despite the Government of Canada's social program principles, which call for the funding of First Nations

services at levels comparable to what other Canadians receive. The lack of action to address inequalities in the face of mounting credible evidence of shortfalls raises questions about whether other government motives are at work. For example, Noel and Larocque (2009) argue that the government's (under)funding of social services and infrastructure on reserves was originally designed to provide relief for "the most destitute" while assimilation efforts increased, and their agenda has not changed (p. 14). They further argue that the government's overall intention continues to be the gradual assimilation of First Nations "into the majority" (Noel & Larocque, 2009, p. 14).

Addressing underfunding and the resulting inequities require the development of special targeted measures, which must be effectively implemented and evaluated. Given the assimilative agenda woven into government funding designs, interventions must guard against assimilative efforts as they work to alleviate food and water insecurity, housing insecurity, overcrowded living conditions and unsafe housing. In addition, equal access to required services grounded in First Nations cultural values and practices are required. Once these areas are addressed, neglect resulting from structural inequities can no longer be used to rationalize the removal of First Nations children by the child welfare system.

A legal intervention: The Human Rights Tribunal on First Nations child welfare

Inequities in First Nations child welfare provide a good case study of the massive funding shortfalls and their effects. There is significant evidence, much of it commissioned by the federal government itself, that disparities and service gaps caused by inequitable and inadequate federal funding, and jurisdictional disputes, render First Nations children more vulnerable to interventions by the child welfare system, and thus more vulnerable to other risks (Blackstock, Prakash, Loxley & Wien, 2005; Loxley, De Riviere, Prakash, 2005; McDonald & Ladd, 2000). First Nations child welfare advocates have been arguing for years that adequate and flexible government funding of First Nations child welfare will help ameliorate some of the worst effects of First Nations poverty (Blackstock, Clarke et al., 2004; Blackstock, Prakash, Loxley & Wien, 2005; Loxley et al., 2005; McDonald & Ladd, 2000). One of the main concerns is the continued removal of children from their families in increasingly large numbers, with neglect tied to poverty, poor housing and substance misuse as a predominant driver of removal (Sinha, Trocmé, Fallon, MacLaurin, 2012, p. 829). According to Blackstock (2011a), "[c]ulturally-based and equitable programs targeted to poverty, poor housing, and substance misuse are needed to deal with this and other problems experienced by First Nations children and their families" (p. 187).

The inequities in First Nations child welfare were costed out in two joint studies undertaken by the AFN and the Government of Canada in 2000 (McDonald & Ladd, 2000) and 2005 (Loxley et al., 2005). The *Joint National Policy Review [NPR]* in 2000 pointed to funding shortfalls of 22% compared to child welfare off reserve, despite the higher needs of First Nations children, and proposed 17 reforms. The Government of Canada took little action to implement the recommendations, and instead funded a second, more detailed study, called the *Wen:de* reports (Blackstock et al., 2005; Loxley et al., 2005). These reports consisted of a detailed interdisciplinary research project to document the needs of First Nations children and families and build an economically tested funding formula in response. Researchers found there was an approximately 30 percent shortfall in the budget for prevention and agency operations. The

Government of Canada lauded the solution but failed to implement it, even though the government was running a \$22 billion surplus budget at the time (Blackstock, 2011a). The findings of these two reports were confirmed by the OAG (2008, 2011), and by the Government of Canada's own expert review (KPMG, 2010), confirming that perpetual inequality for First Nations children cannot be explained by the government's lack of knowledge, solutions or resources.

Given the Government of Canada's inaction on the recommendations of the *NPR* and *Wen:de* reports, and the concordant harms to children, the Caring Society and the AFN filed a human rights complaint against Canada with the Canadian Human Rights Commission in 2007. The complaint alleges that the AANDC policies and funding regimes are discriminatory contrary to the *Canadian Human Rights Act* (for more details, see Chapter 4, "The Canadian Human Rights Tribunal" and listed resources). The federal government fought for more than six years to get the case dismissed on legal technicalities before the case finally went to trial before the Canadian Human Rights Tribunal in 2013. The tribunal has the legal authority to make a finding of discrimination and to order the federal government to remedy the discrimination. Given the inequities in multiple program areas on reserves, the child welfare case is widely considered one of the most important legal precedents on First Nations rights in Canadian history. The final arguments occurred in October 2014, and the Canadian Human Rights Tribunal has taken its decision under reserve. A ruling is expected before the end of 2015.

Educating the public: The role of social movements

The First Nations child welfare tribunal is a legal solution to address inequality, but many First Nations believe that the most sustainable approach lies in changing the hearts and minds of Canadians, so they no longer tolerate government-based discrimination against children. Social movements have an enormous role to play in de-normalizing First Nations poverty and mobilizing First Nations and non-Aboriginal peoples to emphatically call on governments to end the discriminatory legislation, policies and practices that create and sustain the impoverishment regime.

An example of one such campaign, which has seen great success, is the public education campaign *I am a witness*. Run by the Caring Society and nested within the Canadian Human Rights Tribunal on First Nations child welfare, *I am a witness* raises awareness about the inequities for First Nations children, mobilizing public attention on the case and its outcomes (Caring Society, 2015b). The online campaign publicly posts all reports and legal submissions and rulings relevant to the case, and then invites individuals and organizations to sign up to be a "witness." Witnessing the case does not involve taking a side; rather, witnesses commit to following the case and making up their own minds as to whether the Canadian government is treating this generation of First Nations children fairly (Caring Society, 2015b). The *I am a witness* campaign was augmented by live stream broadcast coverage of the hearings by the Aboriginal People's Television Network (APTN), allowing Aboriginal peoples and other Canadians to watch the hearings first hand. The National Film Board also filmed the hearing and is currently preparing a documentary for public viewing.

The campaign has resulted in increased media coverage of the case and increased public attendance at the hearings. It has also increased public action to address the inequality. There are currently over 14,000 witnesses registered for the campaign, making it the most formally watched

children’s rights court case in Canadian history (Blackstock, 2011a). This novel approach of nesting a legal equity challenge for First Nations children within a public education and social movement exemplifies the new approaches First Nations are using to de-normalize First Nations poverty and mobilize the public. Organizers are hopeful these efforts will help put an end to the long-standing legislation, policies and practices that discriminate against and impoverish First Nations.

In addition to the *I am a witness* campaign, the Caring Society runs two other successful public education campaigns: *Shannen’s Dream*, which raises awareness about inequities in education between First Nations and non-Aboriginal students; and *Jordan’s Principle*, which works to ensure equitable access to health care and other essential services for First Nations children (Caring Society, 2015c, 2015d). A study on the effectiveness of the three Caring Society campaigns found that participants experienced the campaigns as “highly engaging and educational” (Alaca, Anglin & Thomas, 2015, p. 23). The study also found that participants learned “about the ongoing inequities in policy for First Nation children,” that they were motivated to become active in policy advocacy and gained a sense of “civic responsibility towards improving Canada” (Alaca, Anglin & Thomas, 2015, p. 23).

Differential responses in child welfare reduce poverty-related apprehensions

The federal government’s funding arrangement for First Nations child welfare means that they provide “almost unlimited” funding for placing children in outside foster care, but provide inadequate funding for “least disruptive measures” (AFN, 2006, pp. 2–3). Least disruptive measures are prevention supports that assist families in reducing risks for children, often by alleviating poverty. Risk assessment tools and processes used by child welfare agencies often “codify structural risks as family deficits” (Martell, 2013, p. 1), leading to child removal for neglect, when poverty alleviation would enable many children under investigation by child welfare to stay safely in their homes (see Chapter 4, “Poverty major cause of overrepresentation in child welfare system”). It is crucial for child welfare workers to differentiate between structural risks and family risks, and respond effectively to both (Blackstock et al., 2006). However, the individualization of poverty, and misinterpretation of poverty as neglect, means that child welfare organizations largely focus service intervention resources on addressing individual parenting skills instead of addressing the structural risk factors related to poverty (Duva and Metzger, 2010).

Alberta’s Child and Youth Advocate argues that, “[w]hile removal from the home may address the immediate needs of the young person, this measure is unlikely to enable or support a long-term solution to the issue of neglect for young people or their families” (Office of the Child and Youth Advocate Alberta [OCYAA], 2012, p. 45). Creating long-term solutions requires addressing all factors leading to neglect (OCYAA, 2012). According to the AFN (2006), investments in “least disruptive measures” to reduce child neglect “would pay for themselves in 28 years through reduction in the number of children in care, less demand for services, reduced health care costs and involvement in the justice system” (p. 3). They recommend a “needs-based funding approach” to reduce the number of children being placed in care (AFN, 2006, p. 6).

Duva and Metzger’s (2010) analysis of promising policy and practice in the U.S. indicates that approaches that ameliorate the effects of poverty on child neglect and apprehensions have been successful. In particular, financial assistance programs for basic necessities like food, rent,

home repairs or health care reduce poverty-related foster care placements. And there is some indication that these programs could reduce costs for child welfare services. Malcolm (2012) reports similar findings, writing that evaluations of differential response approaches in child welfare in the U.S. indicate that interventions directly addressing a family's individual and immediate needs "are strongly associated with declines in child maltreatment outcomes" (p. 3732). Given that First Nations children are most often apprehended under the neglect portfolio for poverty-related risk factors, financial assistance for necessities like food, rent and home repairs could go a long way towards helping families keep their children safely at home.

Addressing a family's housing needs can prevent poverty-related apprehensions by child welfare and increase chances of reunification when a child has been removed (Torrico, 2009). In addition to child welfare workers helping families plan ahead and access financial assistance for housing, Torrico (2009) recommends that they also provide clients with information about housing resources and collaborate with other service providers to help families gain affordable and sustainable housing. The National Family Unification Program (FUP) in the U.S. was established in 1990 "to prevent family separation due to homelessness *and* to prevent homelessness among aging-out youth" (National Centre for Housing and Child Welfare, n.d.). FUP provides housing vouchers to local public housing agencies, which in turn administer the vouchers to families and youth, based on certification of eligibility by the local child welfare agency (McDonald, 2009). In 2009, they provided \$20 million in housing vouchers to families or youth involved in the child welfare system (Martell, 2013). According to a 1998 evaluation of the program, 88% of families experiencing homelessness that had received a voucher were still housed one year later (McDonald, 2009). And of those who were still housed, "90 percent of the families at risk of having a child placed in an out-of-home placement remained intact and 94 percent of families with children in foster care were reunited" (McDonald, 2009, p. 4).⁵³ The program's success demonstrates that ensuring families are adequately housed increases chances that children will remain with families or be reunited with families if already in foster care. It signifies a promising practice that, if adapted for First Nations, could alleviate poverty and ensure that children are not removed due to inadequate housing.

Another promising intervention is a short-term housing initiative specific to Aboriginal mothers and children in Canada: Aboriginal Women and Children's Apartments (AWCA) run by Native Child and Family Services of Toronto (NCFST). Working in partnership with Native Women's Transitional House, AWCA provides "safe, stable and culture-based living environment" that supports families as they "move toward permanent housing and prepare for routine tenancy obligations" (NCFST, 2011). The program provides self-contained apartments for mothers aged 16-24 with children up to 16 years old. Rent is adjusted based on family size and Ontario income support amounts. If accepted to the program, women and their children can occupy the units for up to 18 months (NCFST, 2011). There is no published evaluation of this program.

Additional interventions for reducing structural risk related to poverty

A review of the literature on reducing family poverty suggests that, "centering structural risks in

⁵³ The 1998 evaluation recommended improvements in partnership agreements to prevent delays in the release of housing vouchers, and better methods to identify and advocate on behalf of families who were difficult to identify because they were in transition housing or literally homeless (McDonald, 2009, p. 1).

child welfare practice and services can have positive social and economic benefits” (Martell, 2013, p. 2). Additional recommended reforms include supports for equitable health care and coordinated service delivery (Bennett & Blackstock, 2007; Ontario, 2014; UNHRC, 2014). As discussed in Chapter 4 (Section II), Jordan’s Principle is designed to ensure that First Nations children have equitable access to all public services, including health care, by compelling the government of first contact to pay for needed services without delay (Caring Society, 2015c; Sinha & Blumenthal, 2014). Inequities in access to health care for First Nations children on reserves puts them at significant risk, and makes them more vulnerable to child welfare involvement. Other recommendations for interventions to alleviate poverty include food subsidies and food-sharing programs (Skinner, Hanning, Desjardins & Tsuji, 2013); legislative and policy reforms, for example a review of the Matrimonial Property Law (Sethi, 2007); increasing the National Child Benefit Supplement (Macdonald & Wilson, 2013a); and increasing government funding for on-reserve housing (Blackstock, Clarke et al., 2004).

SECTION III

First Nations economic development and its discontents

Economic self-reliance and moving away from dependency on government funding is a goal articulated in many of the vision statements of First Nations economic development corporations. This goal is also prevalent in policy statements by the Government of Canada, and in visions of a holistic reconnection of people to the land by those calling for a land-based cultural and economic resurgence. Many First Nations have taken initiatives to become more self-reliant by engaging in economic development activities, and a number of communities are benefiting from their successes. Others caution that economic development is not necessarily a panacea for community and child well-being, and point to colonial history and capitalism as the processes that created the crisis of First Nations poverty, and the degradation of the environment, in the first place.

This section outlines some of the models of economic development currently in practice in a number of First Nations communities, the values that inform how they do business, and how some communities have benefited. Next is a summary of some of the main critiques of the economic development model in light of the colonial and capitalist processes that created the conditions in which First Nations were impoverished in the first place. This section ends with a short discussion of visions for conservation- and land-based economies grounded in First Nations ontology and (re)connection with the land.

Entrepreneurship and successful business models

The Centre for Indigenous Environmental Resources (CIER, 2006) notes that Aboriginal entrepreneurship in Canada is growing quickly, increasing the number of self-employed Aboriginal people at “a rate nine times higher than for self-employed Canadians overall” (between 1996 and 2005) (p. 2). In their 2011 study, the Canadian Council for Aboriginal Business (2011) reports that the 2006 Census showed an increase of 38 percent in self-employed Aboriginal

people between 2001 and 2006, and 45% of these are First Nations. Micro lending and micro credit programs designed specifically for Aboriginal people to start small businesses, create self-employment opportunities or fund skill training are becoming more plentiful (Launch! Aboriginal, n.d.; Miziwe Biik, 2015). These programs are touted as a possible “game changer for many Aboriginal people living off-reserve (Lavallée as cited in Bodnoff, 2013), with some designed specifically to create opportunities for Aboriginal women (Nishnawbe Aski Nation’s Aboriginal Women’s Microloan Program, 2015; Paro Centre for Women’s Enterprise, n.d.). Though relatively new in Canada, micro credit programs have their critics, with some drawing attention to possible and existing negative effects (Hulme, 2000), including social costs in places where micro finance programs have been in place for years (socialfinance.ca, 2013).

Many First Nations participating in the mainstream market economy through entrepreneurship, labour market development and other economic development initiatives have been hailed as success stories. For example, St. Mary’s First Nation in Fredericton, New Brunswick owns and operates St. Mary’s Retail, a group of retail businesses owned and operated by the band. They employ over 300 people, prioritizing employment for their own band members and helping to keep money within the community (AANDC, 2015b). Millbrook First Nation, adjacent to Truro, Nova Scotia, has extensive commercial property holdings, including apartment, office, retail and light industrial buildings, and is involved in the fishing industry and sustainable food production. They also own and operate a museum dedicated to Mi’kmaw culture that is open year round, provide jobs for band members and use revenue from property holdings to help fund employment training for band members. As Band Administrator Alex Cope says, “I’m most proud that the band’s success is everybody’s success. Every essential service that is provided in Millbrook has been supplemented by the economic development success of the Millbrook band. We look after our people in Millbrook” (AANDC, 2015c). Their website states that, as their economic development projects grow and expand, “each and every band member [shares] the benefits” (Millbrook First Nation, 2015). In addition, it notes that “Millbrook currently invests [\$]1.4 million into the National Child Benefit Reinvestment and \$1.2 million a year into Trust Funds for our band members under the age of 19” (Millbrook First Nation, 2015).

Swan Lake First Nation in southern Manitoba cleared a deficit of \$2.8 million, reportedly by separating politics (elected government) from business management (AANDC, 2013e). They created a position for a director of operations, who carries out the decisions made by chief and council. According to the director of operations in 2013, the chief and council “know what the priorities are and the priorities are with the people” (Gould as cited in AANDC, 2013e). The band has created economic development ventures, including establishing video lottery terminal (VLT) lounges, a gas bar and a buffalo ranch, and leasing land. These ventures helped Swan Lake generate revenue to build new housing and restore existing housing; build a wellness centre, a splash park and a playground; buy school buses; improve water and waste water infrastructure; and develop new businesses (AANDC, 2013e). The Mi’kmaq of Membertou in Nova Scotia and the Osoyoos Band in the Okanagan Valley, B.C., have also implemented successful economic development initiatives. Osoyoos Band Chief Clarence Louie states that, “the single most important key to First Nations self-reliance is economic development” (Osoyoos Indian Band Development Corporation, n.d.).

Some First Nations focus their economic development efforts in the natural resources and green energy sectors. A joint AFN-AANDC Working Group on Natural Resource Development argues that, within this sector, “the concept of prosperity” should “[extend] far beyond receiving

payment for work done, products procured, or royalties shared” (Working Group on Natural Resource Development, 2015, p. 4). Instead, prosperity in a First Nations context means “taking a broader and longer view, where decisions, efforts, and investments made today will build capacity and infrastructure that will benefit generations to come and drive even greater prosperity in the future” (Working Group on Natural Resource Development, 2015, p. 4).

Mixed economies are another focus of economic development. As CIER (2006) reports, subsistence activities like hunting, fishing and gathering are practiced in many Aboriginal communities alongside “income-generative activities such as small retail operations, forestry, oil and gas refinery, and commercial airline operations” (CIER, 2006, p. 2). Solutions developed in Indigenous contexts in other countries could prove useful if adopted by First Nations already engaged in mixed economy activities. For example, Altman (2007) champions “the hybrid economy model,” which emerged in a case study with Kuninjku-speaking people in Australia. This model is applicable to those who retain livelihood approaches of hunting and gathering and have demonstrated “strong ongoing connections to their traditional lands” (Altman, 2007, p. 4). The hybrid economy model highlights the intersections between the public (state), the non-market (or customary) and the private (or market) sectors. As Altman (2007) indicates, the state plays a role in supporting the customary and market activities, and the model provides flexibility and minimizes risk for communities. The model can vary in scale between the three different sectors, and from one local context to another; and people are not reliant on only one sector for their livelihood (Altman, 2007, p. 4).

Whether First Nations economic development is grounded in retail or land-based development, some communities are benefiting from the move to more economic self-reliance. Increased economic self-reliance seems to be on everyone’s agenda, at least as a future ideal. Alongside economic self-reliance, many First Nations economic development corporations articulate other similar goals and values. These include promoting and preserving traditional culture, identity and values; maintaining strong ties with the land; incorporating traditional principles of conservation and sustainability; ensuring the health of band members; investing profits in social programs and infrastructure; creating employment and other opportunities for First Nation people; and ensuring that children and youth have a secure future.

Further, many First Nations value collective ownership and distribution of benefits to the whole community. However, the Government of Canada’s proposal to impose private ownership and extinguish Aboriginal Title (Union of BC Indian Chiefs, n.d.) works against these goals and values. As Alfred (2009) points out, neither private ownership, nor extinguishment of Aboriginal title, meet the RCAP criteria to create economic self-reliance. Economic self-reliance, RCAP stated, will only take place through “a large scale ‘reallocation of lands, determined by rational criteria,’ that would result in a significant expansion of lands ‘wholly owned and controlled’ by First Nations” (RCAP as cited in Alfred, 2009, p. 54). According to Alfred (2009), a large scale reallocation of lands would enable a regeneration of land-based cultural practices, and the individual and collective well-being that results from connection with land, culture and community.

Proceeding with caution: Moving forward with an eye on the past

Although the idea of economic success through capitalist development is seductive for many,

Kuokkanen (2011) sounds a note of caution about initiatives that fail to acknowledge the historical colonial processes that created the current situation. Many First Nations have developed successful economic initiatives that create jobs and wealth for their communities while maintaining an emphasis on community well-being, cultural values, sustainability and conservation. But Kuokkanen (2011) is struck by the “absence of any consideration of the historical processes that led to the disintegration of self-sufficient local economies with high levels of political autonomy” (p. 283). She asserts that along with the Harvard project, some of the most notable successes in Indigenous economic development sustain a “narrow focus on fairly standard economic development (that is, entrepreneurship and creation of businesses)” (Kuokkanen, 2011, p. 284). They also buy into the “precept of economic fundamentalism,” which is the idea that “the markets solve all problems in society” (Kuokkanen, 2011, p. 284). However, as Macdonald and Wilson (2013a) argue, “[e]nding child poverty requires a commitment to defend the rights of the poorest and most vulnerable children” (p. 11). The most vulnerable are not automatically taken care of by success in the market economy. Instead, for those who pursue economic development and see it as “the single most important key to First Nations self-reliance” (Louie as cited in Osoyoos Indian Band Development Corporation, n.d.), extreme care must be taken to ensure that the approach to economic development is inclusive. Those who hold the power over that development must work with everyone in the community to ensure “a more equitable approach to how the benefits of that development are shared” (Macdonald & Wilson, 2013a, p. 11), with a strong focus on the promotion of child well-being.

Still, many Indigenous thinkers and academics see capitalism and its accompanying relations of power—patriarchy, white supremacy and the state—as a system of exploitation and domination so destructive of Indigenous life and consciousness that it must be rejected in favour of transition to a land-based Indigenous resurgence (Alfred, 2009; Coulthard, 2013, 2014b; Simpson, 2011). For Coulthard (2014b), economic development strategies like “resource revenue sharing, more comprehensive impact benefit agreements, and affirmative action employment strategies” are untenable (p. 171). Even if they are undertaken as a means of ameliorating poverty and economic dependency, and of “subsidizing the revitalization of certain cultural traditions and practices,” these practices are dependent on “a predatory economy” that continues to destroy the land and environment that would serve as the foundation for economic resurgence (Coulthard, 2014b, p. 171). Coulthard (2013) argues that without a massive transformation, “our nations will remain parasitic on capitalism, and thus on the perpetual exploitation of our lands and labour” (n.p.). Alfred (2009) agrees, arguing that “Indigenous people need to challenge the continuing conquest of the land and our people, but doing so through the futile delusions of money or institutional power” will not bring about the transformative change necessary, but will instead only ensure further entrenchment of First Nations communities in capitalist-consumerism (p. 48).

Those who reject the capitalism-centered approach propose strategies that may come closer to meeting the RCAP vision. These include conservation-based economies that “[protect] the important ecosystems and cultural features” on traditional territories, while creating “local economic prosperity” grounded in “First Nations values with future generations in mind” (Turning Point Initiative Coastal First Nations, n.d., p. 1). Others who advocate a cultural resurgence approach, like Leanne Simpson, talk about a massive transformation of the colonial economy. In an interview with Naomi Klein (2013), Simpson explains that this approach must be guided by a “resurgence of indigenous political thought that is very, very much land-based and

very, very much tied to that intimate and close relationship to the land.” For Simpson, this type of “massive transformation” would lead to “a revitalization of sustainable local indigenous economies that benefit local people” (as cited in Klein, 2013). Acknowledging the complexity of the process and necessity for flexibility and adaptation, Coulthard (2013) suggests a strategy of “reinvigorating a mix of subsistence-based activities with more contemporary economic ventures.” Alfred (2009) argues that both traditional teachings and academic research indicate a clear pathway: “return to the land and re-learn how to live as Indigenous people according to the original teachings that sustained people and the earth for thousands of years” (p. 57).

Many communities, both urban and rural, have started down this path, creating land- and culture-based reconnection programs considered essential to a holistic approach to self-sufficiency. As in the past, many First Nations continue to vigorously resist assimilation and create self-determined, multifaceted strategies for maintaining social, cultural and economic well-being. These efforts include various degrees of participation in the settler-colonial capitalist economy. The solutions to First Nations child poverty will be as diverse as the First Nations cultures and communities that design them, and will depend very much on the specific situation of each individual and community. Solutions will also vary based on whether communities have access to traditional land and a home community; whether they are close to an urban centre or have access to a resource-rich land base; and how they negotiate current modes of capitalism in relation to various cultural traditions and practices.

If one thing is clear, it is that ending First Nations child poverty is the responsibility of all Canadians, and “requires a fundamental shift in public understanding and engagement” (Keeping the promise, 2015). Although the challenge is often considered too complicated, or people claim that it is too hard and they do not know where to start, First Nations, in alliance with others, have been designing viable solutions for years. At this point, it is undeniable that ending poverty for First Nations children is not a question of unknown solutions or limited resources. Rather, it is a question of political will.

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