

Reproductive Narratives: Settler-Colonialism and Neoliberalism in Alberta's Child Welfare System

by

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Abstract

This thesis examines the contemporary crisis of Indigenous children in child welfare services in Canada, taking as its case study the Province of Alberta. I take a historical approach to this analysis, and consider the contemporary institutions that govern and manage Indigenous bodies through welfare services and their continuity in relation to historical iterations of child apprehension and intervention. For the purposes of this thesis, one historical iteration is highlighted in-depth: the residential school system. This comparison is made by presenting a document analysis of both the residential school system, and the child welfare system and considers the ways the systems are interconnected. This thesis notes that the two are connected not only institutionally, but also through the governance of bodies, families and precarity through rendering Indigenous children's lives 'ungrievable.' I further argue that the influence of neoliberal political rationalities has created important distinctions between the two institutions. Rather than arguing that neoliberalism is entirely distinct and separate from settler-colonialism, however, my thesis treats them as intersecting systems of oppression that create the unique circumstances we see today in Alberta's child welfare system. In addition to considering these continuities, this thesis also highlights the activism and agency of Indigenous women, highlighting the role of Indigenous mothering as resurgence and sovereignty.

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Introduction

With the completion of the Truth and Reconciliation Commission, and the release of the Final Report of the Commission in 2015, Canada increasingly presents itself as reaching a turning point in its relationships with Indigenous peoples. Now, perhaps more than ever before, settler Canadians are learning and speaking out about the abuses of the residential school system. In reflecting on this thesis as a whole, I am moved to mention the increasingly popular ‘Orange Shirt Day,’ which takes place on September 30th of every year. The commemorative event was initiated by Phyllis Jack Webstad, a Northern Secwepemc woman from Stswecem’c Xgat’tem First Nation. In 1973/74, she was sent to residential school wearing a brand-new orange shirt that she had picked out for the occasion. Upon reaching the Mission, all of her clothes were taken away, including her new orange shirt. Orange Shirt Day is therefore a day to honour the children who attended residential schools (Orange Shirt Day Society).

The slogan of the campaign is “Every Child Matters”. It appears on the website, on buttons, and on many of the shirts that are worn to commemorate the occasion. This event and its message are certainly important, and my intent in writing about this is not to challenge the need to honour children who attended residential schools. Rather, I am interested in the ways that many settlers will wear these shirts once a year to honour the Indigenous children of previous generations and to retroactively assert that “every child matters” even as Indigenous children are continuously subject to state-sanctioned violence in many forms. This includes funding discrimination for First Nations schools and welfare services (Blackstock 2016), but also ever-increasing child apprehensions (Henton 2014), the exploitation and abuse—and sometimes deaths—of Indigenous children in welfare custody (Turpel-Lafonde 2016; Children in Care Database), the increasing incarceration of Indigenous peoples—many of whom are likely parents

and/or caregivers—(Newell 2013, 202), the violent targeting of Indigenous women and the lack of protection they are afforded within the state (Razack 2016a, 293), the lack of potable water in *at least* 89 First Nations in Canada (Health Canada 2016), and the ongoing epidemic of poverty that impacts the lives of so many Indigenous mothers and children in Canada today (MacDonald and Wilson 2016). This is only a small sampling of the direct impacts that colonialism continues to have on Indigenous children. I believe it is therefore the responsibility of settlers, like myself, who wish to assert that every child matters to ensure that this does not become a historical and retroactive statement. If there is value in my research, I believe it is an act of refusal to once again be complacent in settler violence and to assert that the lives of Indigenous children *do* matter—not only historically, but also now in 2017 and beyond.

This thesis is therefore an exploration of the colonial continuities that exist between residential schools and ongoing welfare apprehensions in the 21st century. I must be clear in my writing that this is not a new idea, but rather one that has been circulated by Indigenous activists and scholars like Cindy Blackstock, Raven Sinclair, and Randi Cull for years. What is significant to my research, however, is the disciplinary perspective of Political Science, which allows for a very particular examination of policies and practices, as well as an added analysis of power distribution and the question of sovereignty in this inquiry. Building on work that has already been completed—both within the academy and outside of it—my thesis asks two questions: *What continuities exist between the contemporary child welfare system in Alberta, and the residential schools? And, how are Indigenous women reclaiming mothering practices in their communities?*

Given the centrality of family and, in particular, motherhood, I frame my research in terms of questions of the intersections between gender, race, family, kinship, and nationhood. This inquiry therefore fits within the area of study of what Laura Stoler (2006) has described as “*the intimacies of empire*.” This body of research has helped me to define my own work and to place it within a broader field of inquiry. This scholarship contributes to an understanding of settler-colonial violence beyond moments conventionally coded as violent—the abuses endured in residential schools, the purposeful spread of disease and starvation of Indigenous peoples as a means of “clearing the plains” (Daschuk 2013), or the armed conflicts of the ‘Indian Wars’ (Keenan 2016). Rather, the examination of intimacies of empire notes that other spaces—intimate relationships, families, marriages and more—were not only part of the broader politics of colonization, but also similarly violent. As Margaret Jacobs notes, “the politics of compassion was not an oppositional assault on empire, but a fundamental element of it” (2009, 26).

Ultimately, it is crucial to position myself in relation to my own research as a white, settler scholar. It is not my intention to use this work as an opportunity to speak on behalf of Indigenous peoples, or to claim to understand the experiences of Indigenous women as mothers. Rather, this research serves to interject an analysis of the systems of power embedded in Canada’s settler-colonialism, and expose the violence committed by these institutions. It is my hope that this research can serve as an act of solidarity with Indigenous women through ethically grounded research that centres the perspectives of Indigenous feminisms, while not claiming any ownership of these theoretical interventions.

Sections of Study

The first chapter of my thesis provides a comprehensive overview of the theoretical approaches I have used to organize and analyze information in this study. Theoretically, I draw

on Indigenous feminisms, settler-colonial studies and the intimacies of empire, and Judith Butler's theorizations on precarity and ungrievability. Together, these theoretical approaches have helped to inform my thinking on the issue and provide what I believe to be critical insights into how the settler state operationalizes child welfare as a system of governance and violence. My research is also informed by a methodology of refusal (Simpson 2009; Tuck and Yang 2014). This is both a theory and a practice within my research, that not only helps to critique settler sensationalization of violence, but serves as a constant reminder that my research, as part of the settler-colonial academy, can either reproduce these settler narratives, or challenge and critique them. As a result, my thesis points its gaze squarely on institutions, and refuses to discuss any of the individualized accounts of violence that I have read, either in my historical study of residential schools, or in the contemporary data regarding Indigenous children in welfare custody today. Finally, this chapter will also provide insight into the methodological considerations of this study, and include a discussion on how the inquiry has been completed.

The second chapter is a historical investigation, primarily focused on the residential school system. This chapter provides more in-depth analysis of particular policies and practices of the residential school system in order to understand how they operated. Significantly, while most discussions of residential schools are focused primarily on understanding the institutions as educational sites of assimilation, my inquiry is predominantly interested in unpacking the implications of these institutions as sites where kinship bonds were broken and where violence was—and is—done to relationships of family and care. This chapter also includes discussion of the *Indian Act*, and the forced sterilizations of Indigenous women. It is first of all important to understand the *Indian Act* as a site of governance and regulation of Indigenous peoples, including Indigenous identity and relationships. The *Indian Act* was also the piece of legislation

that most directly legitimized residential schools, as well as the site where Indigenous motherhood was legally regulated as a means of rupturing relationships. The forced sterilization of Indigenous women is another Canadian policy where Indigenous motherhood was not only regulated, but violently taken away from Indigenous women. While this chapter does include discussion on these two issues, it is important to note that the conversation is certainly not complete, and provides only some brief insights into the intersections between these policies.

The third chapter of my research is the case study of contemporary child welfare, looking at Canada generally, as well as a specific analysis of Alberta. In this chapter, I offer a brief history of Alberta's Child and Family Services from the time of Alberta's incorporation as a province to the present day. It is also in this chapter that I complete my document analysis and provide empirical information into the contemporary child welfare system. This chapter includes discussions on ongoing and increasing apprehensions, the violence of the welfare system, the gendered dimension of apprehensions and discourses of unfit mothering that continue to legitimize the scrutiny and surveillance of Indigenous mothers, as well as child apprehensions. Through the combination of the historical chapter and this chapter, I will carefully analyze the continuities between the residential school system and the contemporary child welfare system.

Finally, the fourth chapter of my thesis provides a discussion on motherhood as a political site of resurgence for Indigenous women. Through this chapter, I argue that in the same way that intimate relationships can become sites of violence and colonial regulation, they can also become powerful sites of decolonization because of how significant these relationships are to the continuation of settler-colonial power dynamics. My analysis considers Indigenous women's resurgence as a form of continuity, noting that Indigenous peoples have resisted child apprehensions throughout colonial history. Motherhood as resurgence can be framed in a

multitude of ways: I will specifically consider the political importance of motherhood for the nation-state (and for Indigenous nations), as well as Indigenous birthing and mothering practices as sites of decolonization. In order to facilitate this analysis, I will look at several examples of organizations and collectives that support the practical and political work of Indigenous mothering, including the Native Youth Sexual Health Network, the Council of Aboriginal Midwives, the Seventh Generation Midwives in Toronto, and the ekw'í7tl collective.

Ultimately, I believe that this thesis is itself political in the stories it tells, the way I have chosen to tell them, and the purposes these stories serve in the academy. Recognizing my positionality to this research, as a white settler woman, requires an acknowledgment that my research must navigate these questions incredibly carefully and with much nuance. As Tuck and Yang note, social science research—particularly that work which lacks critical self-reflection—is susceptible to reproducing the settler-colonial stories from which it has built itself (2014, 811). While my research can never be separated from power relations, I have attempted to create this thesis in a way that challenges, rather than contributes to, the growing influence of “damage-centred studies, rescue research, and pain tourism” (Ibid).

That being said, there are ways that my research is not absolved of its complicity in particular forms of violence, and it is worth noting the ways that this piece of research is situated in a field of inquiry that relies heavily on an archive of pain. Again, it is crucial to recall that the empirical information and data collection used in the documents I have analyzed are part of this archive. As Tuck and Yang note, it is through this archive that “a researcher can finger through the lives of people already encoded into objects” (2014, 815). My research is certainly not absolved of interrogating data that has done exactly that—not least of which the *Children in Care* database, which provides graphic information on the lives and deaths of children in welfare

custody. However, I hope that this research is able to disrupt the ways that the academy utilizes these pain archives. Instead of further treating vulnerable lives as objects of inquiry, my research points its critical gaze at the institutions that have forcibly created this vulnerability through its explicit targeting of violence. I have chosen not to present the lives of Indigenous peoples as pain stories for settler scholars to consume. Instead, I hope that my research can present the resurgence of Indigenous women as a reminder that, in spite of its institutions of power, settler-colonialism fails over and over again to achieve its objective in the face of Indigenous resistance.

In this thesis, I have also chosen to be explicit and careful in the language used. I believe that the language used in my academic work is just as political as the research itself. To this end, I will be selective in my terminology. When referring collectively to First Nations, Métis, and Inuit, I will use the term 'Indigenous' as a way of honouring relationships between Indigenous peoples and the land that Canada occupies. As much as possible, I will be precise in my language. When possible, I will use the name of the nation directly. Similarly, I use the terms First Nations, Métis, and Inuit when specific data is only available for a specific community, so as not to generalize between experiences. Furthermore, in this work I am actively making the decision to not use the language of 'children in care' when describing Indigenous children who have been apprehended by the state. This is a reflection of my belief that the welfare system in Canada was not built to 'care' for Indigenous children, but instead is an agent of violence towards them.

Chapter One: Theoretical Perspectives

This chapter of my thesis will outline the theoretical framework within which my research is located. In this work, I draw upon several diverse theoretical traditions, including Indigenous feminisms, settler-colonial studies, intimacies of empire, as well as Judith Butler's theories of precarity, vulnerability, and grievability. This chapter will help to bring various theoretical approaches into conversation with one another. Additionally, this chapter will provide a discussion of the methodology that I use in this study. Beyond simply providing the theoretical framework from which my research emerges, I also follow Sara Ahmed's understanding of citation as a feminist practice. My aim is therefore to "cite the many women who have contributed to the intellectual genealogy of feminism" (Ahmed 2015). To this end, I have attempted to include as many Indigenous feminists and Women of Colour feminists as possible, acknowledging not only that their contributions are necessary disruptions to mainstream white feminism, but also acknowledging the many ways that Indigenous and Women of Colour feminists have been foundational in the development of invaluable feminist philosophies and practices.

Indigenous Feminisms

Broadly speaking, my thesis will rely on Indigenous feminist theories to undertake its analysis. As Arvin et al. note, Indigenous feminisms add to existing fields like feminism and settler-colonial studies by highlighting the intersections of gender and settler-colonialism (2013, 9). Indigenous feminisms seek to articulate the connections that exist between settler-colonialism as a structure, and the heteropatriarchal contexts from which settler-colonialism has emerged (Ibid). Additionally, these theories help to understand the ways that gender is always entangled with other frames of analysis, including, but not limited to, sexuality, race, nationhood,

sovereignty, and Indigeneity (Ibid, 12). Indigenous feminisms also challenge the dominance of what Arvin et al. describe as “whitestream feminism,” which invisibilizes and is sometimes in direct conflict with the needs of Indigenous women and Women of Colour (Ibid, 10). Particularly in North America, ‘whitestream feminism’ is focused on issues of parity and civic equality as the goals of the movement (Ibid). For Indigenous feminisms, the goal of equality is not enough. Instead, Indigenous feminisms articulate the need for decolonization and sovereignty (Ibid). This is because, in the context of settler-colonialism and dispossession, the concerns of Indigenous women are non-separable from the issues faced by Indigenous peoples more broadly (Ibid).

The literature of Indigenous feminisms is diverse, and therefore I will be drawing on several specific areas of research, noting that this literature is part of a broad network of interconnected theories about settler-colonialism, gender, race, bodies, land, and more. Primarily, I will draw specifically on Indigenous feminist literature that addresses the issues of residential schooling, childcare, and mothering. Roslyn Ing, one of the Indigenous feminist scholars that my research draws on, highlights the connections between residential schooling and the disruption of relationships of care for many Indigenous families. She notes that the breaking-down of these relationships of love and affection was part of the colonial project (2006, 158). Other Indigenous feminist scholars write about the various ways that Indigenous mothering was the site of excessive state surveillance and intervention (Cull 2006, 143). Significant to my research is Randi Cull’s framing of this state surveillance of mothering as an ongoing phenomenon that lives on in the “criminal justice systems and in child protection agencies” (Ibid, 144). Cull articulates that this excessive surveillance is in fact situated within the state’s obsession with Indigenous mothers and their children and its desire to reproduce its own settler-colonial nation (Ibid). The settler-colonial state’s desire to assert its own political and social orders requires the annihilation

of Indigenous peoples, communities, and nations. She notes that “assimilation policies created a situation in which each birth of an Aboriginal child violated the state’s goal of dominating and... exterminating” Indigenous peoples. Because of these relationships, Indigenous mothers became “an enemy of the state,” continually reproducing Indigenous alterities that the state sought to eliminate (Ibid, 144).

Indigenous feminist theorists like Audra Simpson note that the reproductive capacities of women, and the distinctive roles that women held in many Indigenous communities were central to many settler-colonial policies (cited in Pasternak 2015, 319). It is this body of literature that I draw upon to reach an understanding of how maternalism, motherhood, children, families, and relationality are positioned within Indigenous feminisms as well as within a settler-colonial context. From her Anishinaabe perspective, Renée Elizabeth Mzinegiizho-Kwe Bédard speaks of the roles and responsibilities of motherhood. She notes that within “Anishinaabe beliefs of motherhood, all Anishinaabe women have responsibilities to raise-up and nurture the next generation” (2006, 66). In other words, the experience of motherhood is not singularly limited to those who are biological mothers, but is situated within a broader community network of relationships and responsibility. According to Bédard, within an Anishinaabe worldview, “mother, auntie, and grannie are fluid, interchangeable roles” that collectively make up the process of creating “a people, a nation, and a future” (Ibid).

By pushing back against colonial power that has sought to eliminate Indigenous peoples, communities, nations, and sovereignty, Indigenous women’s mothering is a deeply subversive act. Leanne Simpson writes that, not only is Indigenous mothering an act of rebelling “against colonialism” through the act of living and honouring traditions and cultures, but it is also fundamentally connected to practices of Indigenous nation-building (2006, 26-27). She notes that

mothering not only carries massive responsibilities to “prepare and equip the next generation,” but that it also carries the power to “inoculate... children against consumeristic throw-away culture, [and] the fear and self-doubt of colonialism” (Ibid, 28). For Simpson, the violence of colonialism begins with conception, and therefore the power to push back against this violence begins with conception and pregnancy as well.

I will also draw more generally on Indigenous feminist theories that articulate connections between settler-colonialism, gender, and land. Indigenous feminisms centre land as “knowing and knowledge,” rather than as property (Arvin et al. 2013, 21). In other words, Indigenous feminisms centre Indigenous relationships with land is part of the broader questions of relationality. For Native Hawaiian scholar Manulani Aluli Meyer, “land is [a] mother. This is not a metaphor” (2008, cited in Arvin et al. 2013, 21). Because land is so central to many Indigenous ways of knowing, and because land is part of a larger network of relationships, the dispossession of Indigenous peoples from their lands is also interconnected with the larger settler-colonial attempt to dismantle Indigenous sovereignty as it is situated within relationships.

Indigenous feminisms further reconsider the gender norms of the settler-colonial heteropatriarchy. This work seeks to identify specifically how it is that settler-colonialism works through heteropatriarchy in order to accomplish its goals (Arvin et al. 2013, 22; Aikau et al 2015; Kahaleole Smith 2009; Suzack 2015). Many Indigenous nations have understandings of gender identity that do not conform to the heteronormative conceptions within settler-colonialism. Some Indigenous feminists articulate that, within certain Indigenous cultures, an understanding of “gender reciprocity” was central to the governance and well-being of their nations (Arvin et al. 2013, 23). The second chapter will provide a number of examples where the work of settler-colonialism operated specifically through policies that target Indigenous women’s bodies in the

Canadian context, namely the forced sterilizations of Indigenous women and the legal erasure of Indigenous women through the *Indian Act*.

Central to the work of Indigenous feminisms are the concepts of futurity and decolonization (Ibid, 24). This notion of futurity is grounded in the understanding that, within settler-colonialism, Indigenous peoples are deemed to be without future (Smith 2010, 48). In other words, the reproduction of Indigenous futurities, through the births of Indigenous children and through the act of Indigenous mothering is an act of undoing “the reproductive future of white supremacy” (Ibid). The value of Indigenous feminisms, however, is not only that there is an understanding of these connections, but that Indigenous feminisms re-imagine this futurity as a possibility. As Arvin et al. note, “decolonization involves regeneration” that is transformative “of settler-colonial dispossession” and that encourages instead a “people-possessed... Indigenous future” (2013, 25). While there are certainly many ways of encouraging this transformation, my research focuses on the act of Indigenous mothering as one site of disrupting settler-colonial dispossession and recreating new understandings of Indigenous futurities.

Settler-Colonial Studies

In order to make sense of settler-colonialism’s rupturing of Indigenous families, relationships, and sovereignty, it is first important to understand how settler-colonialism is differently constituted than other forms of colonialism, as well as how the field of settler-colonial studies reflects on settler-colonialism in theoretical terms. Settler-colonial studies is a distinct but interconnected body of work that theorizes specifically about colonialism within a settler framework. This theoretical approach considers the distinctiveness of settler-colonialism as a form of colonialism (Veracini 2010, 2). Settler-colonialism involves the direct and physical settlement of a colonized space (Ibid, 4). Of particular importance is Veracini’s distinction

between settlers and migrants, in which he asserts that settlers “are the *founders* of political orders and carry sovereignty with them” (Ibid, 3). Unlike other migrants, settlers seek to eliminate existing social and political orders and replace them with their own (Ibid, 4). This process of annihilating other polities is part of the process of “settler indigenization” whereby the settler population asserts itself as the local or native inhabitants of a territory, and assert their own claims to the land as legitimate. This renders Indigenous claims to sovereignty invisible and incommensurable with the settler-colonial ideologies of sovereignty, land, and property (Ibid, 95). Veracini also notes that one of the most significant distinctions that sets settler-colonialism apart from other forms of colonialism is an explicit reproductive desire and capacity (Ibid, 4). This reproductive desire and capacity makes the study of colonial and decolonial intimacies so significant. Through the reproductive settler framework, Canadian national identity depends on the erasure of Indigenous nations, as well as their histories and diversity (Razack 2002, 21). The white settler becomes indigenized, and we begin to conceive of Canadian national identity as rooted in the absence and emptiness of Canada’s expansive wilderness (Ibid).

It is therefore important to acknowledge settler-colonialism’s obsession with land accumulation, rather than simply the access to resources that is foundational in other forms of colonialism, like extractive colonialism (Razack 2002, 8). This differential positionality in relation to the land marks Indigenous bodies in a very particular way in the context of settler-colonialism. Unlike other forms of colonialism, for example extractive colonialism, settler-colonialism attaches itself to land, but does not require the labour of the Indigenous Other in order to sustain and reproduce itself (Veracini 2014, 623). Settlers work to reorganize spatial landscapes, as well as the social and political orders that are positioned in given spaces. Therefore, not only do they not require Indigenous presence to support themselves, but actively

seek to eliminate this presence, as it threatens the creation of new settler orders (Wolfe 2006). Settler-colonialism's insatiable demand for land fuels the elimination of Indigenous lifeways. It not only legitimizes the destruction of Indigenous social, political, or economic orders, but in fact demands this in order to sustain itself. As Wolfe notes, settler-colonialism's expansion not only "eats into Indigenous territory," but actively "curtails the reproduction of Indigenous modes of production" (2006, 395).

Wolfe also reminds us that settler-colonialism is a necessarily violent structure (Wolfe 2006, 387). Settler-colonialism is therefore entangled in conversations about genocide, and although does not always get articulated in the same ways across settler-colonies or in different times, settler-colonialism is always connected to a desire for elimination (Ibid). The primary motive for the elimination of Indigenous peoples in a settler-colony is not at its core about race, but about definitive "access to territory" (Ibid, 388). Wolfe also notes that settler-colonialism is not only destructive, but also creative (Ibid). Settler-colonialism actively seeks to destroy Indigenous nations, communities, and forms of governance, and legal frameworks but it does so in order to constitute its new colonial order (Ibid). Building on Wolfe's understanding of the distinction between colonial and settler-colonial context, Veracini suggests that the settler-colonial state is not framed by the *indispensability* of the colonized subject, but by their *dispensability* (2010, 8). This distinction helps to articulate one of the central tenets of settler-colonialism: that the settler society depends on the erasure of Indigenous peoples and societies so that it can fully replace them and come to be seen themselves as legitimately 'indigenized' (Ibid, 95).

It is also crucial to understand settler-colonialism not merely as an event, but as a structure (Wolfe 2006, 388). This is significant in my analysis because of the ways public

discourses—including but not limited to those I have included for analysis in my study—tend to historicize settler-colonialism in Canada. That is to say that while the documents analyzed may refer to colonialism, it is often as a historical event, the legacy of which are the contemporary realities of child welfare. Instead, building from Patrick Wolfe's and others' assertion that settler-colonialism is not merely an event in history, my research understands the overrepresentation of Indigenous children in the child welfare system not merely as a legacy of other settler-colonial practices like the residential school system, but also as a settler-colonial reality in and of itself.

In my research, I operate under the premise that settler-colonialism in Canada is genocide. I draw this understanding from the language of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, which defines genocide as a number of acts “committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group” (United Nations 1952, 280). While state actions in settler-colonialism encompass a number of these specific actions, my research examines critically one of these in particular, that is, “forcibly transferring the children of one group to another group” (Ibid). I adopt Patrick Wolfe's argument as to why the term ‘cultural genocide,’ which has been popularized recently, particularly following the release of the Truth and Reconciliation Commission's Final Report, does not extend far enough to fully articulate the violence of settler-colonial dispossession.

Wolfe argues that the distinction between biological genocide and cultural genocide establishes a false binary where biological genocide is deemed to be an authentic form of violence, that is “the real thing,” whereas cultural genocide, as its alternative, is deemed to be not real or somehow less severe in its violence (2006, 398). Furthermore, the actual experiences of

biological and cultural genocide are perhaps less distinct than the definitions suggest, and Wolfe reminds us that the practices of ‘cultural genocide’—in this case policies such as the residential school system—will absolutely “have a direct impact on that people’s capacity to stay alive” (399). However, whereas Wolfe chooses to use the term ‘elimination’ as opposed to ‘genocide,’ I believe that there is political value in adopting the term genocide—with no qualifiers. The term genocide brings with it specific connotations about collectivity and communities that are not implicit within Wolfe’s ‘logic of elimination.’ This is notable in Lemkin’s definition of genocide, which stresses that genocide is an attack on a nation’s “collective existence” (Lemkin cited in Short 2016, 20). Furthermore, Haifa Rashed and Damien Short have noted that, while it is Lemkin’s legal approach to genocide that is often referenced, Lemkin also articulated the importance of understanding genocidal practices through the destruction of social, cultural, and national identities (2012, 1144). Lemkin states that genocide does not always involve the immediate elimination of a nation, nor does it always involve mass killings typically understood to be genocidal practices. Rather, genocide articulates “a coordinated plan of different actions aiming at the destruction of the essential foundations of life of a national group, with the aim of eliminating the groups themselves” (Lemkin cited in Rashed and Short 2012, 1144). Lemkin proceeds to articulate that this is facilitated through the destruction of political, social, and cultural institutions, such as “culture, language, national identity, religion, and the economic existence of national groups” (Ibid).

Settler-colonial studies scholars argue that the logic of elimination is not constitutive of genocide because it is premised not on racial grounds but on the desire for land (Wolfe 2006, 388). However, I believe that a more critical reading highlights the violence against Indigenous nationhoods and sovereignties that are implicit in settler-colonialism’s land accumulation

projects. We must acknowledge that, while land is central to the elimination, it is grounded in an attack against the collective and sovereign existence of Indigenous nations.

Ideologies of Gender and Family in Settler-Colonialism

Because I am using Indigenous feminist theories to frame this research, it is crucial to consider settler-colonialism as an explicitly gendered structure. That is to say that settler-colonialism and heteropatriarchy are not only connected institutions, but also that they work together to specifically achieve the goals of the settler society. Margaret Jacobs notes that “gender systems, especially the sexual division of labor, often underpin the economy of a group” while simultaneously providing the “fundamental mechanisms for the reproduction of the group and assertions of identity” (2009, 9). This means that within a settler-colonial state, gender is a mechanism through which settlers are able to reproduce their own political and social orders. It is also a mechanism through which Indigenous nations have historically enacted and continue to enact resurgence against these orders. Valuable to this research is Laura Stoler’s (2006) concept of “intimacies of empire.” Through this concept, Stoler articulates how gender and intimate relationships construct colonial orders (2006, 23). As a field, the “intimacies of empire” is foundational in articulating how gender, sexuality, and intimate relationships are relevant to the creation and maintenance of the settler state (Stoler 2006; Jacobs 2009; Carter 2006; Carter 2014; Edmonds 2010). Scholars have highlighted various aspects of this field as a means of highlighting the gendered nature of settler-colonialism. For example, Sarah Carter has highlighted the gendered processes of land surveying and settler farming as a framework in which patriarchal expectations of women’s position in settler society played out, and as the framework through which settler farmers were able to accumulate land (Carter 1997).

In the settler-colonial contexts of America and Australia, intimacies of empire functioned in various ways. First, they attempted to rupture Indigenous ways of knowing about gender, sexuality, and the sexual division of labour. State interventions within sexual intimacies between settlers and Indigenous women have been another means of navigating the intimacies of empire for the Canadian state (Carter 2014). Margaret Jacobs notes that these processes were gendered in no small part due to the significant involvement of white women. This is realized especially in the protection of white women by white men, which legitimizes violence against Indigenous peoples (Jacobs 2009, 11). Furthermore, Jacobs notes that white women were crucial to the settler colonies in their role of reproducing European orders and ‘civilization’. Finally, Jacobs notes that white women played crucial roles in the transformation of Indigenous homes, families, and bodies (Ibid).

In my analysis, I will highlight two specific examples of ‘intimacies of empire’ in the Canadian settler-colonial context: first, that marriage was a crucial site of intervention for the settler-colonial state and secondly, that settler-colonialism has depended on women for both the physical and social reproduction of settler-colonial orders, with a primary emphasis on the latter. As a result, Indigenous women and their families are targets for the violence of the settler-colonial state. This requires an analytic understanding of the ways in which settlers conceive of Indigenous women’s bodies as a means through which supposedly ‘legitimate’ intervention can take place. In this context, the social meanings attached to Indigenous women rendered them ‘unfit mothers,’ and therefore not only a suitable point of intervention, but a necessary one. At the same time, Indigenous women are positioned as necessitating intervention from the state due to their supposed positioning as weak and helpless victims (Altamirano-Jimenez 2011, 113). I will consider the specific context of Canada further in the second chapter of this thesis, but it is

crucial to make note of the ways that marital law, much like practices of child apprehension, targeted Indigenous women and their families as sites of intervention for assimilation and violence. Within the broader field of intimacies of empire, scholars acknowledge the ways that marriage has served as a political device to determine ‘desirable’ additions to the colonial spaces (Camiscioli 2009; Carter 2014; Van Kirk 2007).

The Canadian state’s colonial project has depended heavily on particular discursive and social constructions of Indigenous peoples. Randi Cull argues that colonial state policy depended on the negative stereotyping of Indigeneity: “the negative identity of what it was to be an Indian was a necessary tactical maneuver for the state to secure land ownership” (2006, 142). The most fundamental discursive construction begins with the doctrine of *terra nullius* and its implications that Indigenous peoples were not human (Ibid, 142). Settler sovereignty and ownership depended on the land legally being considered uninhabited by humans and belonging to no one. Therefore, settler discourse constructed a narrative about Indigenous peoples that presented them as “uncivilized people [who] were not considered capable of legitimately holding land” (Ibid, 143).

These discursive constructions were not only racialized, however, but also gendered. Colonial language was used in an attempt to define Indigenous women’s bodies, sexualities, and experiences. Rayna Green’s theorization of “the Pocahontas Perplex” (alternatively the Princess/Squaw complex) is a significant analytic tool to help deconstruct this discourse. She argues that representations of Indigenous women have always been situated between two dichotomous fantasies: the Princess and the Squaw. These constructions are problematic for a multitude of different reasons, but it is important to note that both are constructed in relation to and for the service of white male figures (Green 1975, 703). The Princess is, on one hand, noble because she “must save or give service to the white man,” and is furthermore constructed as the

object of sexual desire for the conqueror (Ibid, 703). Furthermore, the Princess is obliged to demonstrate her loyalty to the colonizers and to ‘civilization’ through the violation of “the wishes and customs of her own “barbarous” people” (Ibid, 704). It can be argued, then, that the Princess is redeemable only through the renunciation of her Indigenous identity, although like the land, her body has been made available for the taking by the colonizers and is therefore never fully alienable from her Indigeneity.

The Squaw represents the other side of this dichotomy. Green argues that, despite being the object of the white man’s sexual desires, her sexuality is only “hinted at but never realized” (Green 1975, 711). Through the overt action of sexualization, she transforms what was a presented as a positive stereotype to one that is fully negative. Whether her sexual relationships are with white men or with Indigenous men, she is shamed for the realization of her sexuality and is degraded for sharing “in the same vices as Indian men—drunkenness, stupidity, thievery, venality” (Ibid, 711). Significantly, the visual portrayal between the Princess and the Squaw undergoes significant racial transformation. The Princess, although identifiably distinct from white women, is of a lighter skin tone, often wearing western clothes (702). The Squaw, on the other hand, is noticeably darker and defined as having “more “Indian” features” (711). Racialized images of Indigenous women also intersect with understandings of motherhood, particularly in the conceptualization of ‘Indian-ness’ as having inherently—and therefore inheritably—negative traits (Cull 2006, 142). In this way, Indigenous mothers were particularly a threat because of their perceived capacity to pass on the inherently negative qualities of ‘Indian-ness’ to their children.

Colonial interventions into Indigenous families have been legitimized in no small part due to the narrative of the ‘unfit mother’. As expressed by Green, the Squaw possesses qualities

that are antithetical to what we might read as the ‘good’ mother. Not only do these representations legitimize the exploitation and dehumanization of Indigenous women, but they also highlight the ways the trope of the Squaw acted—and continues to act— as a purposeful tool for the assimilation and policies enacted against Indigenous communities. Indigenous women were seen by colonizers to be important—if not crucial—sites of intervention and assimilation, as they reflect an important aspect of society: the re/production of cultural and social orders. Women who were seen to embody purportedly unwholesome qualities were therefore understood as “unfit mothers” who lacked the appropriate skills and qualities inherent to (white/Christian) motherhood (Jacobs 2009, 92).

Significantly, white women took on a crucial role in the development of Indigenous child removal policies. Jacobs notes that within settler-colonies, white women were often responsible for the racist stereotyping and categorization of Indigenous women, casting them as “deficient mothers and homemakers” who failed to live up to the ideals of “white, middle-class, Christian” motherhood (2006, 87-8). Many white women also took it upon themselves to “solve the Indian and Aboriginal “problem” by metaphorically and literally mothering [I]ndigenous people and their children” (Ibid). As advocates of Indigenous child removal, white women took on roles of being “surrogate mothers” who believed they were able to raise Indigenous children more appropriately and “in more wholesome environments” (Ibid).

The representational dichotomy of the Pocahontas Perplex fits within the framework of the colonial state that defines Indigenous mothers as somehow unfit or incapable of caring for their children. Within the Pocahontas/Squaw dichotomy, Indigenous women are given little space for navigation. Green argues that “such claims make it impossible for the Indian woman to be seen as real” and, consequently, “she does not have the power to evoke feeling as a real

mother figure” (1975, 711). Although Green is correct in addressing the profound limitations placed on Indigenous women’s experiences as mothers, I believe that Indigenous women have consistently pushed back against this representation, rather than allowing it to define their experiences as women or as mothers. The final chapter of my thesis, which focuses on Indigenous women’s acts of resurgence through mothering, seeks to complicate this argument.

Indigenous Feminisms and Motherhood

Considering this work from an ideological frame, however, my research operates under Patricia Hill Collins’ assertion that mothering is always connected to survival (2007, 315). Hill Collins notes that “physical survival is assumed for children who are white and middle-class” but the same is not true for racialized children (Ibid). Indigenous feminisms consider similar questions and reflect on the connections between mothering and survival for Indigenous peoples. Rebecca Tsosie describes this as an “ethics of survival,” which is connected both to past generations, but also to the need to be receptive to current and future generations through Indigenous women’s leadership (2010, 29). For Kim Anderson, this kind of ‘ethics of survival’ is expressed through resisting, reclaiming, constructing, and acting (2000, 15). This can be seen in the final chapter of this thesis, as I highlight the ways that Indigenous women resist colonial mythologies of Indigenous women as unfit mothers; the ways that they have and continue to reclaim Indigenous mothering practices; the ways that Indigenous women construct new understandings of motherhood, sexual and reproductive health that are grounded in tradition but are fluid and changeable; as well as the ways that Indigenous women acting in their mothering roles works to support the nurturing, development, and governance of their communities. As this thesis hopes to communicate, not only is it a non-guarantee for Indigenous children, but often Indigenous children are specifically the target of violence in settler-colonial states, in spite of the

suggestion that settler-colonial policies like residential schools and like the sixties scoop have in fact been taken up in the ‘best interests’ of the children. This thesis therefore asserts that Indigenous mothering, in the face of settler-colonialism, is always already political.

Indigenous feminisms expand on these ideas to assert that Indigenous mothering is not only an act of survival, but also an act of building and nurturing healthy communities against a settler-colonial context that actively seeks to eliminate Indigenous communities, kinship networks, and nations (Sunseri 2008, 23). This requires a broader conceptualization of mothering, which Renée Bédard suggests, for Anishinaabe peoples, is based in the fluidity of women’s mothering roles (2006, 66). Indigenous feminisms acknowledge motherhood in its connections to other care work that happens within extended communities of kinship, care, and nurturing. Within an Indigenous feminist framework, then “women can be mothers in different ways,” and therefore we cannot conflate motherhood with particular bodies or even particular ascriptions of what motherhood is (Anderson 2000, 172). At the same time, Indigenous feminists assert that mothering is empowering because of its position within a broader community and the ways that it is supported through meaningful community relationships, as opposed to an individualistic task that is the sole responsibility of one mother (Ibid, 273). Building from the work of Leslie Marmon Silko, Anderson reminds us that within a collective Indigenous feminist perspective, there can be no ‘single mothers’ because mothers are always supported through multiple relationships of kinship and love (Ibid, 88).

Indigenous feminists additionally critique the positionality of motherhood within whistream feminisms. Indigenous feminists argue that while white feminists might see motherhood as undue labour for women or as something that impedes individual choices and opportunities, Indigenous feminisms articulates mothering as a valuable and necessary

contribution to Indigenous communities, one that is empowering, fulfilling, and situated within Indigenous autonomy, as well as community and nation building (Horn-Miller 2016, 32; Anderson 2000, 275). Kahente Horn-Miller argues that not only is the act of mothering an act of autonomy and nation-building, but that it is also a crucial aspect of the process of healing from colonialism and colonial violence (2016, 35). The work of Indigenous feminisms, then, are also in conversation with Black feminisms and other Women of Colour feminisms, which assert that there are tangible differences in the way that motherhood is positioned in whiteman feminisms. bell hooks reminds us of one of the pivotal differences between whiteman feminisms and feminisms of colour: for racialized women, unlike many white women, motherhood was not the obstacle that needed to overcome (2007, 146). Instead, hooks notes that for Black and otherwise racialized or marginalized women, parenting relationships like mothering are some of the few relationships where they are appreciated and affirmed (Ibid). It is therefore worthy of note that mothering relationships carry significantly different meanings for Women of Colour and Indigenous women. While the theoretical and practical labour of ‘mothering the nation’ is often dismissed as re-ascribing heteropatriarchal gender roles, it is important to weigh this critique against the work of scholars, like hooks, Anderson, and Horn-Miller, who reaffirm the value of this labour against the violence of racism and colonialism. Anderson pushes this notion further by arguing that not only is Indigenous mothering empowering in and of itself, but that it is restorative of particular roles that mothers hold within Indigenous communities, and that, for example, restoring an Indigenous framework of mothering would also restore critical decision-making places of Indigenous women within governance structures (2000, 171). I believe that the work I discuss later in this thesis pertaining to

Indigenous mothering suggests a related understanding of motherhood is also relevant for considering Indigenous mothering as part of an Indigenous practice of resurgence.

Precarity and 'Ungrievable' Lives

Because this research operates under the belief that forced child apprehensions within a settler-colonial society can never be separated from Canada's genocide against Indigenous peoples, I will also take up Judith Butler's notion of precarity and grievability as a means to further analyze settler-colonial violence. In theorizing precarity, Butler poses three interconnected questions: "Who counts as human? Whose lives count as lives? And, finally, What makes for a grievable life?" (2004, 20). For Butler, these questions are fundamentally political and reveal how a society is structured. The answers to these questions in any given political order outline a hierarchy of grievability (Ibid, 32) that articulates how particular lives are positioned in relation to the state.

For Butler, precariousness is a shared condition by which all lives deemed to be human lives are connected (2009, 25). She notes that precariousness is inevitable for human life, because for all people "their persistence is not guaranteed" (Ibid). In her theorizing, political orders are structured to minimize the vulnerability of its citizens. She contrasts precariousness with precarity, which is a "politically induced condition" by which certain lives are differentially exposed to "injury, violence, and death" (Ibid, 25-6). In my reading of Butler, the distinction between precariousness and precarity is also the distinction between those lives the state deems to be human and grievable, and those lives which are disposable to the state and therefore ungrievable. This is because the lives that are differentially exposed to precarity are subject to such as a result of political violence. For lives subject to precarity, appeals to the state are ineffective because "the state is precisely that from which they require protection" (Ibid, 26). The

distinction between precariousness and precarity articulates how lives are differentially positioned on the settler-colonial hierarchy of grievability. It also helps to reframe the binary between supposed ‘inaction’ on the part of the state against deliberate violence, which are perhaps more closely connected than we often consider. This is further relevant in my analytic framework as grievability is therefore part of the process of ascribing membership and citizenship to those who are deemed to be part of the collectivity of the nation-state. This becomes relevant again when thinking about the ways that neoliberalism operates through a settler-colonial framework and considers the way that citizenship was never allocated evenly within the settler-colonial state of Canada.

In her analysis, Butler suggests that one could examine the “genre of obituaries” in order to delineate how particular lives fit within this hierarchy. She suggests that this is one space where lives are “humanized” (2004, 32). To make her argument, she uses the example of the many Palestinians who have died as a result of Israeli violence (Ibid). Butler argues that these are not the lives or faces that we are likely to see summed up nicely in obituaries, and as a result have “fallen outside the ‘human’ as it has been naturalized in its ‘Western’ mold” (Ibid). Butler argues that as a result, “the obituary functions as the instrument by which grievability is publically distributed” (Ibid, 34). She notes that it either articulates a life as publicly grievable—that is, a life that is deserving of grief because of its significance to “national self-recognition,”—or it fails to become publicly grievable (Ibid). For Butler, and for myself, the obituary—the public grievability or ungrievability of life—is necessarily “an act of nation-building” (Ibid).

Similarly, I argue that the lives of Indigenous children have been socially constituted as ‘outside-of-the-human’, both in the negligence of residential schools and current welfare systems in documenting the deaths of the children who die while in institutional custody, as well as the

graphic depictions of Indigenous death that are not consistent with the “tidied up and summarized” obituaries that are available for others. On the one hand, the complete invisibilization of Indigenous child deaths in both the residential school system and contemporary child welfare reflects a sort of “derealisation” of Indigenous deaths—a form of violence that precedes the physical death (Ibid, 33). This is because settler-colonialism as a structure has already negated the lives of Indigenous peoples—from the perspective of the state—and as a result, Indigenous peoples are “neither alive nor dead, but interminably spectral” (Ibid, 33-4). These deaths, as Butler states, are not just “poorly marked, but... unmarkable” (Ibid, 35). Indigenous deaths are derealized and ungrievable because they cannot be publicly accepted as part of Canadian national identity, given that the settler-colonial state depends on their elimination.

Methodology

Methodology of Refusal

Social science, as an academic discipline, has a tendency to draw its most compelling stories from the lived realities of pain and humiliation of others (Tuck and Yang 2014, 812). The exploitation of suffering has the possibility to replicate inquiry as invasion. Research can indeed support the structure of settler-colonialism, reproducing settler-colonial knowledge about the Indigenous Other, while simultaneously making the structures that underpin a settler-colonial state appear inevitable (Ibid, 813). While it is impossible to complete this research without an acknowledgement of the pain caused by the ongoing violence of settler-colonialism, a methodology of refusal requires careful scrutiny of the data and knowledge that I am putting out as a social science researcher and the ways that I am or am not telling stories that are not mine. Significantly, a methodology of refusal in my research requires that I will not be including

personalized accounts of trauma in this thesis. For example, as part of my research, I read through the published death records of Indigenous children in Alberta's welfare programs between 1999-2013. While this knowledge informs my research and theoretical perspective, I will not include names, details, or analysis of any of these personalized experiences of trauma. As a result, my emphasis will pay specific attention to structural violence and state policy as a means of framing this research. Grounding my research in a methodology of refusal requires a shift in the unit of analysis, from the study of individualized pain towards the emphasizing of relationships between the institutions of power and the people impacted by them is itself "an epistemological claim" (Simpson 2009; Tuck and Yang 2014).

Furthermore, in order to implement a methodology of refusal into my research, I will also highlight the important work of Indigenous peoples in my research. First of all, I will work to include scholarship and research completed by Indigenous researchers as an acknowledgement to the fact that Indigenous peoples are not objects of study, but are also actively involved in research and are holders and producers of valuable knowledge. Secondly, my research will also highlight the work of Indigenous mothering practices as a significant act of Indigenous resurgence and nationhood. This, too, is a practice of refusal within a context where dispossessed and marginalized peoples are not only made the subjects of research, but are limited to stories of pain and suffering that are served "on a silver platter for the settler-colonial academy, which hungers so ravenously for them" (Ibid, 812). Instead, my research attempts to focus its analytic gaze squarely on the institutions of power that have constructed settler-colonial pain, while refusing to ignore the many ways that Indigenous peoples are not defined by experiences of pain, but also deliberate actions of resurgence.

Case Study

My thesis focuses on the Province of Alberta, which has one of the most disproportionate child apprehension rates in Canada (Sinha et al. 2011, 5), and also historically had the highest number of residential schools across the country (National Centre for Truth and Reconciliation). Case studies are of particular value to research that attempts to answer ‘how’ or ‘why questions’, particularly where context is relevant to the phenomenon in question, and where the phenomenon and its context are not clearly separable (Baxter and Jack 2008, 545). This study makes sense of the continuities between residential schools and the contemporary child welfare crisis. Of particular value to my research is the historical analysis of residential schools and colonialism, and the connection to the contemporary crisis. In this case the historical context is both the backdrop from which the contemporary crisis emerges, and part of a longer and more continuous trajectory of colonialism.

It is worth acknowledging, however, that much of the available data comes from Canada-wide reports, including the Truth and Reconciliation Commission’s Final Report, *Kiskisik Awasisak: Remember the Children*, and the Aboriginal Children in Care Working Group’s Report to the Premiers. The reality of this research is that much data has not been disaggregated to reflect provincial outcomes. In order to compensate for the lack of Alberta specific information in many of these documents, I will also be using the Alberta Incidence Study of Reported Child Maltreatment (2008), as well as several documents released by the Edmonton Journal’s investigation, *Fatal Care*, which released some government documents, and compiled a database of all the children who died while in government custody between the years of 1999-2013. These documents enable me to provide an Alberta-specific case study within the larger issue of Canada-wide overrepresentation.

Document Analysis

This thesis uses document analysis to analyze primary sources. Document analysis is an effective methodology that will enable me to “seek convergence or corroboration” between various sources of data (Bowen 2009, 28). The analytic procedure involved in completing a document analysis requires “finding, selecting, appraising (making sense of), and synthesising data contained in the document” (Ibid, 28). In order to complete a meaningful document analysis, my research uses multiple sources of data: one as a historical example that provides information regarding the residential school system, and four contemporary reports about child welfare in Canada and Alberta today. As Bowen notes, qualitative document analysis requires the corroboration of at least two distinct documents (Ibid). This increases the reliability of the information provided, as it helps to account for biases or gaps in any of the documents used (Ibid).

Bowen also notes that document analysis is a particularly valuable method for research involving a qualitative case study (Ibid, 29). The information that is included in various reports is a valuable source of rich, empirical information to create a more comprehensive understanding of the research problem (Ibid). The information retrieved from various documents can serve a number of purposes in a document analysis study. For the purposes of this research, the historical documents serve to provide the context in which the study takes place. It reflects a “bearing witness” to the residential school system and helps to understand “the historical roots of specific issues” that are of interest to the study at hand (Ibid, 30). These documents also help to acknowledge change that happens over time (Ibid). Not only are the contemporary documents compared against each other, but because the documents span seven years, they are also

corroborated against each other to gain a sense of how child welfare has shifted over the last decade.

My document analysis will be two-fold: it will first examine historical documents to gain an understanding of the residential school system and of the transition between the residential school system and child welfare. For the purposes of my research, the documents I will be analyzing will be the historical evidence presented by the Truth and Reconciliation Commission in their Final Report. These documents contain information that will be crucial to my study: numbers of residential school students; comparative levels of funding between residential schools for Indigenous children and other publicly run schools; (estimated) numbers of students who died in the institutions; and numbers of students who had been apprehended for child welfare reasons. These reports will also contain government positions and public discourse surrounding the residential schools from this historical perspective.

The second aspect of my document analysis will focus on contemporary contexts. I will use a number of studies from government and non-government organizations that offer insight into the contemporary overrepresentation of children in welfare custody. I will use several documents:

- *Kiskisik Awasisak: Remember the Children* (Understanding the Overrepresentation of First Nations Children in the Child Welfare System);
- *Aboriginal Children in Care: Report to Canada's Premiers*;
- *Alberta Incidence Study of Reported Child Maltreatment (2008)*, and;
- *Children in Care* (Edmonton Journal Database).

Working with these four documents will allow me to corroborate data and ensure a more holistic analysis of the contemporary situation. As with the historical documents, I will be able to use data available in these reports to gauge the number of Indigenous children currently in child welfare systems in, the number of Indigenous children who have died while in custody, and the official reason for apprehension. Furthermore, these reports span a number of years (from 2008-2015), and will therefore allow my research to explore the ways that the issue has evolved throughout the last number of years and to present data that is representative of an ongoing crisis, rather than a reflection of the child welfare system at only one point in time.

Crucial to my research is also the need to ensure documents are always examined with “a critical eye” (Bowen 2009, 33). While these documents all provide substantial empirical information about the contemporary conditions of the child welfare system, they are situated in their own contexts and therefore also need to be examined thoroughly. Rather than simply extrapolating data from these reports, a document analysis involves understanding the meanings of the documents involved, as well as considering the purpose and intentions of the document (Ibid). Bowen reminds us that document analysis is not simply a matter of compiling information, but rather “a process of evaluating documents in such a way that empirical knowledge is produced and understanding is developed” (Ibid, 34). The historical analysis, the contemporary exploration of the case study, and the document analysis of primary sources together constitute the methodological practice of refusal.

Conclusions

This chapter has provided an outline of the theoretical claims within which my research is situated. It has also mapped the methodological components of this study. In the following chapter, I will further the contextual framework that is necessary to the analysis of contemporary

child welfare in Canada. The historical chapter will build on the theory outlined in this chapter, acknowledging Indigenous feminist perspectives on the history of Indigenous child welfare in Canada and the residential school system. It will also draw on other themes from this chapter, including discussions of settler-colonialism, the logic of elimination, and the implications of genocide against Indigenous peoples that is situated within this history. Furthermore, the historical context will build on the theoretical conceptualizations of precarity and ungrievability addressed in this chapter by acknowledging the various ways that institutions—particularly the residential school system—are state driven entities that increase the precarity of Indigenous lives.

Chapter Two: The Residential School System

In the previous chapter, I have mapped the theoretical and methodological components of this study. This chapter will provide a historical framework from which to engage in my inquiry. While it is centered primarily on discussions of residential schooling, this chapter also includes some analysis of other programs of regulation, such as the forced sterilizations of Indigenous women, and the legal erasure of Indigenous women's status through the *Indian Act*. These policies are equally important to consider in the analysis of how kinship was disrupted and how settler-colonialism has attempted to take motherhood away from Indigenous women. Policies like residential schools, forced sterilizations, and the *Indian Act* worked together to regulate Indigenous bodies—using Indigenous women's bodies and families as a site of intervention—in an attempt to eradicate Indigenous peoples as nations. This chapter therefore takes into consideration the impacts of laws and policies—whether official or unofficial—on Indigenous families. These laws were and are about power and control, and play important roles in “creating and sustaining social, cultural, and economic inequalities in Canada”, particularly in their relationships with Indigenous families (Cull 2006, 148).

As Patrick Wolfe notes, settler-colonialism is a “structure, not an event” (2006, 388). This understanding of settler-colonialism informs my analysis and enables a greater understanding of the ways in which contemporary child apprehensions are connected to historical experiences of colonialism. Because my research is particularly interested in both historical and contemporary child apprehensions, it is necessary to gain a deeper understanding of some of the policies that existed, how they operated, and what the implications of these policies are for Indigenous motherhood and Indigenous families. This chapter therefore considers these questions as I proceed in my analysis. Beginning with the *Indian Act*, I will analyze some

of the ways Indigenous women were legally regulated by the settler-colonial state and what kinds of implications that these practices had for Indigenous mothers. I will then discuss the policies and practices of the residential schools, and the various ways these institutions attempted to rupture Indigenous families in order to ‘re-create’ families that were more closely aligned with the heteropatriarchal social organization of the settler-colonial state. Following this discussion, I will provide a brief analysis of state-sanctioned sterilizations and the eugenics movement. It is important to understand that while these policies were distinct, they were also interconnected as part of a network of state violence aimed at eradicating Indigenous peoples and Indigenous sovereignty. This historical analysis is certainly not exhaustive, and is centred primarily on uncovering the settler-colonial threads of continuity focused on the regulation of sexuality and kinship relations. Finally, this chapter will discuss settler-colonial ideologies of gender and family, as well as the myth of the ‘unfit’ mother. This portion of the chapter is intended to help put into context the significance of gender, family, and kinship to the settler-colonial project, and to provide insight as to why the family, as well as motherhood in particular, became such a crucial point of invasion for the settler-colonial state.

The Indian Act

The *Indian Act* emerged from the Canadian government’s notion that Indigenous peoples were to be treated as “incapable of the management of their own affairs” (Truth and Reconciliation Commission 2015a, 106). As such, the Act existed to regulate and manage Indigenous peoples. The purpose of the policy was also to undermine Indigenous legal and governance orders, and to promote the ongoing assimilation of Indigenous peoples in all areas (Ibid, 106). Through the *Indian Act*, the Canadian government assumed authority over the ability to determine who constituted an Indian and who did not. As Indigenous feminists remind us,

settler-colonialism is inseparable from the heteropatriarchy (Arvin et al 2013, 9). The *Indian Act* governed status through Indigenous women's bodies and therefore had particularly destructive impacts for Indigenous women, who were "systematically devalued" by the legislation (Truth and Reconciliation Commission 2015a, 147). Cull notes that Indigenous women often held positions of high esteem within their own communities (2006, 147). After the *Indian Act* was legislated, Indigenous women could lose their Indian status dependent on their marital status. If an Indigenous woman married a man without Indian status—whether or not he was Indigenous—she and her children would lose their status. This often meant losing certain rights and relationships within their communities as well.

The legacy of the *Indian Act* is notorious for a multitude of reasons. Although there is much to critique within this policy, here I will focus only on the gendered regulation of "Indianness" through Indian status regulation. Canadian law, through the *Indian Act* has maintained the authority to determine who does and who does not count as Indian, and therefore who has access to particular resources as a result of this status (Cannon 2014, 24). Because Canadian law was necessarily caught up with projects of both land accumulation and heteropatriarchy, the *Indian Act* specifically targeted women's status as a site of intervention, through which settler-colonial and racist governance of land and bodies has taken place through the differential administering of resources and rights. As Martin J. Cannon writes in his critique of the McIvor Case:

In order to justify the appropriation of Indigenous territories, the colonizer has always marked the bodies of Indigenous peoples as "Indians" through policy-making and through other highly gendered and symbolic practices of difference making that institutionalizes race as a construct. Blood quantum is intended to affect the denigration of our genealogical connection to territory or place. It is premised on our dilution, thus reducing our sovereignty as nations to a racial minority status (2014, 27).

In the case of the Indian Act, bodies were targeted by the state specifically through one specific mechanism: prior to 1985, any woman with Indian status would lose this status, as well as band membership within her own community, if she married any man without Indian status (Hamill 2011, 75). The only way for a woman who had lost status to regain it was to remarry a man with Indian status—even divorce did not constitute grounds for reacquiring status (Ibid). Furthermore, non-Indigenous women who married men with Indian status were able to gain status, band membership, and to live on reserves (Ibid, 77) As Cannon writes, this legal process of marking “(grand)mothers” bodies is part of the attempted eradication of sovereignty, but also the gendered processes of social reproduction (2014, 27). Indigenous women, both historically and presently, have borne many of the responsibilities of transmitting culture and language (Hamill 2011, 77). Furthermore, because Indigenous women who lost status were physically displaced from their communities, and non-Indigenous women who gained status often lived on reserves, the capacities for Indigenous women and their communities to pass on cultural practices and language was severely impacted (Ibid, 77). Significantly, the disruption of existing gender systems was a pointed effort to undermine and discount existing matrilineal and matriarchal Indigenous societies which embodied the threat of other ways of being (Simpson 2006, 27).

It is crucial to acknowledge that this is not simply a historical intervention, nor was the gendered and racialized discrimination written out of this policy through the inclusion of Bill C-31 in 1985 and further amendments in 2010. Although these amendments are cited as redressing the issue of gender discrimination within the *Indian Act*, many Indigenous activists and scholars maintain that this was neither the intent nor the impact of these changes. Although these amendments allow women who lost status to reacquire without remarrying, both “preserve the

second generation cut off” whereby the grandchildren of Indigenous women who lost status are unable to pass on status to their children (Hamill 2011, 80).

Residential Schools

The original *Indian Act* (1876) made little reference to education, and was not initially implicated in the establishment or monitoring of residential schools (Truth and Reconciliation Commission 2015a, 109). It was, however, the means through which Indigenous peoples, nations and governance were managed by the Federal Government in order to recreate a new settler order. In 1878, the creation of a new education policy for Indigenous peoples was part of the broader implementation of a Canadian national policy (Ibid, 153). In 1894, the *Indian Act* was amended to include residential schooling within its jurisdiction, however this was limited to attendance (Ibid, 201). While the residential school system can be examined through the lens of colonialism and education, my interest is more focused on understanding the system through the perspective of gender, family, and reproduction. The process of restructuring communities to fit within settler-colonial frameworks was largely facilitated through assimilatory education, but also through processes that disrupted kinship relationships between children, their families and their communities occurred through the restriction and regulation of Indigenous social and cultural reproduction within Indigenous communities and nations.

Mandatory attendance at residential school was never explicitly legitimized through the *Indian Act*, however, Indigenous parents were frequently compelled to send their children away: Indian Agents were able to apprehend children for ‘welfare’ reasons, or if the Agent determined that the child’s education was not properly provided for in their home (Truth and Reconciliation Commission 2015a, 255). Parents, especially during times of famine, were refused relief if they did not send their children to residential school (Ibid, 250). In many cases, Indian Agents could

compel attendance by threat of costly fines or even imprisonment (Ibid, 255). It is important to understand that, while technically and on official paper, enrollment was never mandatory, regulations such as those listed above (and likely others as well) severely limited the options of Indigenous peoples, and afforded the state—through its Indian Agents—the capacities to compel mandatory attendance for those parents who did not willfully comply.

Residential schools were intended as sites of institutionalization. Operating within settler-colonialism's desire to replace Indigenous political and legal orders with its own institutions, residential schools worked to "isolate, control, and reform" those who were seen as incompatible with settler-colonial structures (Truth and Reconciliation Commission 2015a, 133). Residential schools also emerged from a broader social trend of industrial schools appearing throughout North America and Europe. These schools were created as a means of institutionalizing and controlling undesirable and dangerous classes (Ibid, 134). Often, these were institutions created to house the children of poor families. In Canada, industrial schools operated with the philosophy that children became criminals due to the influence of their families, parents, and communities. It was thought that industrial schools could reform these children by removing them from this influence, and teaching them "industry, sobriety, and discipline" (Ibid, 135). This was also the guiding ideology of residential schools. Social reproduction that is located within the community is therefore at the heart of residential schools' policies of assimilation, in that they existed to sever relationships of influence that would challenge or threaten settler-colonial power and sovereignty. Restricting the relationships between Indigenous mothers and their children was therefore also a practice of regulating the transfer of Indigenous knowledge to Indigenous children, situated within a broader framework wherein Indigenous knowledge was already coded as 'dangerous' knowledge. While day schools did remain in operation throughout the nineteenth

and twentieth centuries, they were deemed ineffective because children remained within their families and communities, and the influence of Indigenous parents and families remained significant (Ibid).

It was from this anxiety regarding the influence of Indigenous families and communities that the desire for residential schools emerged. Most colonial authorities agreed that they would be unable to assimilate Indigenous adults. The policy therefore focused on the government's ability to remove children from their parents' influence and raise them "constantly within the civilized circles" (Truth and Reconciliation Commission 2015a, 157). Ultimately, this program of assimilation was inevitably connected to the settler-colonial desire for land accumulation and Indigenous dispossession. Documents written by Bishop Vital Grandin in support of the residential school system clearly express that without being removed from their home communities, a child would "remain an Indian", whereas if they were taken from their communities, they would be able to "forget the customs, habits, and language of their ancestors" (Ibid, 159). In these comments, it is clear that the ultimate goal of assimilation was conceived of through a broader practice of social reproduction, and specifically through processes that regulated and restricted the capacities of Indigenous families to develop and maintain relationships of kinship and family that inform a sense of culture, community, and social belonging. This new program of residential schooling was an evolution of previous attempts at 'education.' With the Battleford school opening in 1883, much of the control over Indigenous education shifted from the churches to the Canadian state. The schools were created from a government-commissioned report, funded by government capital, and created to serve the needs of Canadian policy (Ibid, 161). This transfer of authority is significant in that it represents the centralization of Indian policy in Canada, as well as a concerted effort on the part of the

Canadian state to regulate Indigenous communities. From this point on, expansion of the system was rapid: by 1890, there were twenty-two industrial schools and thirty-nine boarding schools in Canada (Ibid).

Assimilation is often described as the central purpose of the residential school system (Edmond 2016). In Canada, assimilation policies must be understood as elimination policies. That is to say that the assimilation of Indigenous peoples in places like residential schools served the explicit purpose of eliminating Indigenous peoples *as sovereign peoples* with claims to land in order to allow settler-colonialism to recreate its own political order through the destruction of those that already existed (Wolfe 2006, 388). Within a settler-colonial context, assimilation is part of a larger project aimed at eradicating Indigenous peoples (Park 2015, 274). In the case of residential schools, it is important also to understand assimilation as embedded within kinship relationships and broader community and nation collectives. Assimilation is therefore not only individualized, but impacts various relationships within Indigenous communities. Within the context of my research specifically, I believe it is important to consider the impacts of assimilation policy on familial relationships, in particular those between mothers and their children. Borrowing from Patricia Hill Collins and the canon of Black feminist theorizing helps to understand the connections between assimilation policies and mothering. Collins notes that assimilation into the colonizing group often takes place during childhood, and this is one way that a colonial state attempts to remove power from certain mothers by taking away the capacity of mothers to raise their children according to their own worldviews (2007, 319). Within this context, it is important to consider that assimilation as an ultimate goal worked through intimate relationships—like those between mother/child—as a means of delegitimizing the political power and autonomy located within those relationships.

The extensive labour program that Indigenous children were subject to in residential schools was a significant part of this assimilation program. While the students were subject to labour as part of a cost-reduction strategy for the schools—the goal was to make the schools entirely self-sustaining—it was also part of a wider attempt to absorb Indigenous peoples into the workforce (Woolford 2016, 404). It was hoped that by absorbing them into the workforce, many would opt to work on farms or in other industry, and that as a result, children would not return to their home communities when they completed their schooling (Truth and Reconciliation Commission 2015a, 248).

The education curricula within residential schools also served the ultimate goal of assimilation (Lorenz 2016, 113). These curricula were not relevant to the experiences and interests of Indigenous students, and were often framed through European narratives that were difficult for Indigenous children to relate to (Truth and Reconciliation Commission 2015a, 294). Textbooks from the period rarely addressed in detail any Indigenous history or culture. When they did, the representations were largely based on racist stereotypes and presented negative depictions of Indigenous peoples (Truth and Reconciliation Commission 2015a, 301; Lorenz 2016). Indigenous culture and spirituality was presented as savage superstition (Truth and Reconciliation Commission 2015a, 301). Studies have shown that well into the 1970s, some of the most common words used to describe Indigenous peoples in textbooks were “savage(s),” “fierce,” and “hostile” (Truth and Reconciliation Commission 2015b, 124). As part of the assimilation process, the denigration of Indigenous cultures and histories was intended to sever the relationships Indigenous children felt to their home communities and encourage them not to return upon completion of school.

In addition to the racist curricula, Indigenous students were largely prohibited from speaking their own languages in school. In the schools, great emphasis was placed on proper instruction in the English language (Truth and Reconciliation Commission 2015b, 302; Park 2015, 282). At some schools, children were able to speak in their own languages (Ibid), but for many Indigenous students, this was not an option. Many children had no prior knowledge of the English language before arriving at residential schools (Truth and Reconciliation Commission 2015b, 307). At many schools, even outside of class and during dinner, students were instructed to speak English only (Ibid, 488). Not only was this a tool of assimilation in residential schools, but it was also a severely disorienting and frightening experience for many children. Well into the 1960s, 75% of students at residential schools came from homes where an Indigenous language was spoken. Some children, particularly the younger ones, sometimes entered schools knowing only “one or two words of English” (Ibid, 110). Despite the risk of abuse, many children resisted by continuing to speak their own languages (Ibid, 517). This resistance is clear in the continuity of Indigenous languages throughout the residential school era. In spite of this resistance, residential schools had significant impacts on the capacities of Indigenous peoples to pass on their cultures, traditions and languages (Truth and Reconciliation Commission 2015a, 248).

Not only was the practice of banning Indigenous languages one part of an assimilationist agenda, it also had immediate and significant impacts on the relationships within Indigenous families. While some children were able to continue speaking their languages, others were subject to severe enforcement of English-only or French-only policies, and often were not able to retain much of their Indigenous languages. By contrast, parents living in their communities often spoke Indigenous languages and did not have much knowledge of either French or English.

When children would return home for holidays, or when parents would visit their children in schools, this often presented significant challenges to communication. The TRC report suggests that little or no attention was paid to the disruptive nature of this policy and its impacts on family bonds (Ibid, 622). Instead, I would suggest that policies like this were not only assimilationist in nature, but were also part of the larger network of practices that deliberately and knowingly existed to disrupt Indigenous families. This realization enables us to consider what it means for sovereignty to be located within relationships, and explicitly within relationships of care, allowing us to decenter western and absolutist frameworks of sovereignty.

This practice of banning Indigenous languages also extended to other elements of Indigenous cultures. Students recall residential schools as being places where their cultures, spirituality, and languages were “banned, marginalized, and derided” (Truth and Reconciliation Commission 2015b, 126). Active and ongoing government support for church efforts to convert Indigenous children is just one example of the government’s desire to eradicate Indigenous cultures and spirituality (Truth and Reconciliation Commission 2015a, 629). Residential school principals were some of the earliest supporters of government legislation intended to criminalize Indigenous cultures and beliefs. This includes *Indian Act* legislation such as the Potlach Law, which explicitly banned traditional spiritual practices. Often, residential school principals would also report those they suspected of practicing, and on at least one occasion, people who were convicted were held in residential schools while transportation to jail was arranged (Ibid, 634). Some residential school principals believed that criminalizing Indigenous cultures and spirituality was necessary to the function of the schools. Many wrote letters to Indian Affairs officials, suggesting that students in their schools were still too interested in their communities and the cultural and spiritual practices of their communities, which was distracting them from

their studies (Ibid, 639). Once again, I believe that rather than being an exclusively assimilationist goal, these policies also served to limit the communication and interaction between Indigenous children and their families, thereby attempting to sever these relationships.

In some cases, residential school principals not only attempted to sever existing family relationships, but also to create new ‘families’ for their students, grounded in assimilation policy and heteropatriarchal ideologies of family. Some students in residential schools were subjected to practices of arranged marriages, orchestrated by the principals of the schools. In many Indigenous societies, marriages were part of a broader network of kinship relations. The conventions and laws through which relationships were formed and separated were situated within each nation’s social and political orders (Truth and Reconciliation Commission 2015b, 643). Residential schools and Indian Affairs were active not only in prohibiting Indigenous marriages, but also in arranging those that were deemed more appropriate within the limits of Canadian society. Documents from Indian Affairs explicitly state that the goal of having young men marry women who had been educated in residential schools was to “sever” the connections between the students, their families and their communities (Ibid, 654). The practice of arranging and prohibiting marriages continued long after students had physically left the schools. Former students were subject to the control of Indian Agents and residential school principals for many years after leaving the schools (Ibid, 657). The practice of regulating the marriages of students continued at least until the late 1930s (Ibid, 658).

In spite of the practice of arranging marriages between students, schools were heavily segregated by gender and this segregation was strictly enforced. This segregation is another example of a residential school policy intended to eradicate existing gendered social orders and impose colonial, heteropatriarchal orders instead. It also reflects the ways in which settler-

colonialism attempted to break down Indigenous knowledges about gender and sexuality, re-assigning settler-colonial beliefs and practices instead. In most schools, programs of study differed for male and female students. In the Catholic school in St. Albert, Alberta, female students were instructed in a convent, and male students were instructed at an industrial school (Truth and Reconciliation Commission 2015b, 645). These practices reflect the pervasive belief at the time that it was not enough to disrupt Indigenous families, but that the only way to fully assimilate Indigenous peoples was to recreate families that fit within the dominant ideology. In 1883, in calling for Indigenous girls to also be instructed in residential schools, the Public Affairs Minister suggested that even boys who had been assimilated in residential schools would be “pulled into Indian savagery” if their wives had not also had similar education (Ibid, 645). As a result, instruction in the schools was also explicitly gendered. Indigenous girls were instructed in how to be good wives and suitable mothers, while Indigenous boys were largely taught industrial skills (Ibid, 647). One residential school principal stated these beliefs clearly when he noted that “the man may be the bread-winner, but the woman is the civilizer” (Ibid, 646).

Apologist narratives have often circulated in Canada, referring to the loss of language and culture, and the disruption of Indigenous families and communities as unfortunate side effects of a system that was largely well-intentioned (Ibid, 162). When examining the policies that operated within residential schools, and the language used by those who supported the system, it is clear that this was not the case. Instead, the residential school system was but one part of a settler-colonial national policy. Although its apparent focus was education, the practices discussed in this chapter reveal a different story. The residential school system was not merely an education policy, but one of governance and control that was closely connected with other political systems, such as the *Indian Act*. As Thobani notes, this belief that the residential school

system worked in some way to save Indigenous peoples affords it “a legitimacy that continues to be upheld even now” by government institutions and individual settlers (2007, 121). These same kinds of apologist narratives recur throughout the history of Indigenous child welfare in Alberta and Canada as a means of asserting that, while systems were well-intentioned, they still somehow managed to fail Indigenous peoples. Continued conversations around the abuse of the residential schools highlight individual perpetrators, and help to invisibilize the systemic nature of the abuse (Ibid). She goes on to argue that the perception of the state as the benevolent provider of welfare to Indigenous children is so pervasive that even accounts of abuse and violence—well known by residential school staff and government officials—did not challenge the legitimacy of the institutions nor threaten the positions of power of the individuals perpetrating the abuse (Ibid). Thobani illustrates that the guise of the good intentions of a compassionate state is the enactment of racial power through coercive “digesting and reforming” of Indigenous peoples. Thobani describes this exertion of racialized power through welfare as “the warlike impulse of the nation’s compassion” (Ibid, 129).

Residential schools were notorious sites of abuse for Indigenous children. At the hands of residential school staff, Indigenous children faced physical, sexual, emotional, and psychological abuse. This violence was well documented from the earliest residential schools until the last school closed in 1996. In spite of the fact that it was well documented and known to government officials, no action was taken. In cases where the government did take action, it often involved simply moving perpetrators from one school to another as a means of preserving the vision of a compassionate state (Truth and Reconciliation Commission 2015a, 559). While the government continued to use the language of Indigenous mothers’ neglect to apprehend Indigenous children, the residential schools institutionalized and continued to perpetrate both abuse and neglect on

massive scales (Truth and Reconciliation Commission 2015a, 162). With the exception of Saskatchewan, Alberta had the highest percentage of Independent Assessment Process claims for abuse under the Indian Residential Schools Settlement Agreement (Ibid, 401).

Child death was also extremely pervasive in residential schools (Lorenz 2016, 113). These deaths were frequently the result of extreme malnutrition, rampant outbreaks of diseases like tuberculosis, and the excessive abuse faced by students (Ibid). Justice Murray Sinclair of the TRC places the death rate in residential schools as high as 60% (Park 2015, 275). This number itself does not account for the staggering number of deaths connected to residential schools, but occurring after students left the schools. This includes a significant number of suicides that were the result of sustained violence and trauma (Ibid, 282). In reality, neither the Canadian government nor any of the churches involved compiled annual data regarding the deaths in residential schools. In 40% of the deaths that were reported or documented by the residential schools, the cause of death was unnamed (Truth and Reconciliation Commission 2015a, 378).

Many of these deaths were preventable and had been identified as concerns early in the residential school era (Lorenz 2016, 113; Miller 1996). In 1907, Dr. Bryce inspected 35 residential schools in Alberta and Saskatchewan to understand and alleviate the excessive tuberculosis deaths faced in Indigenous communities. The report found that across the board, approximately one quarter of the students in question had died either while attending or shortly after leaving residential schools (Truth and Reconciliation Commission 2015a, 404). The report concluded that the schools were the sites of contagion for tuberculosis, paying specific attention to the poor sanitary conditions and overcrowding of the schools (Ibid). Additionally, school and government documents from the time highlight that many schools were still admitting students who were diagnosed with tuberculosis or who had tubercular symptoms (Ibid, 406). Although

the Bryce Report was publicly released, conditions did not improve in residential schools. This reflects the attitudes of government and church officials that the lives of Indigenous children were indeed dispensable to the settler-colonial government. Deaths by suicide, accidents, and fire were also common. Often, when children were sick or on some occasions when children died, parents were not informed (Truth and Reconciliation Commission 2015d, 4).

Not only were the death records from the schools poorly kept, but there are many instances where children went missing from the schools, and where parents and families were never given information about the well-being or whereabouts of their children. This includes students who ran away, students who were transferred to sanatoria or hospitals, students who were transferred to other institutions—including foster homes and the welfare system—and students who died while attending residential schools. The Truth and Reconciliation Commission refers to these children as *the missing children*. Estimates of the number of children who died or went missing while enrolled in a residential school range from a conservative 4,000 (Kennedy 2014) to tens of thousands (Moore 2015). To further complicate the lack of records, children were also often buried in mass, unmarked graves (Truth and Reconciliation Commission 2015d, 134). Many of these cemeteries are now abandoned, derelict, or difficult to identify (Ibid, 127).

These acts of violence cannot be separated from the state's need to eradicate Indigenous bodies and what Augustine Park (after Judith Butler) describes as the 'ungrievability' of Indigenous deaths within settler states (2015, 274). Park notes that within a settler-colonial framework, Indigenous life is articulated as somehow 'less-than' and is subject to intense precarity (Ibid, 274). Settler-colonialism is driven by an intense desire to accumulate land, and as a result, depends on the "disavowal and disappearance" of Indigenous presence from the land (Ibid, 277). Both the tendency towards violence, and the gross negligence—the refusal to record

deaths, to tend to graves, or to improve the living conditions within residential schools—reflect the settler-colonial drive to eradicate Indigenous peoples in a way that enables settler Canadians to perceive themselves as having “rightful claim over the land” (Ibid). Within a settler-colonial reality, these deaths are not always physical or literal (Ibid). This is exemplified by the lack of records and marked gravesites for Indigenous children, whereby their presence on the land was not only erased through their physical deaths, but also the lack of acknowledgment and mourning on the part of settler institutions that sought to eliminate them entirely. The conditions in which Indigenous children were made to live in these schools—for example chronic underfunding and overcrowding, malnourishment, poor sanitation and building conditions—reflect the dispensability of Indigenous children’s bodies to the settler state. These conditions suggest that “Indigenous children’s lives were not grievable to begin with” (Ibid, 280).

In the context of settler-colonialism, Park defines precarity as “the structural conditions that bring about their [Indigenous peoples’] destruction” (Ibid, 274). Residential schools are part of this institutional framework, but I would also argue that the precarity of Indigenous families lies in all the policies and practices that sought to separate and rupture the relationships between Indigenous families and their children. In this assertion, Park is building on Judith Butler’s theorization of precarity and ungrievability. Butler acknowledges that all life is precarious—and that it is through this shared precarity and interdependence that we become human. However, Butler also notes that the distribution of precarity is not equitable, and that political and social orders have been constructed in such ways as to “maximize precariousness for some and minimize precariousness for others” (Butler 2009, 2-3). It is in this way that Butler theorizes precarity not simply as a state of being, but a condition that is politically derived and purposeful

(Ibid, 25-6). In settler-colonialism, this precarity—and thus ungrievability—experienced by Indigenous peoples, is conditioned by the drive towards the elimination of Indigenous peoples.

The precarity and ungrievability that Indigenous children were subject to in residential schools can be expanded upon by considering Audra Simpson's concept of "sovereign death drive" (cited in Pasternak 2015, 319). Simpson articulates that this death drive functions throughout settler societies, but in particular operates to eliminate those who reproduce alternative political orders and kinship systems (Ibid). It is through this lens that we can understand why motherhood was so significant as a site of intervention for the colonial state. Shiri Pasternak suggests that this death drive has established the "eliminability" of Indigenous bodies (2015). The settler state must continually ask itself "how can we extinguish Indigenous nations while leaving their bodies alive?" (Ibid). It answers in a variety of tactics, assimilation, legal status, sterilizations and forced child apprehensions—all of which seek to stifle the reproductive capacities of these nations in ways that are physical, social, cultural, legal, and political.

It is also crucial to consider the connections between the regulation and surveillance of residential schools and mothering. Randi Cull notes that in Canada, Indigenous peoples "are born political" (2006, 141). She outlines a long history of state intervention into Indigenous mothering, paying specific attention to residential schools, sterilization, and the *Indian Act*. Against the assimilationist agenda of residential schools, the birth of Indigenous children "violated the state's goal of dominating and... exterminating" Indigenous peoples. In this context, an Indigenous mother became "an enemy of the state" (Ibid, 144). As a result, the relationships between Indigenous mothers and their children were repeatedly attacked and systematically severed by state control, through institutions like the residential schools. Cull also

notes that the excessive scrutiny and surveillance experienced by Indigenous mothers both historically and in contemporary times worked in tandem with the residential school system. While Indigenous women were scrutinized and punished for “possibly exposing their children to ‘neglect’ or ‘abuse,’” the Canadian government and its institutions have remained largely immune in spite of aggression, violence, and explicit abuse against Indigenous peoples, “actions which continue to cause harm” to Indigenous children, youth, and families (Ibid).

Central to the violence of the residential school system was the attempt to break the bonds between Indigenous children and their families (Truth and Reconciliation Commission 2015a, 600). Historical documents from government officials and residential school staff note that the only successful way to assimilate Indigenous children was to separate them entirely from the “evil influences” of their families and to keep them exclusively under the influence of their teachers (Ibid, 601). This belief that relationships must be severed largely dictated government and school policies pertaining to parental visits, letter writing, and vacations (Ibid). Parents made many attempts to visit children who were in school, but the residential school principals and government officials established policies of segregation in order to restrict communication as much as possible. At the High River school in Alberta, Principal Albert Lacombe had a high fence constructed to prevent parents and other visitors from being able to see the children (Ibid).

The enforcement of segregation between children and their families in residential schools was part of a broader network of interconnected policies aimed at restricting and regulating the movement of Indigenous peoples. In the prairies, this was exemplified by the pass system, which required Indigenous peoples to obtain permission from Indian Agents whenever they left their reserve (Ibid). The pass system was particularly effective in restricting the movement of parents and family members visiting children in residential school. Although the pass system itself was

never official policy, records show that it was enforced. Indian Agents were given specific instruction to limit the number of passes given to parents of children in residential schools in order to further the segregation between families (Ibid, 602).

In addition to the physical segregation between parents and children at residential schools, the Canadian government legislated that legal custody over Indigenous children would pass to the principal of the residential school that the child attended. This happened whether or not the parents had consented to their child's attendance at school (Truth and Reconciliation Commission 2015a, 609). Even during summer vacations, parents were not considered the legal guardians of their children. Principals were considered to have custody over the children, and as a result, even when the children were at home with their parents for vacation, a principal could have them ordered to return to the school (Ibid).

Thobani notes that "the residential school system institutionalized the idea that Aboriginal families were incommensurable with the national ideal" (2007, 119). She notes that not only are Indigenous and white settler families incompatible, but that the residential school system entrenched the belief that "the 'welfare' of Aboriginal children was in conflict with that of their families and communities, including their mothers" (Ibid). This is evident in the colonial belief that the rupture of Indigenous families was ultimately in the best interest of not only the state, but also Indigenous children. As Woolford (2013) notes, however, the residential school system was just one piece of a larger network of settler-colonial institutions and mechanisms aimed at the destruction of Indigeneity. I have already illustrated the connections between residential schooling and the *Indian Act*, and will move to consider the practice of forced sterilizations later in this chapter. While my research largely focuses on the disruption of motherhood as experienced specifically in the residential school system, it is important to

understand how this network of settler-colonial institutions interacted to eliminate Indigeneity through both physical and legal strategies.

It is also important to note that residential schools acted specifically as an instrument of child welfare in Canada. From the very early stages of the residential school era, many children enrolled were orphans or apprehended from what the government deemed to be ‘unfavourable living conditions’ (Truth and Reconciliation Commission 2015a, 144). Racist and colonial ideologies of parenting legitimized the apprehension of many Indigenous children, by presenting Indigenous parents—and mothers in particular—as negligent and incapable. Discourse used at the time to defend such apprehensions suggested that Indigenous children were subject to “precarious” lives at home, and that there was pervasive “alcoholism in the home, [a] lack of supervision, [and] serious immaturity” (Chupik-Hall 2001, 39). When schools were unable to recruit students voluntarily, they largely depended on orphans to meet enrollment standards and maintain government funding (Truth and Reconciliation Commission 2015b, 147). In 1894, the *Indian Act* was amended so that residential schools could apprehend any Indigenous child that was believed to be “not properly cared for or educated” (Ibid). By the mid-twentieth century, the majority of children in residential schools were there for what was loosely-termed “welfare reasons” (Ibid).

Because my research specifically considers the contemporary child welfare in Alberta, it is important to consider the specific history of residential schooling in this province. While the common elements of assimilation, racism, abuse, and violence were common across the country, there are specific considerations in the case of Alberta that should be noted. Among all of the Canadian provinces and territories, Alberta had the highest number of residential schools situated within its borders (National Centre for Truth and Reconciliation). Furthermore, it was in Western

Canada where residential schools as an institution were most deeply embedded within political practice. In Manitoba and the North-West Territories (which at the time included Alberta, Saskatchewan, and the much of the North), children deemed to be “not properly cared for or educated” could be apprehended and sent to residential school without the consideration or consent of parents and guardians (Truth and Reconciliation Commission 2015b, 147).

Of a total of 3125 recorded deaths in the residential school system, 821 were in Alberta schools. This is the highest amount of deaths in any province. Other provinces with comparatively high death rates in residential schools, such as British Columbia and Saskatchewan, presented numbers that were much smaller (Truth and Reconciliation Commission 2015d, 20). As mentioned earlier, Alberta also has the highest number of abuse claims through the Indian Residential Schools Settlement Agreement (IRSSA) with the exception of Saskatchewan (Truth and Reconciliation Commission 2015b, 401).

While it is not possible to clearly identify what caused this phenomenon in Alberta, there are a few considerations that can help to understand the proliferation of residential schools. From the time of Confederation onward, Indian Policy was part of Canada’s national policy that highlighted the need for land accumulation and westward expansion (Daschuk 2013, 108). The nineteenth and twentieth centuries witnessed the complete transformation of the prairie landscape through the settlement of European farmers (Ibid) as well as the construction of the Pacific National Railway (Ibid, 123). As a result, Indian Policy in the prairies was often more explicit and heavily enforced through this time period (Enns 2009). Residential schools are an example of one part of a larger network of policies that were necessary to regulate the prairies. Significantly, following the Métis rebellions in the 19th century, Western Canada was perceived as a dangerous and lawless space, and the government believed that potential political risks

“could be mitigated through the education of Aboriginal children” (Ibid). In terms of national development, the prairies were seen to be essential to the Canadian national program. Although treaties were signed relatively late in the prairies, government documents suggest that officials were well aware that treaties in the prairie region were key to the “retention of the country” (Daschuk 2013, 93). This transformation of the prairies—including immense economic transitions—signalled a “new economic paradigm” which depended on the exclusion of Indigenous peoples (Ibid, 157-8).

Indigenous feminists and other researchers have pointed explicitly to the institutional connections between residential schools and the contemporary welfare system (Sinclair 2007, Cull 2006). This institutional connectivity can be exemplified through the sixties scoop, a historical period of transition between the residential school system and contemporary child welfare that is defined in terms of the alarming rates of forced adoptions of Indigenous children to non-Indigenous (usually white) families (Sinclair 2007, 66). For many Indigenous scholars, the sixties scoop represents a period of transformation between the residential school system and what we understand to be contemporary child welfare. It is marked by a transfer of bodies from one institution to another (Ibid). When the Prince Albert residence finally closed in 1997, it was estimated that at least 140 of the children would be recommended for “some form of child welfare” (Truth and Reconciliation Commission 2015b, 105). Similarly, when the Mohawk Institute closed in 1970, the school saw a notable portion of its former enrollment shift “to the authority of provincial child-welfare agencies” (Ibid, 93). This transfer of student bodies from one institution from another was certainly not a new phenomenon at the end of the twentieth century, and it is worth noting that the residential school system and many provincial child welfare agencies had working relationships for a number of years. When the Mohawk Institute

reported declining enrollment in the twentieth century, they requested a transfer of sixty-four children from provincial welfare to the residential school (Ibid). The move was opposed by the Federal Government, as it “would be reversing the Department’s policy of moving from federally operated services [residential schools] to provincially operated [child-welfare] services for Indian residents” (Ibid).

The sixties scoop was neither official government policy, nor isolated to an experience that happened in the 1960s (Sinclair 2007, 66-7). Instead, it reflects the process whereby Indigenous children were transferred from the increasingly obsolete residential school system to provincial child welfare agencies (Truth and Reconciliation Commission 2015b, 147). While some historical accounts suggest that the majority of these apprehensions took place in the 1960s-70s (Ibid), others argue that the process continued throughout the twentieth and twenty-first centuries, acknowledging that the rates of apprehension today rival those of the so-called height of the sixties scoop—making the contemporary child welfare crisis the “millennium scoop” (Sinclair 2007, 66-7).

The dismantling of the residential school system, from the mid-twentieth century onwards, provided for the establishment of the child welfare system of the sixties scoop. During this time, the Federal Government pulled funding from the residential school system and began delegating the responsibilities of child welfare onto provincial authorities. By 1951, all child welfare responsibilities had been transferred to the provincial governments. This included the welfare of those with status under the *Indian Act* (Truth and Reconciliation Commission 2015b, 167). Provincial agencies then began extending services onto reserves (Ibid). Provincial authorities insisted that the Federal Government was to be responsible for funding such services, however conflicts over funding were not resolved. This created significant consequences for

provision (Ibid). Funding, however, was not the only issue within this transfer, and other serious implications were soon revealed: Alberta, Saskatchewan, and Manitoba did not reach child-welfare agreements with the Federal Government in the 1960s. The provinces with the largest number of residential schools and often the largest attendance were perhaps the least equipped to manage the transition (Ibid). In practice, this meant that child-welfare systems in these provinces were, even more than most, primarily centred on practices of delayed intervention and child apprehension (Ibid, 168). Across the country, when provinces took control of child welfare, the numbers of Indigenous children in state custody grew exponentially (Ibid, 167).

Resistance to Residential Schools

It is important to acknowledge that in spite of the oppressive institutional power of residential schools, Indigenous mothers—and families more generally—have continuously resisted settler-colonial violence. Of particular importance to my research is an acknowledgement of the various ways that Indigenous families resisted the violence of the residential school system. It can be difficult to see these many attempts at resistance, because they are often clouded in stories of trauma and violence. And yet, parental resistance was strong, dedicated, and powerful in many cases. In some instances, parental resistance was so powerful that it was able to cause “the failure and eventual closure of most of the industrial schools on the prairies” (Truth and Reconciliation Commission 2015a, 249).

Resistance to residential schools took many forms. Many Indigenous parents simply refused to send their children to school. Because schools were funded on a per-student formula (Ibid, 261), withholding enrollment—especially when it happened on a large-scale community basis, could eventually result in the closures of residential schools that were not able to make themselves financially viable to the government (Ibid, 249). Between 1883 and 1922, the

government built nine industrial schools in the three Prairie Provinces (Ibid, 267). By the end of 1922, only two of these schools remained open, largely the result of parental refusal to enroll their children (Ibid). In Alberta, the Maskwacis (then Hobemma) and Morley First Nations not only lobbied consistently for schools to be built in their communities, but actively boycotted the Red Deer Industrial School, resulting in its closure in 1919 (Ibid, 272-3). The Paul First Nation also resisted sending children to residential schools, with one Protestant missionary stating that it was extremely difficult to recruit students, as “the grandmothers refuse to let them [the children] go” (Ibid, 272).

When parents were aware of the malnutrition affecting children in residential schools, they pushed back as well. Many times, parents would “steal food from the local stores” in order to provide for their children (Ibid, 506). This resistance took place in spite of the fact that schools and government officials blatantly disregarded the rights of Indigenous parents (Ibid, 266).

Forced Sterilization

By the early 1900s, colonial authorities attempted to rupture Indigenous women’s physical ability to reproduce through the introduction of eugenics laws. Two provinces in Canada had official eugenics policies, one of which was Alberta (Stote 2012, 120). In Alberta, 2,822 officially approved sterilizations took place (McLaren 2014, 159). Despite the fact that Indigenous peoples represented only 2.5% of the population in Alberta, 25% of recorded sterilizations were committed against Indigenous peoples (Cull 2006, 148). Karen Stote’s research on sterilization policy in Canada suggests that coercive practices of sterilization against Indigenous women happened both when formal policies existed, but also many times where no

such policies can be located in official records (2012, 141). This means that likely the number of sterilizations committed against women was even greater than official statistics can tell us.

Eugenics policies were rooted in the belief that there were certain people who were “‘unfit’ to procreate” (Cull 2006, 148). Situated within a colonial desire to regulate and control, the eugenics movement was fully entrenched in ideals of white supremacy. It specifically targeted those deemed to be a “threat to society,” and subsequently, those who are most marginalized in Canada. This made Indigenous women particularly vulnerable to state violence. Largely, the specific impacts of sterilization policy on Indigenous women have been overlooked in the literature, however Karen Stote’s work on legislated and non-legislative sterilizations provides a more nuanced insight into the ways in which Albertan (and Canadian) sterilization practices were “racist, sexist, and imperialist” in nature (2012, 117).

Literature about the eugenics movement has been appropriately examined as gendered, specifically targeting women’s bodies as necessary in shaping “the reproduction of the interests of the state” (Ibid, 118). Impoverished and marginalized women, often those who relied on the state or private charity for aid were especially vulnerable. In the case of Indigenous women, the poor health, poverty, and other socioeconomic conditions that were the direct result of settler-colonialism were taken as proof of “their lower racial evolution” (Ibid, 119). In Canada, these forced sterilizations were also explicitly connected with the accumulation of land and property. Sterilization laws gave each province the capacity to determine whether or not an Indian was ‘mentally competent.’ In most cases of sterilization in Alberta (approximately 77%), the Indigenous person was deemed ‘mentally incompetent’ and was therefore not required to consent to sterilization (Ibid, 121). Additionally, the law also stipulated that any land or property belonging to a ‘mentally incompetent Indian’ would be passed to the government to be used in

whatever manner they saw fit. For Indians who lived on-reserve, land and property would pass to the Minister of Indian Affairs. For Indians living off-reserve, the province was granted ownership of the property (Ibid). In this way, we can see that the coercive sterilization practices of the state were also closely connected to the settler-colonial desire for land accumulation, and were sometimes used as a means of facilitating it.

These coercive sterilizations were direct acts of colonial violence on Indigenous women. Like residential schools, they were grounded in the settler-colonial fantasy of eliminating Indigenous bodies and sovereignty from the land. Sexual sterilization and eugenic policies were especially popular in the early twentieth century, however recent cases brought to the press across the prairies suggest that coercive practices of sterilization are not located exclusively in the past. Even within the past year, Indigenous women in Canada have been bringing their stories to national attention. Four Indigenous women approached CBC News in January of 2016 after being coerced into sterilization procedures in a Saskatoon hospital (Paling 2016).

As with all experiences of colonial violence, it is crucial not to individualize or isolate: rather than being historical mistakes of a well-intentioned state, all of these policies must be understood in their relationship to the larger structural violence of the colonial state building project. As Stote argues, coercive sterilization has been but one strategy through which the Canadian government has dispossessed Indigenous women of their reproductive abilities, and as policy interventions cannot be easily distinguished from other such practices, including residential schools (2012, 141).

Ultimately, the residential school system worked in tandem with other policies, including the gendered regulation of the *Indian Act*, and the forced sterilizations of Indigenous women, to restrict the kinds of relationships that Indigenous mothers could have with their families,

specifically their children, and their communities. On the one hand, the gendered regulation of the *Indian Act* left many Indigenous women without the capacity to give birth and to raise their children within their communities—something that Indigenous feminists have argued is paramount to building healthy communities and families, but is also connected to a particular form of political power and autonomy (Simpson 2006; Anderson 2009)—and excluded many Indigenous women and their children from participating in the social, cultural, and political lives of their communities. On the other hand, the forced sterilizations of Indigenous women, as well as the apprehension and removal of children from their communities and families is a means through which Indigenous social reproduction is limited by state violence perpetrated against Indigenous women's bodies and their families. The complexity of this network of policies reveals the political significance of motherhood to the settler state and to the social reproduction of a new settler-colonial order. To restrict motherhood on both ends—that is, both between Indigenous mothers and their children, as well as Indigenous mothers and their communities—reflects the crucial roles that Indigenous mothers hold in resistance to settler-colonialism.

It is further relevant to consider the important connections between mothering and governance that have been highlighted by Indigenous feminists earlier in this chapter. While important to highlight the ways that restricting and regulating Indigenous mothering was traumatic on both personal levels as well as for considerations of social reproduction, mothering was also deeply connected to political practices of governance in very tangible ways. This included a certain level of autonomy over the political decisions of the nation that were grounded in the practices and relationships involved in being a mother. Kim Anderson notes that many female Chiefs consider their political roles to be informed by their experiences as mothers, and that many times they are often interconnected (2007, 116). Furthermore, political authority in

many Indigenous communities is an extension of the authority that many Indigenous women enact as part of their roles as mothers, teachers, and nurturers (Ibid, 103). While this is often acknowledged only in the metaphorical sense, Indigenous feminists are clear that it is much more practical and lived than is often conceded. Political authority is in fact structured around the ways in which mothering roles create and govern communities and nations (Ibid, 104).

Ideologies of Family

In Canada, ideologies of family are inseparable from settler-colonial aspirations of land accumulation, and hierarchies of race. The traditional heterosexual nuclear family operates as the fundamental site of social organization. It not only establishes ties of belonging, but identifies and articulates those who do and do not belong. The valorization of this ideal of family clearly identifies Indigenous mothers and their families as deviant from the norm (Thobani 2007, 108). As Thobani notes, the family is integral to the nation state, as it is the “pre-emptive site of the socialization of future citizens” (Ibid, 112).

In the colonial state, the family bears particular importance as the site of reproduction for colonial sovereignty and power. The white, middle-class family, described by Thobani as the “exalted” family, is positioned as “the site of the (re)production of the nation and its values” (2007, 108). The Indigenous family, by contrast, is positioned as antithetical to the nation (Ibid). In direct opposition to this ideal, Indigenous mothers and families were positioned as a “threat to national advancement” and “a hindrance to the modernizing project” (Ibid, 118-19). In other words, if white mothers could be seen as mothers of the nation, reproducing the settler state, Indigenous mothers were reproducing the threat of ongoing Indigenous presence and sovereignty. Because Indigenous mothers and families presented such a significant threat to the legitimacy of the settler state, the state required their elimination. This is context through which

the laws and policies described in this chapter have emerged. The incommensurability of Indigenous lives, families, and communities with settler-colonialism required their elimination. Sometimes, this was through physical elimination and tactics of violence, such as the forced sterilizations of Indigenous women. Other times, laws would figuratively or symbolically eliminate Indigeneity, as articulated in the example of the *Indian Act* and the legal erasure of Indian status.

The interventions that Indigenous families were subject to were particularly violent. However, they were also situated within the broader context of the Canadian settler-colonial state and its regulation of families more general. The state in fact depended on this regulation of marriages and families in order to pursue the settler fantasy of land accumulation. Sarah Carter notes that monogamous marriage was not the norm—nor indeed the ideal—of marriage in North America and even parts of Europe until the 19th century (2014, 65). Instead, marriages were often largely informal affairs, situated largely “beyond the reach of marriage laws” (Ibid). However, it is also the case that settler-colonial political societies, eager to create new social and political orders, were also keen to inaugurate “their regimes with marriage regulations to foster households conducive to their aims” (Ibid, 68). In Canada, various methods were used to either discourage or prohibit deviant marriages (Ibid). This was most clearly the case with regards to interracial marriages, which were heavily scrutinized. Laws were created to regulate Indigenous women’s mobility within settler cities, restricting even those Indigenous women who were married to and had children with settler men (Ibid). Often, white men would divorce, separate from, or abandon their Indigenous wives and remarry (Ibid).

Like other intimate policies within the settler-colonial state, the need to regulate marriage is closely caught up in the desire for land accumulation. Within the settler-colonial context, heteropatriarchal notions of property and ownership prevailed. Given this framework, settler women in Canada were only capable of obtaining land through their relationships with men (Carter 2014, 74). The land policy that governed and unified the west, the *Dominion Lands Act* (DLA), operated through and sought to replicate existing gender standards within this patriarchal framework (Ibid, 99). Under the DLA, women's capacities to own land or other forms of property were severely restricted. The settler-colonial government established programs of incentives and pressures for single, white men to marry white women. This includes what Carter terms "rebate schemes" (Ibid). Women who indicated other ambitions aside from marriage were discouraged as immigrants, and others were admitted on the assumption that "they would not be single for long" (Ibid).

It is also within this context of land accumulation where interracial marriages became the site of state management and governance. Although intermarriages were quite common throughout the fur trade era, settlement and land accumulation required new strategic relationships that would further exclude and marginalize Indigenous peoples so as to increase white settlers' access to land. Much of the public discourse regarding intermarriage was specifically racialized and gendered, and bears striking resemblance to the continued discourses of Indigenous mothers that have circulated throughout the history of child removal from residential schools until contemporary times. These discourses suggested that Indigenous women, even if married to a white settler man, would impart through their blood "restlessness, slovenliness, impatience of control, wild liberty, superstition, and, when aroused, [a] fiendish hatred and temper" to their children (Carter 2014, 70). These social anxieties led to increased

legal enforcement of racialized monogamy. One example that Carter offers is that of Indian agents and farm instructors on reserves who were accused of having immoral relationships with Indigenous women. The Department of Indian Affairs subsequently drafted up a list of all of the single employees, and made note to replace them with more suitable married employees when such an opportunity presented itself (Ibid, 72).

Ideals of marriage that deviated from a white, European, and heterosexual norm—including, but certainly not limited to Indigenous marriages—were perceived as a threat to the nuclear family, which led to anxieties that “the very foundation of the nation was under threat” (Carter 2014, 30). It is this conceptualization of the nuclear family as so foundational to the construction of the state that creates the context wherein family intervention, either through marriage laws or child apprehension, was articulated as a powerful political move.

It is possible, however, that we take this policy intervention one step further in our critique. Not only was the regulation of marriage part of a project geared towards assimilation and state intervention, it also specifically undermined Indigenous law, governance, and sovereignty. As Carter notes, the Department of Indian Affairs undertook a serious and consistent policy stance on Indigenous marriages from 1887 to 1951: Indigenous custom marriages were taken to be legitimate, but it was illegal for Indigenous peoples to separate according to Indigenous law (2005, 155). This government policy was strategic to the Canadian government, as it forced Indigenous peoples into legal relationships not only with one another, but also with the state, specifically with the Department of Indian Affairs. Such state policy allowed for increased surveillance and control over Indigenous communities, and established barriers for who might be able to access annuity payments on reserves (Ibid, 164). Carter notes that Indigenous women who were the second or third wives of divorced Indigenous men were

not seen as legitimate and were therefore condemned as having “no right to share in the annuities of the band” (Ibid). Although it is beyond the scope of this research, it is relevant to note that Indigenous marriages are still regulated by the Canadian government through the implementation of the *Indian Act* as well as Bill C-31. These policy documents have serious implications in terms of who is able to claim legal status and therefore who has access to particular rights and resources.

The Myth of the ‘Unfit Mother’

In large part, the disruption of Indigenous families relied on discourses of unfit parenting. These conversations were also highly gendered, once again taking Indigenous women as a site of intervention. The laws and policies outlined in this chapter were often legitimized through constructions of Indigenous mothers as ‘unfit’ or ‘incapable’ of caring for their children appropriately. Ideologies of race and gender intersect to create conceptualizations of mothers who are unsuitable for the role of motherhood, and who necessitate state intervention because of their inability to properly care for their children.

Indigenous mothers became—and are still—intensely scrutinized and surveilled by government authority, and by the settler public. Sometimes, this scrutiny has been the result of pre-existing ideologies of motherhood and family, which were different from—and sometimes incompatible with—Indigenous parenting. The state has consistently placed individual blame on Indigenous mothers, suggesting that they are uniquely responsible for their children’s “medical and social problems” (Cull 2006, 143). In early government sessional reports indicate that government officials attributed the high rates of tuberculosis and other colonial diseases to “inadequate native mothering practices” (Ibid).

In some parts of Canada, the Canadian state even attempted to reform Indigenous women's mothering practices by creating baby clinics that would 'teach' Indigenous women how to properly mother based on the standards of the day (Cull 2006, 143). This paternalistic attitude was part of a constellation of policies aimed at managing and regulating Indigenous lives, and is very closely caught up in the gendered education that Indigenous girls received in residential schools, as well as other informal education practices through Indian Agents and medical personnel that taught Indigenous women and girls "the art of living" (Moffat and Herring 1999, 1829). These practices were grounded in a settler belief that "good families do not just happen," but are the careful product of state policy and intervention (Chupik-Hall 2001, 32).

In the Canadian context particularly, the extreme poverty and violence that has impacted many Indigenous women's lives—a direct symptom of settler-colonialism and dispossession of land—has often had direct and significant impacts on the capacities of Indigenous women to care for their children. These impacts are invisibilized to the settler Canadian population, and the "dominant ideology of motherhood" pathologizes Indigenous women who deviate from the ideal (Thobani 2007, 123). During the residential school era and into the present day, many Indigenous women who went on to become mothers were and are survivors of the residential school system (Ibid). The dominant-hegemonic perspective on what constituted a 'good mother' is not only racially determined, but also fully ignores how colonialism and trauma impacted Indigenous women's ability to 'properly' perform the ideal. Randi Cull asserts, however, that in order to fully appreciate Indigenous mothering as resistance, we need to take into account how Indigenous women in fact succeed at motherhood in a society and a state that has structurally discriminated against them and in which there continues to be an excessive amount of violence impacting Indigenous women's lives (2006, 141).

In contemporary times, Indigenous women are still made to prove their competence as mothers. In Canadian society, ideologies of family judge mothers against the “ideal, white, middle-class, nuclear family” (Cull 2006, 146). Not only does this not take into account different cultural parenting styles and needs, but expressly ignores the economic discrimination faced by Indigenous peoples in Canada. This will be explored further in the next chapter, which details the present state of Indigenous child welfare in Alberta. The next chapter of this research demonstrates that the contemporary neoliberal state of child welfare draws substantially from this racialized narrative, which is embedded in the historical context provided in this chapter.

Once again, the work of Dorothy Roberts is valuable in understanding the ways that this discursive violence is also real and tangible violence. When discussing the ways that Black women have been portrayed as inherently unfit mothers in the United States, Roberts draws a connection between the discourse of ‘unfit for mothering’ with “unfit for citizenship” (2007, 486). Black peoples were excluded from citizenship on the grounds that they were incapable of rational thought, and that they lacked the necessary qualities to be self-governing (Ibid). Because race was classified as an inheritable trait, it was believed that these negative traits were located within Black mothers, and that it was she who would transmit these inferior, racialized qualities through her genetic make-up (487). As a result, the regulation of Black reproduction was also the regulation of race. But beyond this connection, we can also see the ways that the ‘unfit mother’ and the ‘unfit citizen’ share many negative qualities, like laziness and ignorance (Ibid). In many ways, these categories are not only overlapping, but in rather are a shared identity.

These demeaning representations of Indigenous mothers render them both invisible and highly visible to public scrutiny (Cull 2006, 152). They are expected to continuously prove themselves not-guilty against a system continually labelling them as incapable parents (Cull

2006, 147). On the other hand, the public scrutiny ignores and deliberately conceals all positive attributes of Indigenous mothers, and the fact that Indigenous women “successfully manage motherhood against enormous odds” (141).

Conclusions

This chapter has provided an introduction to the historical contexts surrounding my research. I have taken into specific consideration the need to theorize the family as one site where settler-colonial power was exercised. While I have taken the example of residential schools as the primary example, there are many other policies and programs that exemplify this practice. As both Thobani and Carter express, the state understands how crucial families are to the structuring of a new political order, and their capacities for the (re)production of colonial progress, to which the state is constantly driven. The state is also aware of the capacities of Indigenous families to undermine new political orders and to assert Indigenous sovereignty through the articulation of political and social orders that predate settlement.

Moving forward, this thesis will continue to draw on threads pulled from this conversation. The continued importance of ideologies of families, narratives of reproduction and appropriate parenting remain crucial to conversations regarding contemporary child welfare. In order to examine the continuities between the residential school system and the ongoing child welfare crisis, my thesis will continue to come back to these threads in order to pull together a more holistic narrative.

Chapter Three: Alberta Child and Family Services

The previous chapter provided a historical overview of some of the ways the Canadian state sought to control Indigenous peoples through the regulation of Indigenous social reproduction and kinship, and included conversations around forced sterilizations, the gendered regulation of the *Indian Act*, and an analysis of the ways that the residential school system operated to regulate and restrict intimate relationships for Indigenous peoples. This historical analysis has provided the space to consider more concretely the continuities and differences between residential schools and the contemporary child welfare system. This next chapter will offer a comparative analysis of contemporary child welfare, grounded in this historical framing.

Given this historical context, in this chapter I aim to provide a comprehensive case study of the Alberta Child and Family Services as it is related— and divergent— from the history of residential schooling. In this chapter, I will first provide a historical overview of Alberta Child and Family Services. I then undertake a document analysis of four different publications in order to evaluate the contemporary state of Indigenous child welfare in Canada and Alberta. I will pay specific attention to jurisdictional disputes and funding shortfalls between Indigenous and mainstream child welfare programs, as well as the alarming rates of Indigenous child deaths while in government custody. I will also pay attention to how child maltreatment is framed in these documents. As I have discussed in my methodological framework, my document analysis is not only a summary and corroboration of data from these reports, but also an analysis of how the information is portrayed in each of these documents in order to consider the impacts of this portrayal to policy makers, welfare professionals, and the Canadian public. While these reports provide valuable information on the state of child welfare federally and provincially, they have a tendency to articulate messages that not only reflect continuities with historical child

apprehensions and racialization, but also reflect neoliberal values in the dissemination of their data and the goals they serve. This document analysis is therefore not only a review of the empirical data, but also a reflection on what has been produced, and what purposes its production served.

History of Alberta Child and Family Services

The history of Child and Family Services in Alberta is not separable from the history of residential schooling, and it is important to consider these two institutions beside one another in order to grapple with this relationship. While they are rooted in a similar political landscape, they were created to serve different—although intersecting—needs. Because of these intersections, this chapter will begin with an overlapping history of child welfare in Alberta, starting with the turn of the century and the incorporation of the Province of Alberta. Comparatively speaking, the Prairie Provinces did not develop social welfare services until much later than other provinces (Whitton 1947, 5). Historical documents suggest, however, that within the first two decades of Alberta's status as a province, rapid development of welfare strategies occurred (Ibid). In 1909-1910, Alberta became the first province to make poverty relief obligatory (Ibid, 3). Informed by child welfare practices elsewhere in Canada and in the United States, child welfare in Alberta operated primarily as a form of relief for children, and was mainly responsible for apprehending children suspected of living in neglectful conditions (Ibid, 10). In 1912, the Report from the Superintendent of Neglected Children affirmed that the purpose of Children's Aid Societies and the child welfare system broadly speaking:

[Children's Aid Societies exist] not to destroy parental responsibility, but to encourage and enforce it; not to break up the family, but to reform it; not to create paupers, but to promote self-help; not to create criminals, but to turn idle, drunken parents into sober, industrious citizens (Alberta Department of the Attorney General 1912, 10).

This affirmation of the role of the child welfare system in its earliest iterations asserts a clear point of departure for the philosophy and framework of the welfare system in Alberta in the years to come—and arguably, one which is still ongoing in the contemporary neoliberal landscape. In particular, its emphasis on responsibility, industriousness, citizenship, and reforms to the family speak to many of the cultural elements that inform child welfare in Alberta, wherein the heterosexual nuclear family occupies a privileged position of relevance, and wherein a sense of ‘pioneer’ self-sufficiency and hard work are able to redeem many, if not all, social ills.

In their comprehensive history of Alberta’s child welfare services, Donald Meen and Robert Chubb in fact begin their account by describing the residential school system. According to their account, which was written in the early 1980s, the residential school system was a response to “a growing problem of unemployment among the Metis [sic] children of traders and their Indian wives” (1981, 16). This comment indicates that not only were residential schools considered to be welfare institutions in their time, but were also very closely connected to the welfare system throughout the 20th century and at least into the 1980s. Although this account names residential schools as the earliest form of Albertan child welfare, they quickly go on to tie the rise of a bureaucratized child welfare system to increasing immigration and settlement (Ibid, 17). In this way, it is important to acknowledge the clear distinctions being made between welfare for “Albertans,” which emerged from the residential school system, and welfare for Indigenous children, who were largely excluded from this development and placed in residential schools alongside this parallel history. These racialized divisions are therefore not only present in the Alberta Child Welfare System, but central to it. Following the creation of the province in 1905, settler communities began pressing the government for the provision of services (Ibid,18). At the time— and for many years after— the provision of child welfare was largely the

responsibility of municipalities (Ibid, 17). The creation of the Department of Municipal Affairs in 1912 ensured a decentralized approach to child welfare by appointing various municipal organizations as responsible for the provision of welfare services (Ibid, 19).

Generally speaking, throughout the early and mid-twentieth century, child welfare was split into two categories: Children's Aid Societies, and official provincial child protection. Children's Aid Societies were by far the most prevalent, and operated in most areas except those deemed to be too remote (Whitton 1947, 10). These Societies operated under provincial supervision, but were largely civilian-run organizations (Ibid) In other areas, the Provincial Government directly appointed a child protection official (Ibid). In both cases, the primary objective of these services was to protect children "in danger of neglect" (Ibid). Children's Aid Societies were responsible for investigating possible child neglect, apprehending children believed to be neglected, supervising and managing children's shelters, and acting as guardians for children placed in foster homes (Meen and Chubb 1981, 27). During this time, the Provincial Government remained involved only at a very minimal level (Ibid, 19).

The Great Depression, which began in 1929, drastically altered the discourse around child welfare in Alberta. At this time, the basic structure of child welfare had not been altered since Alberta was incorporated as a province (Meen and Chubb 1981, 70). This decentralized system, which relied substantially on voluntary citizen labour (in the form of Children's Aid Societies) and donations from citizens, was simply not equipped to handle the widespread need for welfare assistance that the existed through the Great Depression (Ibid). Municipal governments, once responsible for the majority of relief services, were no longer capable of meeting the needs of citizens (Ibid). In 1936, municipalities officially relinquished the responsibility of welfare services to the province (Ibid). The overall transferring of service

provision to the provincial level was part of a broader political movement in North America to transfer this portfolio from municipal relief from poverty towards social welfare as a government service (Ibid). In the United States, services were transferred to the state level, and elsewhere in Canada, provincial governments were taking on this responsibility (Ibid). The federal-provincial cooperation that was the result of the Great Depression was considered to be a new hallmark of welfare provision across Canada (Ibid, 70). That being said, however, this thesis will later address the ways that this cooperation turns to jurisdictional disputes, particularly involving the concerns and critiques of Indigenous peoples.

The Public Welfare Department in Alberta was established in the 1940s, and coordinated services such as old age allowances, mother's allowances, poverty relief, assistance for homeless men, and child protection (Meen and Chubb 1981, 7) This Public Welfare Department also provided "measures for the Metis [sic] population," although it is not clear exactly what measures those were (Ibid). By the 1940s, there was still no clear provincial welfare policy in Alberta (Whitton 1947). During that decade, then, developments in welfare bureaucracy largely involved increasing centralization of services to the Provincial Government (Meen and Chubb 1981, 72). The Imperial Order of the Daughters of Empire (IODE) released a series of reports in which members raised concerns about the lack of a coordinated provincial policy (Whitton 1947, 4) and argued that this lack of a provincial policy was contributing to the over-dependence on the government for welfare support (Ibid, 3), the frequent removal of children from their mothers, and the "exporting" of Albertan babies to the United States (Ibid). This lack of coordinated support created controversy, especially among women's groups, and sparked an investigation into the public welfare system in Alberta (Ibid, 6).

Following 1944 and throughout the mid-twentieth century, child welfare became increasingly centralized through the Provincial Government (Meen and Chubb 1981, 10). During this time, Children's Aid Societies were effectively dismantled, and the responsibility of wardship was moved fully into the provincial jurisdiction (Ibid). That being said, municipalities were still held responsible for providing for the basic needs of children taken into protection, as well as providing child welfare officials in all communities with a population over 5,000. Critics of this centralization argued that the centralization of such services infringed on the rights of children, families, and communities (Ibid). Until this point, guardianship could only be revoked through court proceedings (Ibid). After 1944, a child could be classified as a ward of the state through various measures, including informal care agreements within families (Ibid). During this time, practices that we would consider 'kinship care' in today's language were also restricted. While informal kinship agreements were often the norm until this period, it became mandatory to receive written consent for the transfer of custody from the Superintendent of Child Welfare before any decisions could be reached (Ibid, 11). During this time, critics of the centralization also argued that, while smaller communities like Lethbridge or Medicine Hat had greater success with local placements, children deemed to be "non-adoptable" or "non-placeable" were sent in large numbers directly to the Superintendent's office in Edmonton (Ibid, 12).

Critics argues that this era of centralization coincided with attempts on the part of the Provincial Government to cut welfare funding by saving on placement costs (Meen and Chubb 1981, 12). Even at the time, there was speculation that the superintendent was seeking out "free placements" for children, and would send children to rural areas and into boarding institutions, as well as international placements, if there was the possibility of securing a lower cost option through one of these means (Ibid). According to the IODE study, while a waitlist of over 250

suitable homes within Alberta had been approved by the superintendent, nearly 450 children were 'adopted out' to the United States in 1947 (Whitton 1947, 13).

While this centralization was contentious, many Albertans seemed to be in agreement that the most effective form of child welfare was apprehension and adoption (Whitton 1947, 12. Patterson et al. 1965, 103-4). Additionally, the prevailing attitude was that apprehensions that happened as early as possible in a child's life were the most preferable, as that way they would be detached from the background of "family, race, religion, and inheritance" and would therefore be most adaptable in a different setting (Ibid). Foster homes also came under intense scrutiny during this time as institutions that were poorly selected and poorly maintained, with little effort on the part of the government to ensure that foster homes were well-equipped to support the needs of children placed in their care (Meen and Chubb 1981, 76). It seems to be the case that sometimes children were placed in foster homes with no follow-up, and that government officials did not always know where these children were (Ibid).

Throughout the mid-twentieth century, Alberta Child and Family Services was also responsible for providing child welfare to Métis families. One court hearing from 1965 articulates that apprehension and adoption was not only the preferred method of child welfare, but that it would be useful specifically in the case of Métis peoples as a tool of assimilation (Patterson et al. 1965, 96). The hearing went on to call into question Métis families' capacities to appropriately care for children if they exist on "subsistence levels" (Ibid, 97).

In the 1960s, Alberta's approach to child welfare once again shifted with the political and social context of the time. By 1970, the Department had changed its name from "Public Welfare" to "Social Development" (Meen and Chubb, 85). With this change, the Provincial Government took responsibility for the maintenance and provision of residential care for "neglected or

emotionally disturbed children” (Ibid, 86). During this time, the province also assumed responsibility for any children’s protection services developed by municipalities independent of the province (Ibid). Finally, in the 1970s, the province shifted responsibility for the probation services and residential care of “delinquent children” from the Attorney General to the Department of Social Development (Ibid). In many ways, the changes from 1960-1970 reflect the final phases of centralization before services were once again delegated to smaller communities in the 1980s.

Throughout the 1980s, Alberta’s child welfare system experienced another wave of transformation that saw the intense centralization and bureaucratization of the 1940s-50s being swept out against the rising influence of neoliberal political ideologies. In 1985, the Alberta Ministry of Social Services and Community Health released “Child Welfare in Alberta: A Progress Report.” This document followed the development of a new and revised version of *The Child Welfare Act*. Broadly speaking, the 1985 revisions of the *Child Welfare Act* defined welfare in terms of community and family responsibility, and emphasized the great importance of the family as the basic unit of social development (Alberta Social Services and Community Health 1985). At the national level, Canadian Prime Minister Brian Mulroney described reforms to Indigenous policies aimed at increasing the capacities of Indigenous peoples to live “productive, happy lives” as a means of integration into the neoliberal system (1985).

While neoliberalism and responsabilization were relatively new ideological beliefs, the reincorporation of the primacy of the family demonstrates the significance of arguments laid out earlier in this thesis regarding the centrality of the family within the settler-colonial project, and more broadly speaking, its importance to the process of nation-building. Neoliberalism therefore inherits the mechanisms of the settler-colonial heteropatriarchy and begins from that

positionality. Neoliberalism, in its desire to reduce the family to its most basic element, limits the significance of the extended family and emphasizes the totality of the nuclear family as a policy-making unit, which in turn emphasizes the gendered division of labour that disproportionately holds women accountable for the well-being of their children (Leite 2013, 5). Lois Harder has similarly argued that the turn towards neoliberal political rationalities in Alberta occurred on the heels of a reinforced articulation of ‘family.’ That is to say that the increased attention paid to highlighting the importance of ‘families’ to Alberta’s political and social functioning enabled cuts to many forms of welfare through the assumption that Alberta’s ‘families’—and in particular women—would “fill the void” in social services through unpaid labour (2003, 279). Therefore, the decentralization of welfare provision is only possible through a dependence on unpaid care work performed by women within a nuclear family setting (Ibid, 300). This ultimately means that the neoliberal state in fact depends on the privileging of nuclear family norms in order to function.

By the 1990s, the neoliberal political ideology of the Alberta Government was becoming even more clear. A restructuring of the Ministry of Family and Social Services and the entirety of welfare provisions was announced in March 1993. The primary focus of this restructuring was to become “more employment focused” and “more able to assist clients in their efforts to become self-sufficient” (Alberta Social Services and Community Health 1985, 1). It was during this time when the general concept of welfare became fundamentally an employment program, which emphasized the temporary nature of any government assistance, the need for “self-sufficiency and family responsibility,” and the implementation of training and employment opportunities for recipients (Ibid). The focus on child welfare followed this ideological trajectory, and the reforms highlighted the need for child welfare that was “efficient” and centred on preventative measures

(Ibid). During this time, overall welfare caseloads fell drastically: between 1993-95, the overall caseload fell by 47.9% (Ibid, 2). Total welfare expenditures also dropped by 42% during this same time frame (Ibid, 3).

In 1994, the Provincial Government began to transfer the delivery of Child and Family Services back to individual Alberta communities (Alberta Social Services and Community Health 1985, 8), which reflects the decentralization of much of the work that had been done in the mid-twentieth century. Contrary to the trends influencing budget in other areas of welfare service delivery, the Provincial Government actually increased the child welfare budget from \$160 Million in 1993/94 to \$195 Million in 1997/98 (Ibid). Much of the funds to increase this budget came from the clawing back of funding for other branches of welfare services (Ibid). This is in fact consistent with other historical moments in Alberta, where welfare services for children were consistently prioritized over other forms of social welfare. The budgetary increase to child welfare, amidst cutbacks to other programs within the portfolio, reflects the neoliberal categorization of worth and is reminiscent of attitudes towards assimilation previously seen within the welfare system. Children, as opposed to adults, are still potentially ‘worthy’ citizens who are redeemable through a process in which they are transformed to the ideal ‘worthy’ neoliberal subject. The logic of residential schools—and other institutionalized settings for ‘dysfunctional’ children—was to provide a space wherein children could be trained to be good citizens: to provide labour, to contribute to society in digestible and appropriate ways, and to be separated from those who were steering them ‘in the wrong direction’. In spite of its desire to claw back social programs and state involvement, then, neoliberalism continues to operate through the mechanism of child welfare in that it depends on this social programming in specific to reform children into more appropriate political subjects.

While the more recent movement towards devolution and delegation is certainly one aspect of the move towards a neoliberal rationality of welfare provision, it is also important to consider the political culture of Alberta more broadly when reflecting on this history. From its earliest days as an incorporated province, Alberta's mainstream culture was one of pioneer "self-sufficiency," and was therefore already situated within morally coded standards of success, responsibility, and hard work (Thompson 1989, 5). It was this moral framework that has largely guided the development of welfare in Alberta, from the earliest concepts of industrial schools as child welfare. It was hoped that such schools would instill in children in need a sense of personal responsibility and a strong work ethic, allowing "worthy" children to ultimately be successful (Ibid). These overarching ideals, while they have been more or less relevant at different times throughout history, have maintained a strong impact on how welfare was administered and regulated in the province.

Although some child welfare services had been delegated to certain First Nations in the 1970s and 80s, delegating services became a primary focus of child welfare provision in the 1990s (Alberta Social Services and Community Health 1985, 8). This is consistent with the delegating of child and family services to individual communities and is part of a neoliberal framework in which services have become increasingly decentralized (Slowey 2008, 14). This can also be seen in the push from the Provincial Government to encourage "grassroots" child welfare initiatives. Under this program, communities were responsible for developing detailed child welfare "plans," which were then to be submitted to the Provincial government for approval. Once the community had completed their plan and had it approved, a Child and Family Services authority was established in their region (Ibid, 9).

The History of Child Welfare and Indigenous Peoples in Alberta

What is especially important to note in all accounts available on the history of Alberta's child welfare system is the lack of consideration for the needs of Indigenous children and families. While many accounts begin with the history of residential schools as a starting point for Alberta's own child welfare strategy, oftentimes there is no acknowledgment of Indigenous children and families until approximately the 1970s, when services were once again being decentralized and responsibilities were placed back on individual communities. This is reflective of the division between welfare services for 'Albertans,' on the one hand, and Indigenous families. This continues to be reflected in the intense institutional divisions and the drastic material differences between Indigenous and non-Indigenous experiences of child welfare.

The lack of consideration for Indigenous peoples within existing welfare policy is also formulated within a context wherein provincial and federal governments have disputed jurisdictional responsibility for the provision of welfare services to Indigenous peoples. This is true of both the residential school system and the contemporary child welfare system. Provincial governments, while typically responsible for services such as education, health, and social services, were often unwilling to provide services for Indigenous peoples, whom they saw as wards of the state and therefore the responsibility of the Federal Government (Truth and Reconciliation Commission 2015a, 383). This dispute was most clearly visible in the provision of services for Métis children. As one of the earliest examples of this jurisdictional debate, the Federal government historically maintained that the provincial governments were responsible for the education and assimilation of Métis peoples (Truth and Reconciliation Commission 2015c, 4). Provincial and territorial governments, on the other hand, were reluctant to take on responsibility for Métis children, and did not take steps to ensure that there were schools in Métis

communities or that Métis children were accepted and accommodated in the provincial school system (Ibid). This often meant that Métis children were excluded from both federal and provincial services and that there existed a failure on the part of both governments to provide social services.

By the 1940s, the Federal government was actively seeking ways to transfer Indigenous students from the residential school system to public, provincially-funded education as a means of assimilation (Truth and Reconciliation Commission 2015b, 16-17). This was part of the Federal Government's intention to complete the full assimilation of Indigenous peoples from wards to citizens (Ibid). In 1964, the Provincial governments agreed to provide services to First Nations children, which included the provision of welfare services and education (Ibid, 20). By the 1966-67 school year, there were officially more First Nations students enrolled in provincial day schools than in residential schools for the first time (Ibid, 59). At the same time that education was devolved to provincial governments, Indigenous children were also being transferred between the residential school system and provincial child welfare (Ibid, 93). Even as services were devolved to provincial authorities, the provinces maintained that the Federal Government was responsible for funding the services (Ibid, 167).

In the late 1960s, the federal desire to devolve services to provincial governments was reflected in the Liberal Government's failed *White Paper*, which was intended to disband the Department of Indian Affairs and repeal the *Indian Act* (Truth and Reconciliation Commission 2015b, 22). According to the *White Paper*, Indigenous peoples were to receive services from the appropriate Provincial department, rather than from Indian Affairs (Ibid). While the *White Paper* itself failed, the principles of assimilation and the desire to transfer responsibility to the

provincial governments is something that has continued to be relevant for Indigenous peoples in Canada (Ibid, 23). Melinda Vandembeld Giles argues that within Canadian social service provision, devolution to provinces on behalf of the Federal government is part of a “new era of decentralization” that is inseparable from the move towards neoliberal governmentality (2014, 155). Similarly, the devolution of services for Indigenous peoples is not only caught within the framework of neoliberalism, but also within a desire to undermine nation-to-nation relationships that are located within treaty negotiations (Truth and Reconciliation Commission 2015a, 49).

Generally speaking, policies and procedures around providing provincial child welfare services to Indigenous families did not enter into conversations prior to the 1960s. It is important to remember that it was during this time that the residential school system was in decline and many children were being transferred out to provincial welfare services. This is also indicative of amendments to the *Indian Act* in 1951, which mandated that provincial legislation would be applied to status Indians (Davies 1992, 1204). In 1975, the province sponsored a project by the Voice of Alberta Native Women’s Society to recruit Indigenous families to serve as foster parents (Thompson 1989, 28). This program witnessed 150 Indigenous foster homes approved during its first year (Ibid). It is therefore important to remember that even the seemingly small concessions of increased Indigenous foster homes for Indigenous children and youth who were apprehended were only made possible by the extensive advocacy on the part of Indigenous women. However, this project was itself steeped in the language of family responsabilization that characterizes so many of the welfare documents from the 1970s onward. The language of the report centred on encouraging Indigenous women to “[accept] responsibility” and the Voice of Alberta Native Women’s Association framed many of its conversations around this notion of Indigenous peoples taking responsibility. This included two conferences during the 1970s, which

were named “Success with Unity, We Are Responsible,” and “With Responsibility, We Progress” (Alberta Social Services and Community Health 1976, np).

Additionally, in spite of the success of the Voice of Alberta Native Women’s Foster Care Project in recruiting additional Indigenous homes for Indigenous children in the foster system, it is also indicative of various ideological beliefs discussed in this thesis. First of all, while 103 homes were accepted, a further 62 were rejected (Ibid, 14). Furthermore, when examining why many of these homes were rejected the report discusses how the families “had no additional space for foster children” as many families were “already caring for grandchildren, and in some instances, had the grand-parents residing with them” (Ibid). Comments like this reposition the nuclear family as the site of responsabilization and care, and therefore constructs boundaries around what kind of family is ‘good’ or ‘suitable’ for a child, and what kinds of families are not.

In more recent archival documents, for example from the 1980s and 1990s, it is more common to see provincial policies attempting to at least acknowledge welfare services for Indigenous peoples, but these conversations are largely still quite marginal. For example, one of the only mentions of Indigenous families in the 1985 “Child Welfare in Progress” program manual is a description of additional procedures for workers who are in the process of apprehending children from First Nations’ reserves. This includes consultation with the “appropriate personnel,” which might include local band council or band administration members, but could also be “staff from the Department of Indian and Northern Affairs” (Alberta Social Services and Community Health 1985, PM-23). This is indicative of a reality wherein certain procedural roles are delegated to First Nations’ members, but where decisions regarding the welfare of First Nations children could still largely fall into the hands of federal staff.

By the late 1980s, Indigenous child welfare was becoming a more prominent conversation, although it was still largely a separate conversation from provincial child welfare. In 1985, the Government of Alberta created a Working Committee on Native Child Welfare, which was intended to act in an “advisory capacity” to both the Minister of Social Services and Community Health, and the Minister of Native Affairs (Working Committee on Native Child Welfare 1987, np). This committee appears to have largely been assembled in response to the death of Richard Cardinal, a Métis youth from Fort Chipewyan who died by suicide at 17 years old after 14 years in the child welfare system. During that time, Richard Cardinal had been placed in 28 different foster homes (Ibid, 4).

The Working Committee on Native Child Welfare published its recommendations in 1987. Its goals were wide-ranging and general, including increasing Indigenous staff with child welfare services, creating additional space for Indigenous control over local services, and more community-based governance and direction of child welfare services. Overall, the recommendations walk a fine line between supporting Indigenous control over services that impact Indigenous peoples, and the responsabilization of the community through the neoliberal assertion of responsibility and good governance. What is perhaps unique in this report is the recommendation that the Provincial and Federal Governments work together to establish long-term and renewable funding for the provision of such services (Working Committee on Native Child Welfare 1987, 22). The report even goes so far to say that:

any initiative is doomed to fail, and therefore the process of transferring authority for Native child welfare should not occur unless government is prepared to work together in a spirit of harmony and cooperation with the Native people living in Alberta, including a willingness to establish adequate funding methods (Ibid).

This quotation highlights the problematic nature of the neoliberal transfer of services. While Ontario had developed the Canada-Ontario 1965 Welfare Agreement¹ to establish funding protocol for Indigenous children, no such policies existed in Alberta at the time (Truth and Reconciliation Commission 2015b, 168). Despite the apparent need for unique and local First Nations operated services, a Federal moratorium was placed on the recognition of new First Nations agencies from 1986-1991 (Sinha and Kozlowski 2013, 4). It was not until 1991, when the Federal government established Directive 20-1, that there was unified funding protocol between provincial governments and the Federal Government (with the exception of Ontario, which had its own welfare agreement with the Federal government). Directive 20-1 is now only used in British Columbia and New Brunswick, and has been criticized for underfunding First Nations Agencies relative to other child welfare services, for not offering funding for preventative or less-punitive measures, and for failing to accurately represent the costs of delivering child welfare services in First Nations (Ibid, 12).

Contemporary Child Welfare in Alberta

The Ministry of Human Services is currently responsible for the provision of welfare services and programs to all children in Alberta (Saher 2016, 9). Some First Nations hold agreements with the Provincial Government through which they are delegated some control over services; however, Delegated First Nations Agencies must follow Provincial legislation and policy (Ibid). In Alberta, the legislation that governs child welfare is the *Child, Youth, and Family Enhancement Act*. This is the legislation that officially governs child intervention within the province. Under this Act, children and youth under the age of 18 are deemed in need of

¹ The 1965 Canada-Ontario Welfare Agreement is not without criticism, and it has been argued that this agreement also provides for inequitable funding for First Nations children (Blackstock 2010, 2).

intervention if their survival, security, or development is deemed to be at risk (Kyte and Wegner-Lohin 2014). In Alberta, Child and Family Service Authorities (CFSAs) and Delegated First Nations Agencies (DFNAs) are responsible for various programs and services as determined by the Ministry of Human Services (Ibid). Child protective and intervention services include assessments and investigations, after which families are recommended either to the family enhancement stream, or the child protective stream— unless their case is closed (Ibid).

The family enhancement stream uses short-term but intensive intervention programs intended to support families to increase safety and connect more fully with community services. This stream is voluntary, and offers families access to family support workers, addiction support, mental health services, family counselling, and medical and psychological services designed to meet the needs of individual families (Kyte and Wegner-Lohin 2014). If, following an investigation, the caseworker decides that additional intervention is necessary, the child will be recommended to the protection stream (BearPaw Legal Education and Resource Centre 2016).

Delegated Agencies

The Province of Alberta currently has 17 agreements with a number of First Nations across the province to provide for delegated First Nations welfare services. These delegated services are offered on 126 reserves located in Alberta (Human Services 2016). It is important to understand that the delegation of services does not provide for First Nations control of the child welfare system, but rather each delegated agency is governed by the same legislative and policy frameworks that govern all child welfare services within the province (Sinha and Kozlowski 2013). Significantly, delegated welfare services in Alberta are funded through Indigenous and Northern Affairs (INAC) through the “Enhanced Prevention-Focused funding formula,” which

purports to provide additional funds for preventative services and provides First Nations services with some flexibility in the ways that funds are used (Ibid). This will be discussed later in more detail, but for the purposes of understanding the overall case, the funding model used by INAC is still falling short in substantial ways to cover the actual costs accrued by delegated services. This is due in large part to the fact that INAC uses estimates and assumed averages to calculate funding needs, which does not account for growing use of services or cases where additional costs may be needed to cover unanticipated expenses (Ibid).

Thirty-nine First Nations in Alberta currently have delegated service agreements with the Provincial Government (Saher 2016, 8). The delegated agencies provide services to families who live on-reserve, as well as families who would normally live on reserves (Ibid). Eight communities are served by regional offices operated by the Provincial Government (Ibid). It is also these regional offices who coordinate services for the many Indigenous families living in urban areas around Alberta (Ibid). As will be discussed in more depth later in this chapter, there are many jurisdictional debates between different levels of government—particularly between provincial and federal—in terms of payment for services, which complicates the delivery of child welfare services to Indigenous children and families.

Document Analysis

Overview of Sources

Kiskisik Awasisak: Remember the Children

Kiskisik Awasisak: Remember the Children is a 2011 report put forward by the Assembly of First Nations. The document is the first report of the First Nations Component of the Canadian Incidence Study of Reported Child Abuse or Neglect (FNCIS). This was the first year that the Canadian Incidence Study (CIS) included disaggregated data that dealt specifically with

information pertaining to First Nations (and some Métis through one Métis agency) children in the child welfare system. The CIS is a large, cyclical study that examines reported child maltreatment in Canada. The FNCIS provides perspective on the overrepresentation of Indigenous children in the welfare system. It is led by the Assembly of First Nations, First Nations Child and Family Services Agencies, and other First Nations Agencies. It follows the OCAP principles, which ensure Indigenous Ownership, Control of, Access to, and Possession of research that concerns Indigenous peoples (Sinha et al. 2011, xi). The FNCIS-2008 Advisory Committee was tasked with ensuring that the research project followed OCAP principles at all times (Ibid, 23).

It is crucial to acknowledge the participation and leadership of the Assembly of First Nations and various First Nations child welfare organizations in the compilation of this report. Of all the documents analyzed in this thesis, *Kiskisik Awasisak* is the only one which was led by an Indigenous organization and has self-declared to follow OCAP principles regarding the data and outcomes of the research. While the views of the Assembly of First Nations, the First Nation Child and Family Caring Society of Canada, and First Nations child welfare organizations certainly are not unanimously held among Indigenous peoples, *Kiskisik Awasisak* is unique in this aspect.

Kiskisik Awasisak: Remember the Children provides useful data that has been disaggregated to account for different indicators that are helpful to my research. As one of the only case studies of child welfare to account specifically for the experiences of First Nations children in the welfare system, *Kiskisik Awasisak* offers unique insight into the racialization of child welfare. Significantly, *Kiskisik Awasisak* offers insight into the welfare system at every level of intervention, from investigations to apprehensions and other program deliveries. This is

beneficial to my research because it allows for a very careful analysis of the racialization of welfare delivery at each level of service intervention, including the discrepancies in measures that are deemed to be most punitive (for example, apprehension). This is the document that provides the most holistic outlook on the situation of Indigenous child welfare in Canada. Its focus, however, is on incidence of child maltreatment, and therefore is not necessary critical of the institutions and structures of the welfare system. Rather, the goals stated in the report are to:

- Investigate substantiated abuse in First Nations families;
- Investigate the severity of maltreatment in First Nations families;
- Examine the determinants of health that may impact the maltreatment of First Nations children;
- Monitor short-term investigation outcomes, including out-of-home placements and child welfare court;
- Allow for comparisons of maltreatment and outcomes between First Nations and non-Aboriginal children, and;
- Explore comparisons between investigations conducted by First Nations agencies, and Provincial/territorial counterparts (Sinha et. al 2012, 22).

Kiskisik Awasisak: Remember the Children also highlights two main streams of information in understanding the overrepresentation of First Nations children in the welfare system: caregiver risk factors, and structural/household issues. It places a focus on recommendations for improving the current state of welfare services for First Nations families. The report acknowledges and is situated within a history of colonial child apprehensions in Canada through the residential school system and the forced adoptions of the sixties scoop. While the caregiver risk factors and structural household issues are two possibilities for

improvement that the writers of this report believe will help to mitigate the overrepresentation of First Nations children in the child welfare system, it is also important to acknowledge that by focusing on caregiver risk factors, like vulnerability to abuse, and household issues, such as lower incomes or the number of caregivers in the household still reverts to placing the blame on individual caregivers, rather than acknowledging that Indigenous children and families are systematically discriminated against, or that the contemporary welfare system is situated in a broader settler-colonial context of land dispossession.

My document analysis, however, helps to articulate different narratives being circulated by this report. Rather than revealing discrepancies between the maltreatment of Indigenous children by their families, *Kiskisik Awasisak* reveals underlying messages beneath the report, including neoliberal discursive tropes and particular similarities that exist between the residential school system and contemporary child welfare. As will be discussed throughout this chapter, the report reveals disturbing connections between the policing and criminalization of ‘unfit’ mothers and families through increased police interactions and more substantial involvement of First Nations families with the child welfare court system. It also reveals the continuity between the colonial assertion of the heterosexual, nuclear family, and the ways that Indigenous families are evaluated and judged by welfare agencies in contemporary times. Additionally, the tone and language of the document, as well as the focus on caregiver risk factors, highlights what Chris Cunneen (2016) has termed the “responsibilization” of child welfare under neoliberal regimes of individual rights, responsibilities, and autonomy. Completing a document analysis of this report has revealed alternative narratives, which will be analyzed further in this chapter.

Aboriginal Children in Care: Report to Canada's Premiers

In 2015, the Federation of Canadian Premiers commissioned a report about the overrepresentation of Indigenous children in the welfare system, as well as an examination of policies, practices, and programs in place to support Indigenous families. The report acknowledges the need to understand the overrepresentation of Indigenous children in the welfare system as a “Canada-wide problem,” (Aboriginal Children in Care Working Group 2015, 1) and as a result takes a solution-based framework to better understand the issue. It is worth noting that, although the Federation of Canadian Premiers did ask that the Federal Government engage—both through the inclusion of the Minister of Indigenous Affairs and Northern Development, as well as the Minister of Employment and Social Development Canada—they did not receive any responses and proceeded with the research independent of the Federal Government. This lack of involvement reflects the ongoing disputes between governments to work together to develop alternative strategies to transform the existing welfare services in any meaningful way.

The Report to Canada's Premiers highlights local solutions from various communities, with an emphasis on policies, programs, and practices that “target root causes at the family and community level” (Aboriginal Children in Care Working Group, 1). The report notes that root causes are usually the social and economic factors, such as poverty, food security, housing, and mental health, that impact overall well-being (Ibid). Unlike the FNCIS-2008, which labels individual ‘caregiver risk-factors’ and ‘household issues,’ the Report to Canada's Premiers names eight ‘root causes’ regarding the overrepresentation of children in care, including food security, housing and community infrastructure, access to potable water, income distribution and employment, mental and physical wellness, early childhood development and education,

prevention of family violence, and access to language and culture (Ibid, 14). These factors consider the causes of increased apprehensions socially, as opposed to individualized risk factors.

While the work of the report offers insights into the development of practices and programs that work, it is also important to consider the material conditions of many First Nations agencies in Canada and Alberta. While preventative measures and programs that work to build and sustain family togetherness are generally speaking more successful programs, it is worth noting that many First Nations agencies currently do not have equal funding as provincial and territorial agencies, making it much more difficult to offer services like these. Furthermore, funding protocols (as they are) do not provide substantive resources for the funding of preventative or least disruptive measures (Assembly of First Nations 2013, np). It is also important to consider the various ways that labelling symptoms of colonialism—like food insecurity or access to education—as opposed to the ongoing violence of settler-colonialism forecloses important conversations on what can actually be done to reinvent the system in a way that meaningfully addresses its implicit harms. Furthermore, the responsabilization of Indigenous communities is still placed at the forefront of the equation. This can only happen to the extent to which the histories of residential schooling are erased and Indigenous peoples are held to be responsible for ‘overcoming’ the harms of colonialism even while still pushing to survive within the context of those harms.

The Report to Canada’s Premiers is one of the most recent reports (2015) regarding the overrepresentation of Indigenous children in child welfare systems across the country. It marks the beginning of the popularization of this issue among non-Indigenous Canadians. Because it is such a recent document, the report evokes sentiments of reconciliation and frames the need to

improve welfare outcomes for Indigenous children as part of the reconciliation process. In many ways, the timeliness and the discourse put forward by this document are the qualities that make it most important as a source of data and consideration. The social and political context that surrounds the release of this report is the direct result of Indigenous activism that is directly listed by the report (however, which is not named as such in the report itself). This includes the completion of the TRC report, the Canadian Human Rights Tribunal Ruling that the Canadian Government is discriminating against First Nations children, the Ontario First Nations Lawsuit, which has sought to hold the Federal government responsible for the removal of First Nations children under the Canada-Ontario Welfare Services Agreement, and the National Roundtable and subsequent Inquiry on the issue of Missing and Murdered Indigenous Women in Canada (Aboriginal Children in Care Working Group 2015, 4-5).

Unlike *Kiskisik Awasisak*, the Report to Canada's Premiers is focused on assessing the welfare system itself, and not the treatment or maltreatment of Indigenous children in their families. While it does advocate for increasing grassroots and preventative measures for transforming the welfare system, I believe this report, too, has more revealing narratives to tell that indicate an evolution of the child welfare system as an institution of colonialism in Canada. Particularly, I find its emphasis on culturizing child welfare troubling in its ability to mask systemic racism and other forces that contribute to the violence of the welfare system. It is therefore necessary to reflect critically on an approach to child welfare that promotes this kind of 'culturized' view of child welfare, particularly within a neoliberal system that often takes it upon itself to culturize services in such a way as to delegate responsibility away from the state. This strategy is embedded in a larger systematic governmentality directed towards Indigenous activism. When Indigenous activism is recognized and engaged with by the state, it is often co-

opted by the state to fit within legitimate spaces (Cunneen 2016, 36). For example, Indigenous activism to strategize Indigenous child welfare in Canada is often reduced to adapting cultural programs or perspectives, without meaningfully engaging with the ways that Indigenous child welfare is not only caught up in questions of culture and race, but indeed of power relationships, resource distribution, and colonialism.

There is no denying that access to culturally-appropriate care is meaningful for Indigenous children, whether they remain at home or are placed outside their families or communities. That being said, it is also important to consider the impacts of uncritically accepting culturally-appropriate care as a way to address the issues implicit in the child-welfare system. Sakamoto argues that the profession of social work is not separable from the racial dynamics implicit in the system (2007, 109). She argues that social work is a profession based on “Whiteness”, and in the social work profession, the power of Whiteness operates to identify and purportedly ‘help’ those who deviate from or are incommensurable with the social standards (Ibid). In doing so, the act of helping simultaneously works to reinforce the hegemony—in this case the ‘ideal’ nuclear family—while also requiring a form of deviance to reassert its power (Ibid).

Building off of this implicit power imbalance between the social worker and the racially-marked family, Pon notes that social work presents a depoliticized articulation of culture that ignores the way that culture is also implicated in power relations (2009, 60). Sakamoto argues that without considering colonial power relations while designing or implementing social services through a lens of “cultural competence,” social work ignores the various ways that particular groups become “othered” (2007, 109). It is through this process that ‘culturally-appropriate’ programs also risk becoming a strategy for the management of diversity, similar to

the neoliberal conceptualization of multiculturalism (Ibid). Pon further argues that cultural competency as a guiding principle for social work is also informed by and reinforces an “ontology of forgetting,” which is guided by “the desire to believe that Canada is largely a fair and tolerant country” (2009, 65-66). As a result, the creation of culturally appropriate services does not address the systemic issues at the heart of child apprehension, but instead simply seeks to reconstruct knowledge about the Other in a way that does not challenge the welfare state’s systematic discrimination or ongoing colonial violence (Ibid). This critique is especially salient given the reality that the recommendation to ‘culturize’ services and to make child welfare services more ‘culturally appropriate’ for Indigenous children has been the primary strategy of redress in the welfare system since at least the 1980s (Working Committee on Native Child Welfare 1987; Alberta Social Services and Community Health 1985).

Alberta Incidence Study of Reported Child Abuse and Neglect (AIS-2008)

The Alberta Incidence Study (AIS) is a Provincially administered survey similar to the CIS. It is a province-wide study that examines the incidence of reported child maltreatment in Alberta, as well as the characteristics of the children and families involved in investigations and apprehensions. This is therefore the most comprehensive report on the state of child welfare in Alberta, and is useful to this research in providing Alberta-specific data that can be used when considering how Indigenous children and families fit into this representation.

The AIS-2008, like the CIS, is not disaggregated for information about race. Similarly, it does not contain substantial information about how the welfare system impacts Indigenous children and families. This is significant, however, for a welfare system wherein the majority of the children and families impacted are Indigenous. In the AIS-2008, there is very little discussion of race or Indigeneity, despite the fact that the large majority of children in the welfare system

(59% in 2008; 69% in 2015) are Indigenous children. This invisibilization of Indigenous children and families reflects the “ontology of forgetting” that disavows contemporary colonial realities by refusing to acknowledge child welfare as a racialized, settler-colonial institution (Pon 2009, 65-66).

This report helps to articulate the continuity between historical child welfare interventions in Alberta and what is happening in contemporary political debate. As we witnessed in the history of Alberta’s child welfare system, very rarely do Indigenous families factor into policy-making and service provision in the same way that white, ‘Canadian’ families do. As the most comprehensive assessment of child welfare in the province, then, it is problematic to say the least that the realities of Indigenous families go largely unanalyzed.

The AIS-2008 is valuable as a source of corroboration for the other reports, and as such is not analyzed in the same fashion. Rather, it offers the opportunity to examine how the welfare system is evaluated when the discourse is not explicitly racialized (although conversations on child welfare and family fitness are inherently caught up in these intersections). It also allows me to consider the empirical data relevant for First Nations children against how the system is presented in its ‘neutral’ or ‘race-blind’ form. For example, the use of the AIS-2008 provides insight into how violent the contemporary child welfare system is against Indigenous families. While it acknowledges that 35% of substantiated claims involve First Nations children (McLaurin et al. 2011, xv), we also know at the time that First Nations children represented 59% of children in protective services (Sinha et al. 2011, 5). These corroborations of empirical data allow my document analysis to reveal other stories regarding the welfare system, and as such are crucial to my research in spite of its generalized focus.

The Children in Care Database (Edmonton Journal)

The *Children in Care* database was published by the Edmonton Journal as part of the *Fatal Care* series. The series began in 2013, but early efforts on the part of the Journal to document the deaths of children in the welfare system date back to 2009. After a four-year legal battle, the Government of Alberta was forced to release information on the deaths of children in welfare custody, and a publication ban was lifted so that the Journal was able to release this information. The results of this investigation demonstrated that the Government of Alberta has not maintained a unified policy or practice of documenting child deaths in the welfare system. The government reports did not provide information on the children who died, and therefore the *Children in Care* database may not reflect wholly accurate information. It was put together by the Edmonton Journal and the Calgary Herald through the compilation of different government records and reports. As a result of incomplete government documents, the database is also very likely incomplete. The database contains more detailed information on the 145 children who died in custody between 1999 and June 8th, 2013. Of the 145 children, 71 were labelled 'Aboriginal' and a further six were labelled as 'Métis.' Many of these cases document neglect, abuse, and harm that occurred under the 'care' of the foster families or group homes. A number of children died from injuries sustained through abuse, or through negligence that left children unsupervised. Many others died from suicide.

This document provides some of the most tangible, empirical evidence regarding the state of Alberta's child welfare system. Like other reports, it demonstrates significant discrepancies between Indigenous and non-Indigenous children and reveals the overrepresentation of Indigenous children not only in the welfare system overall, but within all aspects of the system. This document is also used to demonstrate the precarity to which Indigenous children are subject

to in the welfare system and to indicate the lack of ‘care’ that children in ‘care’ are supposed to be receiving. This is a crucial point of continuity between the residential school system that must be acknowledged in my research. Similar to the findings of the TRC report, the *Children in Care* database also reveals the lack of oversight that systems dedicated to the care of children. In residential schools, documents detailing the illnesses, deaths, and disappearances of Indigenous children were often incomplete— if present at all. Likewise, the annual reports put forward by the Government of Alberta are incomplete and lack important information, concealing the realities of the settler-colonial welfare system and its impacts for Indigenous children and families.

Findings

In every province and territory in Canada, Indigenous children are overrepresented in child welfare systems (Aboriginal Children in Care 2015, 1). These numbers are consistently highest in the three prairie provinces: Alberta, Saskatchewan, and Manitoba. In Alberta, 9% of the child population is Indigenous, however they represent 69% of all children in welfare custody (Ibid, 7). In Saskatchewan, 25% of the child population is Indigenous, yet they represent about 65% of children in custody (Ibid). In Manitoba, where the Indigenous child population is roughly 23% of the total child population, 87% of children in welfare custody are Indigenous (Ibid). It is also worth noting that these dramatic over-representations are not new. While these numbers are from the most recent data collection in 2014, statistics from other years note similar overrepresentation. *Kiskisik Awasisak: Remember the Children*, which is based on the First Nations Canadian Incidence Study on Reported Child Abuse and Neglect (FNCIS-2008) and the Alberta Incidence Study of Reported Child Abuse and Neglect (AIS-2008) both present similar findings.

Data presented in the FNCIS-2008 suggests that most investigations and apprehensions take place earlier in the lives of First Nations children than they do for non-Indigenous children. For First Nations investigations, 10% of the children involved are under the age of 1, and 23% involved children between the ages of 1 to 3 (Sinha et al. 2011 46). By comparison, only 25% of investigations involving non-Indigenous families involved very young children under the age of 4. *Kiskisik Awasisak* acknowledges that these high rates of investigations and apprehensions are driven by the fact that neglect at an early age can result in more long-term impacts on the children's well-being (Ibid).

While there is no single agreed-upon definition of child maltreatment in Canada, there are typically five recognized categories: physical abuse, sexual abuse, neglect, emotional maltreatment, and exposure to intimate partner violence (Sinha et al. 2011, 3). Sources analyzed suggest that the overrepresentation of First Nations children in the welfare system is largely attributable to cases of neglect, and that neglect is the single most common reason for child apprehensions in First Nations families across Canada (Sinha et al. 2011, 91). It is also important to acknowledge that, while neglect is more commonly noted in First Nations families, neglect and exposure to intimate partner violence are the two most common categories of child maltreatment across Canada (Sinha et al. 2011, 4).

In Canada, Indigenous children are at least five times more likely to be involved in a substantiated investigation for neglect than non-Indigenous children (National Collaborating Centre for Aboriginal Health 2013a, 2). In comparison, non-Indigenous children are less likely than First Nations children to be involved in a neglect investigation, but more likely to be involved in substantiated investigations regarding domestic violence or physical abuse (Ibid). The factors that are interconnected with increased incidences of neglect are not isolated at the

level of individual parents or families (Ibid). Instead, they are connected to broader socioeconomic concerns that might limit a parent's or family's capacity to provide for the needs of their children (Ibid).

There are also notable differences in terms of how First Nations families are referred to welfare services for investigations and apprehensions as compared with non-Indigenous families. For First Nations families, the most common form of referral is from a police agency (Sinha et al. 2011, 71). By comparison, non-Indigenous families were more likely to be referred to by a school (Ibid, 72). Discrepancies exist in terms of the numbers of professional referrals received. First Nations families were somewhat less likely to receive a professional referral, reflecting the greater number of First Nations investigations which involved referrals from other family members (Ibid, 71).

In comparison with non-Indigenous investigations, investigations involving First Nations children are 6.7 times more likely to remain open for ongoing welfare involvement following the investigation period (Sinha et al. 2011, 72). Similarly, investigations involving First Nations families were more likely to be recommended and sent to child welfare court during the investigation period (Ibid). Investigations involving First Nations families were 8.7 times more likely than non-Indigenous investigations to be sent to child welfare court (Ibid, 73). Furthermore, First Nations children were more likely to be removed from their homes during the investigation period. 17% of First Nations children were moved from their homes during an investigation, compared with 6% of non-Indigenous children (Ibid). Some of this involved informal kinship care—7% of First Nations children were moved to an informal kinship care setting, as compared with 3% of non-Indigenous children—however it involved a greater proportion of formal out-of-home custody (10% of First Nations children as compared with 3%

of non-Indigenous children) (Ibid). In 2012-2013, 82% of Indigenous children involved with the welfare system had been apprehended, while 18% were receiving services at home (Henton 2014). This is compared with a more even split in non-Indigenous families, where 54% of children are apprehended, while the other 46% are able to access services at home (Ibid). This increased apprehension is notable especially when we compare the percentage of Indigenous children in state custody to the percentage of substantiated maltreatment investigations in Alberta. In 2008, when Indigenous children represented 59% of children in care, only 35% of substantiated maltreatment investigations involved Indigenous families (MacLaurin et al. 2013, XV).

The report suggests that existing welfare services are not adequate in providing the supports needed by First Nations families. Social workers assigned to First Nations cases believed that a greater number of First Nations investigations involved families “requiring supports beyond those which they were able to provide as part of child welfare services” (Ibid). They were also more likely to receive referrals to outside services during an investigation than non-Indigenous families. This framing suggests that it is the First Nations families who deviate from the anticipated and acceptable levels of service supposedly already provided by welfare services.

In the reports examined for this research, which span from 2008-2015, Alberta has maintained one of the most significant rates of overrepresentation anywhere in the country. In 2008, the rate of First Nations children placed in welfare custody was 14.6 times higher than the rates of non-Indigenous children placed in out-of-home custody (Sinha et al. 2011, 5). This is second only to Manitoba, where First Nations children were 19 times more likely to be placed in welfare custody (Ibid). At the time, Indigenous children represented approximately 9% of the

total child population, but represented 59% of all children in custody (Ibid). While the portion of the child population that is Indigenous in Alberta has remained the same, Indigenous children now represent 69% of all children in custody (Aboriginal Children in Care 2015, 7). This increase of the percentage of Indigenous children in custody is reflected partially through an increase of Indigenous children in the welfare system—a growth of approximately 400 Indigenous children between 2008-2014—but also substantially through the decrease of non-Indigenous children in custody, who are increasingly being supported through welfare services that keep them at home (Henton 2014).

Not only does Alberta have a continued rate of overrepresentation that is consistently higher than other provinces, there are other notable qualities of the child welfare system in Alberta that deserve examination. For example, Alberta's *Child, Youth and Family Enhancement Act* does not provide for the prioritization of kinship care for Indigenous children (Sinha et al. 2011, 14). While it is certainly not the only province that does not have such a provision, it is worth noting that kinship care offers an alternative to more formalized forms of custody, including foster homes or group homes. Not ensuring the prioritization of kinship care can mean that Indigenous children are more likely to end up in government custody.

It is also worth noting that Alberta has high rates of child deaths in custody, particularly for Indigenous children. In Alberta, Indigenous children represent 9% of the total population (Aboriginal Children in Care Working Group 2015, 7); 35% of substantiated maltreatment investigations (McLaurin et al. 2013, XV); 69% of children in welfare custody (Aboriginal Children in Care Working Group 2015, 7), and 78% of child deaths in the welfare system (Henton 2014). This is not unlike other provinces, however it does provide perspective on how, at every level of child welfare intervention, Indigenous children are continually overrepresented.

Since 1999, 775 children have died in child welfare custody in Alberta (Nanda 2016). Prior to 2014, many of these cases did not involve Provincial fatality inquiries (Ibid).

The documents analyzed made connections between this overrepresentation as the legacy of colonialism and, usually very specifically, residential schools. Most documents analyzed—with the exception of the AIS-2008, which did not involve substantial discussion of race or Indigeneity—drew some connections between the residential school system and the contemporary crisis of overrepresentation in child welfare. The Report to Canada’s Premiers cites the Assembly of First Nations (AFN) in its background, noting that the AFN identifies contemporary overrepresentation of Indigenous children in custody as a “historic pattern of removal of children from their homes” (Aboriginal Children in Care Working Group 2015, 3). However, when the report discusses root causes, it focuses on socioeconomic indicators and the social determinants of health rather than connecting the history of residential schools to contemporary child welfare (Ibid, 14).

Finally, it is worth noting in this analysis the ways in which Indigenous mothers are excluded from the presentation of findings in all reports. In spite of the crucial relationship between Indigenous mothers and their children, as well as the relevance of social and political reproduction, Indigenous mothers are largely absent from all four reports. *Kiskisik Awasisak* mentioned mothers more than other reports, focusing predominately on referencing the likelihood that Indigenous mothers would be the subject of maltreatment investigations (Sinha et al. 2011, 46). In the Report to Canada’s Premiers, mothers are similarly excluded, except when discussions focused on programs directed towards young mothers—especially so when the programs were perinatal in nature (Aboriginal Children in Care Working Group 2015, 15). This is important to note as it reinforces the assumption that for Indigenous mothers, mothering ends

with giving birth. This in turn is problematic in the ways that it naturalizes child apprehension from Indigenous mothers.

Contextualizing the Findings

The overrepresentation of Indigenous children in welfare custody is not a new phenomenon, but rather something that has been an ongoing manifestation of settler-colonialism throughout the twentieth and twenty-first centuries. This is supported by research from scholars suggesting that Indigenous representation in child welfare system steadily increased with the closing of the residential schools throughout the mid-twentieth century and beyond (Sinclair 2007, 66-67). Here I would like to take a moment to address the language of ‘overrepresentation’ to acknowledge the ways that it is lacking in its critical and transformative capacities. As Robert Nichols notes, the language of overrepresentation connotes a particular kind of critique that locates the problem in the disproportionality of violence, rather than in its actual manifested capacities (2014, 440). This salient critique of the language of overrepresentation is important for the ways I have employed this terminology throughout this thesis. While I do believe that my thesis advocates for a critical re-imagining of child welfare (particularly for Indigenous peoples, but also much more broadly), the language of overrepresentation is used in that it provides for the capacity to demonstrate the location of Indigenous peoples consistently at the most punitive mechanisms of the child welfare system. That is to say that while the language of overrepresentation has the potential to minimize claims for more critical conversations about the very nature and practice of state custody of children, I use it here to demonstrate a symptom of settler-colonialism, rather than as the root of the problem. In this context, the concept of ‘overrepresentation’ is an entry point into thinking about settler-colonialism and neoliberalism, and their combined impacts on Indigenous peoples within the welfare system.

Returning to the data discussed in the previous section, another point of critique is to consider the ways that Indigenous parents and children are positioned as being simply too needy, for example the ways in which the FNCIS-2008 presented First Nations families as requiring more than could be provided by the average social worker (MacLauren et al. 2008, XV). Instead, if we consider Thobani's argument that the existing welfare system in Canada is fundamentally entwined with settler-colonialism, and that it is built specifically to meet the needs of white families (2007, 117), we can consider that it is perhaps the system and the social workers themselves who are ill-equipped to provide services that acknowledge and honour the needs of Indigenous and other non-white families. This is also situated within a history of child welfare in which policy has been designed largely to the exclusion of Indigenous peoples, as we saw in the historical consideration of Alberta's welfare system. As Shelley Johnson notes, it is difficult to "hang culture" onto the child welfare system and assume that it can constitute a "one-size-fits-all" practice that is capable of meeting the needs of all Indigenous peoples, let alone all Canadians (2012, 17).

The next few sections will contextualize these data findings more broadly by corroborating them alongside research that calls into question both the settler-colonial and neoliberal iterations of child welfare. Moving forward, I will include conversations about jurisdictional disputes and funding discrepancies as two more symptoms of settler-colonial and neoliberal regimes of child welfare. Like the language of overrepresentation, thinking about the place of jurisdictional responsibility and inequitable funding are two more examples of the ways that settler-colonialism and neoliberalism manifest themselves within the welfare system as symptoms, rather than an assertion that when these issues are resolved, the child welfare system is absolved of its positionality as a settler-colonial institution.

Jurisdictional Disputes

In Canada, child welfare services fall under the legislative jurisdiction of the provinces: each province manages and provides these services to residents within its jurisdiction (Canadian Human Rights Tribunal 2015, 2). For Indigenous peoples, however, the jurisdictional boundaries of child welfare services—as well as other services like education—are less clearly defined. In Canada, First Nations Child and Family Services (FNCFS) provides child welfare services for First Nations families living on-reserve. The FNCFS is funded through the Federal Department of Indigenous Affairs and Northern Development (Ibid, 3). However, while the funding is federal, the child welfare services are still pursuant to the provincial or territorial legislation and policies that dictate how child welfare services are managed and provided in that jurisdiction (Ibid). In Alberta, there are delegated First Nations agencies. The Government of Alberta website reports that the purpose of these delegated agencies is “to enable the First Nations agencies to provide the full range of provincial child intervention services” to all the members of their communities (Ministry of Human Services). For Métis, Inuit, and non-status Indians, as well as status Indians residing in urban centres or away from their First Nations communities, services are to be provided by the Provincial Government (Human Rights Tribunal 2015, 1).

The resulting conflicts regarding jurisdictional obligation often results in negligence and a lack of adequate services on the part of welfare organizations. Many Indigenous children involved with the child welfare system are subject to serious illness, injury, and sometimes death while different levels of government debate who is financially responsible. The most well-known case of such negligence is that of Jordan River Anderson, who was born with rare neuromuscular condition, and was transferred to a hospital in Winnipeg for treatment—far from his family and home. Medical staff determined that his needs would be best met by being transferred to a

specialized foster family that would be closer to his home community. However, the Provincial and Federal Governments disagreed on who was responsible for providing funding (Blumenthal and Sinha 2015, 2). This ranged from issues such as who would fund the foster family and provision of in-home care, to debates over payments for items like a new showerhead (MacDonald and Attaran 2007, 321). Jordan remained in the hospital until age 5, when he died, having lived his whole life within this institutional setting (Blumenthal and Sinha 2015, 2).

Unfortunately, many children are subject to these jurisdictional disputes. In 2015, the Canadian Human Rights Tribunal ruled, as part of its decision regarding First Nations Child and Family Services, that Canada must recognize and adhere to Jordan's principle (Human Rights Tribunal 2015, 168), which rules that the level of government first involved in a child's welfare will pay for the services upfront, and jurisdictional matters can be discussed afterwards (First Nations Child and Family Caring Society 2016). In an analysis done by the Canadian Paediatric Society, most provinces were found to have not adopted a child-first policy based on Jordan's Principle (Blumenthal and Sinha 2015, 14). While a number of cases have been noted, Federal government officials continue to suggest that they are not aware of any Jordan's Principle cases (Government of Canada 2012 cited in Blumenthal and Sinha 2015, 25). Norway House Cree Nation has itself paid for services for 37 children denied medical and social services because the Federal and Provincial governments could not agree on the responsibility of provision (Blackstock 2008, 2009, Lett, 2008 cited in Blumenthal and Sinha 2015, 26).

Funding discrepancies

Not only are Indigenous children overrepresented in welfare custody, and not only is there a substantial lack of welfare policies and practices that suitably address the needs of Indigenous children and families, but there are also material inequalities in the child welfare

system in Canada. On February 26, 2007, the Assembly of First Nations and the First Nations Child and Family Caring Society of Canada lodged a complaint with the Canadian Human Rights Tribunal that Canada was racially discriminating against First Nations children by underfunding on-reserve child welfare services (Blackstock 2011, 187). According to many First Nations agencies, the funding formula is flawed. It assumes that approximately 6% of children on-reserve will need welfare assistance when in reality, that number is closer to 18% in many communities (Henton 2014). This reflects the intersecting realities of settler-colonialism and neoliberalism, where Indigenous peoples are increasingly subject to child apprehensions and other punitive intervention strategies while being expected to reduce costs.

One of the most significant elements of this funding shortfall is the lack of provisions for services on-reserve intended to support family togetherness, known as “the least disruptive measures” (Blackstock 2011, 189). Preventative services that could include parenting programs, homemaker support, or family caseworkers are unrealistic for many First Nations agencies in Alberta and Canada (Henton 2014). Similarly, many programs for children with disabilities do not receive adequate funding on reserve (Ibid). These funding discrepancies also impact staffing potential for on-reserve services: on-reserve agencies can’t match provincial salaries and therefore have a difficult time attracting staff. The former director of the Kasohkewew Child Wellness Society in Maskwacis said that even when prevention workers were hired, they were often used as front-line caseworkers instead, as a measure to address chronic underfunding and understaffing (Ibid). At a time when provincial caseworkers were typically responsible for about 20 files, caseworkers at the Kasohkewew Child Wellness Society were handling on average 35 files each (Ibid).

These funding discrepancies cannot be separated from the neoliberal framework that defines contemporary political society in Alberta. As we saw when examining the historical evolution of Alberta's child welfare policy, funding cutbacks to welfare programs in the 1980s were not universally applied to child welfare (Meen and Chubb 1981, 19). Instead, neoliberal cuts are defined by a careful measuring of those deemed to be 'deserving' according to social expectations. Because of this, what we witnessed in the 1980s was a transfer of funding from other forms of welfare (poverty relief or housing, for example) to the child welfare system (Ibid). In this case, children were deemed to be more deserving according to the neoliberal mentality than, for example, unemployed adults. However, it is also true that the cuts did not happen uniformly across the welfare system, and in many ways the dramatic cuts that Indigenous communities continue to face are now informed by co-existing political ideologies of settler-colonialism and neoliberalism. The extensive history wherein Indigenous peoples were negatively stereotyped according to racist beliefs of who qualified as human, and therefore 'worthy'/'citizens,' continues to inform the new neoliberal outlook wherein welfare recipients are expected to be considered both worthy and citizens according to the state.

Considering Neoliberalism and its Impacts

Neoliberalism and the Welfare System: Policies, Practices, and Realities

The nature of contemporary child welfare therefore cannot be separated from the neoliberal framework which organizes contemporary governance and social services. The funding discrepancies discussed in the previous section are an important indication of the neoliberal governance of Albertan and Canadian child welfare services. Broadly speaking, neoliberalism is defined as an ideological framework wherein "deregulation, government

austerity, free trade, and privatization” are valued, and heightened emphasis is placed on the role of individual rights, responsibilities, and autonomy (Cunneen 2016, 33). In the very particular settler-colonial and neoliberal context that prevails in Canada, Indigenous peoples have been pushed towards a “self-government” framework within the larger Canadian state (Altamirano-Jimenez 2012, 78) This self-government framework, reflective of the neoliberal political ideology prominent in Canada, envisioned Indigenous self-government as the transfer of some administrative responsibilities and the provision of locally delivered services as a suitable space for Indigenous difference (Ibid). The devolution of services, however, did not necessarily grant autonomy over the provision of these services, however, as they are still obligated to fit within the parameters laid out by provincial and federal regulation. While it is not my intention to dismiss the hard work and activism of many Indigenous peoples to put self-government mechanisms into place, I remain critical of self-government as a neoliberal strategy within a settler-colonial framework.

In addition to simply belonging to a neoliberal framework, these policies of devolution are of particular importance in the lived realities of Indigenous mothers and families. As the history of Alberta’s child welfare services shows us, neoliberal transformation in the Province was informed by the Province’s conservative sentiments of ‘Family’ and the centrality of the nuclear family to that understanding. The responsabilization of the family, which is implicit in these neoliberal politics is expressly a responsabilization of the nuclear family, and by extension specifically the responsabilization of mothers, who are disproportionately held accountable for a certain level of self-sufficient care work. Furthermore, the devolution of welfare services to First Nations enables the Federal and Provincial governments to elude accountability when concerns related to service quality. Instead, it creates a context wherein First Nations agencies and

authorities are presented as those responsible for discrepancies in service, reinforcing ideas that First Nations are incapable of the management of their own affairs. This in turn legitimizes increased intervention and reinforces the perceived need for the implementation of most punitive measures in First Nations.

Jennifer King notes that policy making and implementation in Canada rest within a “neoliberal rationality” where market values are reflected in the definition of morality and moral decisions (2012, 29). This is manifest in the marking of bodies as either “fit” or “unfit” by welfare caseworkers assigned to families that fall outside of the norm (Ibid). Within a neoliberal framework, social policy—like child welfare— becomes a mechanism for disseminating neoliberal values and for modelling the ideal neoliberal citizen (Ibid, 32). In this way, social policy is less about specifically governing people, and more a process of inducing individuals to govern themselves against the image of the ‘good’ and ‘worthy’ citizen (Ibid). Gabrielle Slowey further argues that, while neoliberalism is generally conceived of as the diminishing powers and capacities of a centralized state, this is not totally reflective of how it manifests itself in Indigenous policy in Canada. Rather, she argues that the state takes on what are often additional powers, framed through corporate concerns (2008, 14). In other words, neoliberalism is defined by settler-colonialism in as much as it articulates that Indigenous peoples are ‘equal partners’ in development, while invisibilizing the settler-colonial mechanisms that would make a genuinely equitable relationship impossible to realize.

This is an important consideration, as a truly neoliberal discourse would certainly advocate for less state intervention into the lives of families, as such welfare intrusion would erode “personal responsibility” which is situated at the level of the family (Freistadt 2010, 221).

In this circumstance, it is important to remember that neoliberal rationalities are not the only rationalities at play, and that the neoliberal tendencies that govern child welfare are also intersecting with other forms of political rationalities (Ibid, 226). For Freistadt, it is the intersecting discussions between neoliberalism on the one hand, and neoconservatism's attachment to the 'Family' on the other (Ibid, 231). Building from this claim, I argue that an understanding of the intersections between neoliberalism and neoconservatism, while relevant to understanding the specific political climate of Alberta, is limited in its ability to understand neoliberalism and neoconservatism as already colonial ideologies.

While I agree that the contemporary circumstances of child welfare in Alberta are best understood through a combination of political rationalities, I believe it is necessary to understand settler-colonialism as one of the central ideologies and structures shaping social policy in Canada. Acknowledgment must be given to the racialization of the Family and its colonial history. Furthermore, while neoliberal reforms to child welfare law have typically involved cutbacks to services and a focus on preventative programs that centre the responsibility of the parent (Pulkingham and Fuller 2012, 244), services for Indigenous families rarely offer these services to the same extent and are usually the first services to disappear amidst cutbacks. This indicates a differential application of neoliberal rationality in terms of social service provisions, and one that can only really be articulated with a fuller understanding of the ways that settler-colonialism has shaped and organized different kinds of families. This is because, as King argues, social policy is also a state mechanism for undermining distinct Indigenous rights, and assimilating Indigenous peoples as citizens of the state (2012, 33).

Neoliberalism, Mothers, and the Family

Returning now to the context of Indigenous mothers in Canada, we can extrapolate from this conversation the ways that Indigenous women were not only constructed as being unfit in their roles as mothers, but that they were also ‘unfit’ to be citizens according to neoliberal qualifications. As Amy Salmon notes, ideologies of ‘good mothering’ articulate the position of women citizens through the lens of “reproductive citizenship” (2011, 168). This is premised in the valorization of a particular form of reproduction, which does not include the reproduction of Indigenous bodies (Ibid). Following scholars like Jo-Anne Fiske, this thesis operates under the assumption that full citizenship cannot be achieved by persons or communities who are subject to constraints on their abilities to make use of and belong to space (Fiske et al. 2010, 76). Furthermore, in a neoliberal, rights-based citizenship framework, citizenship is constructed as belonging to a regime of individual autonomy and property ownership (Ibid, 77). In this context, Indigenous peoples are continually placed at the margins of Canadian citizenship. Once again returning to Roberts’ notion of racial policing, the construction of ‘unfit mothering’ serves not only as a means to justify physical apprehensions, but is also a means of policing the borders that delimit citizenship and belonging as well.

The neoliberal conceptualization of the ‘good’ citizen is not only racialized, but gendered. Amy Salmon notes that Indigenous women are contemporarily presented as “abusive, neglectful, and otherwise dangerous to their children” (2011, 169). These racialized and patriarchal attitudes of mothering are coupled with increased implementation of the surveillance of Indigenous mothers, and have the end result of increasing the likelihood that Indigenous mothers will have their children apprehended (Ibid). Salmon uses the example of Fetal Alcohol Spectrum Disorder (FASD) in order to demonstrate how ideologies of ‘good mothering’ continue to legitimize state scrutiny of Indigenous mothers. She notes that FASD, as an issue of public

health, is one more space in which colonial intervention into the lives of Indigenous mothers can take place (Ibid). However, Salmon also notes that alcohol use during pregnancy is “both a symptom and a legacy” of colonial violence in Canada in its function as a form of self-medication “against the effects of trauma” (Ibid, 171). FASD prevention/surveillance reflects professionalized and medicalized forms of knowledge that are situated within a broader colonial history. Upon initial observation, it does not appear to be equivalent to the narratives of ‘unfit mothers’ that were present in historical documents. However, I believe that instead of representing a distinct ideology of motherhood, discourses like the example of FASD present instead ideas that are part of a much longer history that has demonized Indigenous peoples—and women specifically— in such a way that they are necessarily excluded from the image of a ‘good’ citizen/mother.

This is especially worth noting in a context wherein Indigenous mothers are largely written out of the narratives told about Indigenous children in the welfare system. Therefore, not only are Indigenous mothers excluded from certain standards of citizenship, but they are also excluded from particular understandings of motherhood as well. Neoliberal approaches to understanding child welfare have focused on the most reduced element of analysis, the child. Motherhood is therefore reduced to the physical action of giving birth to the child, and Indigenous mothers experiences of mothering in other respects are isolated from the narrative. This invisibilizes the role of child apprehensions as part of the experience of settler-colonialism.

Dorothy Roberts’ work on neoliberalism, child welfare, and racialization in the United States offers valuable insights that can additionally clarify some of the connections between neoliberalism and settler-colonialism. She argues that a neoliberal regime does not simply shrink government in all forms and all ways, but rather that it is a delicate combination of shrinking

services while simultaneously increasing punitive measures that truly defines neoliberal America (2012, 1478). Roberts is therefore challenging the notion that marginalized peoples suffer in neoliberal regimes simply because the government has abandoned them, and reminds us that it is also the surveillance and punishment of the state that causes marginalization (Ibid, 1479). Furthermore, the shrinking of government services and the increase in surveillance mechanisms and punitive regulation define the neoliberal political order in such a way as to mutually reinforce one another (Ibid). Because of this relationship, Roberts notes that in America, Black mothers are incredibly useful to the neoliberal political agenda, as a result of the historical context in which Black bodies, women, mothers, and families have been devalued gives the surveillance and regulation of Black motherhood the appearance of legitimacy to white America (Ibid, 1500). It is through this relationship that we come to understand that Black mothers in America are not oppressed simply by neoliberalism, but also by colonialism, racism, and white supremacy that continue to inform newer neoliberal structures.

In the same way, the Canadian history of settler-colonialism not only informs but legitimizes newer forms of violence that exist in the contemporary, neoliberal context. It is this perspective that makes the efficacy of jurisdictional disputes, funding cuts, the implementation of more 'punitive' forms of child welfare, and the lived experiences of violence that Indigenous children in the welfare system face more clear. While children are no longer apprehended and sent to residential schools, racialized attitudes that informed this policy live on in contemporary iterations of welfare policy, and are combined with neoliberal practices that cut services, surveil mothers and families, and enforce punitive welfare practices. This reality is made possible through neoliberal ideologies which centre the 'worthiness' of welfare recipients against a settler-colonial space in which Indigenous people cannot be perceived as the ideal 'worthy'

citizen because of a history where they have been intentionally excluded from a certain 'Canadian' citizenship.

Roberts' work is also helpful in understanding the contemporary circumstances of Indigenous mothers in Canada. Typically, neoliberalism is understood as a shrinking of government services and a heightened focus on services that see less government involvement, such as parenting classes. However, Roberts notes that, as the number of Black children in state welfare services increased, these 'less punitive measures' as services actually began to decrease as the government began relying more on apprehensions, fostering, and adoptions (Ibid, 1484). This is also true of the services in Canada. While white families are more likely to receive in-home services and preventative measures aimed at keeping families together, apprehension is much more common among Indigenous families and appears to be increasing even now.

Roberts' theorization therefore suggests that shrinking governments and growing surveillance work in tandem to regulate racialized bodies and therefore increases the legitimacy of surveillance and punitive mechanisms more broadly. For example, when examining the historical context of child apprehensions, we can see that there is a substantial history from which the contemporary neoliberal regime draws its legitimacy. As we have seen through the historical examples outlined in the previous chapter, the Canadian state has not only devalued Indigenous lives, but also crafted a very particular image of Indigenous women as unfit mothers. As contemporary welfare services shrink, and surveillance, apprehensions, and other punitive measures increase, this history gives legitimacy to state actions from a settler perspective.

As Anne Cammett argues, it is important to remember that the criminal justice system and what we understand as state 'punishment' extends far beyond spaces of courts and prisons (2016, 363). She notes that criminal justice is not only its "enabling apparatus," but also things

like state policies and practices that enforce marginalization, stigmatization, surveillance, and regulation (Ibid, 364). This more nuanced definition of criminal justice can help us understand the broader implications of child welfare as a punitive mechanism of the state, especially for racialized and otherwise marginalized bodies. The criminalization of Black mothers in America is non-separable from a history in which racialized bodies have been conflated with criminality (Ibid, 363). This is not dissimilar from the experiences of Indigenous mothers in Canada. As the previous chapter of this thesis demonstrated, the Canadian state has a long history of regulating Indigenous bodies and families and of constructing this criminality as a legitimizing factor. Once again it is important to understand that, while the contemporary neoliberal political regime is distinct from historical iterations of surveillance and regulation, it is also embedded in a very particular settler-colonial history of racialization and criminalization.

Ultimately, David Lloyd and Patrick Wolfe argue that population management strategies that were valuable to colonizers in the development of settler-colonial nation-states have become equally valuable to the management of neoliberal realities. They argue that, fundamentally, these strategies arise to deal with “surplus populations,” who the state have deemed to be of little value to its progress (2016, 112). Keeping in mind, then, that settler-colonialism in Canada has always been guided by a drive towards the elimination of Indigenous peoples, and that Indigenous lives have been and remain ungrievable to the nation-state, it is possible to view child welfare policies and practices that further marginalize Indigenous women and their children as part of this continuous trajectory. As Lloyd and Wolfe argue, “settler-colonialism’s inventory of local strategies is becoming increasingly congenial to neoliberalism’s emergent world order” (Ibid).

However, it is important to remember that settler-colonialism has not simply evolved into neoliberalism, but that the two political rationalities exist side by side within Canada’s

sociopolitical spaces. Strategies of management, like the child welfare system, are therefore both still useful to the settler-colonial project and to the maintenance of neoliberal governance structures. As Lloyd and Wolfe explicate, settler-colonialism is “foundational” to the emergence of neoliberalism, but also exists alongside it “in both the originary and the continuing senses” (Ibid, 113). It is indeed constitutive of a particular “kind of sovereignty,” which itself enables neoliberalism and its tactics of management, surveillance, and punishment to be conceived of as legitimate (Ibid). The experiences of Indigenous women and their children, then, are framed through the intersections of these two systems. At once, settler-colonialism, which is driven to eliminate Indigenous peoples and their sovereignty, and neoliberalism, which is driven to manage and punish those who fail to meet particular expectations of self-sufficiency, worthiness, and capital production push Indigenous women and their children into these ‘most punitive’ spaces.

Conclusions

This chapter has provided a comprehensive case study of Alberta’s child welfare system. Specifically, I have used this chapter to take into account the various political trends that have framed child welfare in the province, and have traced its developments from the turn of the twentieth-century to the present day. Of particular interest in this historical overview of child welfare is a reflection on the contemporary turn to neoliberal political rationalities and how neoliberal political rationalities impact Indigenous peoples’ interactions with the child welfare system. This chapter has explored the ways that settler-colonialism and neoliberalism interact with one another as competing systems of oppression to surveil and regulate the lives of Indigenous families.

Chapter Four: Mothering and Resurgence

In the previous chapter, I completed a document analysis of some existing data on the child welfare system in Alberta and Canada. This included an analysis of four reports: *Kiskisik Awasisak: Remember the Children*, the Aboriginal Children in Care Working Group's Report to Canada's Premiers, the Alberta Incidence Study of Reported Child Maltreatment, and the Edmonton Journal's *Children in Care* database. In my document analysis, I compiled and corroborated data on a number of different issues, including funding, criminalization, and deaths in custody. I used my document analysis to reveal other stories told by these reports, with a focus on rethinking the intersections between settler-colonialism and neoliberalism within Alberta's child welfare programs and policies.

This final chapter of my thesis will alter its focus and highlight instead the acts of Indigenous mothers pushing back against these forms of continuous oppression. This chapter will therefore engage both in theoretical discussions of mothering as political resistance, as well as highlighting specific examples of Indigenous women's resurgence, including The Seventh Generation Midwives; the ekw'í7tl collective; and the Native Youth Sexual Health Centre. Although I do not believe it is my role as a settler scholar to extract knowledge or personalized accounts of resurgence from Indigenous communities, I still believe it is crucial to this research to acknowledge the various ways that Indigenous women have consistently pushed back against settler-colonial violence. As a result, my research will draw upon existing research, the websites and resources published by these projects, and Indigenous scholars' contributions to analyzing their significance.

We cannot discuss the violent dislocation produced by the residential school system and contemporary child welfare systems without also acknowledging the power of Indigenous peoples as political subjects. Just as intimate and family intervention has represented a significant strategy of the settler-colonial nation-state, intimate and family relationships constitute a significant space for political resurgence and the possibility of decolonization. This final portion of my thesis will consider some examples of the various ways Indigenous families—mothers and grandmothers in particular—have taken powerful actions to dismantle the violence of these systems, and to work towards decolonization for their children. This section will include discussions of the political space of motherhood, the ability to pass on Indigenous knowledge and traditions, the nation-building work of Indigenous mothers, and the resurgence of Indigenous midwifery. This is certainly not an exhaustive list. It does, however, provide space to consider how Indigenous mothers act as agents—and indeed take on crucial leadership roles—in decolonization.

Mothering as a Political Act

Renée Bédard suggests that the interconnection between nation-building and motherhood exists, at least in part, separate from the biological production of life, but is more intimately connected with community and relationship building (2006, 66). She further suggests that in Anishinaabe worldviews, “all Anishinaabe women have responsibilities to raise-up and nurture the next generation,” and that “mother, auntie, and grannie are fluid and interchangeable roles” that foster a community’s capacity for nation-building through relationships (Ibid). This is connected to what Lina Sunseri describes as “mothering the nation” (2008). She notes that in her own Oneida culture, the role of mothering disrupts heteropatriarchal conceptualizations of ‘the good mother’, and is situated in a broader network of community relationships (Ibid, 22). For

Sunseri, mothering is not only situated in the biological action of child-rearing, but being part of larger networks of caring and love, and can also be part of the broader work of activism (Ibid). Indeed, these two aspects of mothering are not necessarily separable, as Sunseri notes that not only is motherhood “a political site” but also that actions more concretely understood as ‘mothering actions,’ such as offering a space in the home or preparing meals for people, are also political actions in a world that is inherently “hostile to Indigenous peoples” (Ibid).

Indigenous mothering is also a practice of reproducing Indigenous lifeways, culture, knowledge, and spirituality. Leanne Simpson writes that the ways in which Anishinaabe women conduct themselves as mothers is crucial, as it “models for... children how to be Anishnabeg” (2006, 27). Michelle Richmond-Saravia discusses that from her Anishinaabe perspective, mothers are a child’s first teacher (2011, 93). She further notes that from an Anishinaabe perspective, mothering comes with “sacred responsibilities” to share traditional knowledge (Ibid, 94). For Indigenous peoples in Canada, the continuation of Indigenous worldviews is a necessarily political act, grounded in the reality where the logic of elimination continues to guide settler-colonial policies and practices. It is therefore also an act of raising and nurturing a new generation of Indigenous children “grounded in spiritual and cultural rights” (Bédard 2007, 66). Richmond-Saravia discusses how these responsibilities are not only acted in relation to a mother’s biological children, but also “by taking on the responsibility of mothering all children” (2011, 95). For Richmond-Saravia, this is part of a larger political movement of nation-building, which is designed through the process of relationship-building and the development of extended families (Ibid). Imelda Perley describes this role as one of a “clan mother,” in her Masileet/Welustuk nation, someone who is responsible for spiritual and cultural teachings, as well as supporting ongoing spiritual and cultural relationships in their communities (cited in

Hanrahan 2009, 35). Clan mothers, while often not afforded the same acknowledgment in terms of leadership roles, act in ways that support the wellbeing and vitality of their communities and nations in a way that supports healing from colonial violence.

Jan Noel similarly argues that within Haudenosaunee frameworks, mothering is connected not only to political power, but often to the most esteemed positions of authority within political communities (2007, 76). This political power was not only located within communities but also between nations in the roles that mothers played in wartime and diplomacy, and therefore that the political authority of mothers was not only situated within a particular community space, but was international and often involved policy discussions informed by experiences of foreign nations both during peacetime as well as during battle (84).

Indigenous Birthing and Midwifery

Simpson articulates that part of the violence of colonialism has been ensuring that “the birth of a child became something [Indigenous] women had to endure alone” through practices of hospitalization and medicalization (2006, 28). This action violates Indigenous women’s sovereignty and self-determination of bodies by disconnecting them from communities through the colonial “hijacking of pregnancies and births” (Ibid). Through this framework, it is also possible to understand the act of Indigenous midwifery as an act of resurgence through the fluidity of Indigenous women’s knowledges, experiences, and roles in bringing forward new life and new possibilities. Sara Wolfe, an Indigenous mother and midwife notes that “midwives were traditionally seen as a community’s nation builders” (Tabobondung et al 2014, 76). Specifically, she argues that the history of colonialism attempted to eradicate not only Indigenous communities, but also Indigenous knowledge, and that the grandmothers and midwives who

worked to preserve and pass down crucial knowledge about Indigenous birthing practices and medicines have always been performing this resistance (Ibid).

One example of midwifery as resurgence is the Seventh Generation Midwives Toronto. Although the agency works with Indigenous and non-Indigenous mothers, and employs both Indigenous and non-Indigenous midwives, their core vision is to provide maternity care for Indigenous women “that enables women to reclaim control of birth for themselves, including the choice to incorporate traditional teachings or ceremonies” (Seventh Generation Midwives Toronto). As midwives, the care work they provide “belongs to and serves the woman, her family, and her community,” (Ibid) centring again what Bédard argues is the fluidity of women’s roles and the centrality of midwives in nation-building processes. A secondary aspect of their core vision is to support Indigenous peoples in their journeys into health professions, highlighting specifically their intention to pass on Indigenous women’s knowledge to future Indigenous midwives (Ibid). This also invokes Sara Wolfe’s reflections on knowledge as resurgence: as their grandmothers had fought to preserve this knowledge for future generations, contemporary midwives preserve knowledge for a decolonized future.

Significantly, spaces created by and for Indigenous women subvert the gaze of the colonial state. A study done in Manitoba with Indigenous mothers who had had encounters with the child welfare system noted that frequent drug and alcohol testing, among other things, contributed to a sense of deep scrutiny and the fear of always being watched (Bennett 2012, 77). This echoes what Cull describes as “mothering under the state’s gaze” (2006, 141). This phenomenon is not historical, however, and there is much research demonstrating how mothers who are “further marginalised by race, class and disability, are punished through state-sponsored disciplinary regimes for failing to conform to liberal ideologies of ‘good mothering’” (Salmon

2011, 167). It is therefore significant to consider the ways in which Indigenous birthing practices can subvert this gaze. This certainly happens with varying degrees and is not intended as a blanket statement: centres like Seventh Generation receive funding from the Federal Government and are therefore subject to some form of government scrutiny. It is nonetheless valuable to think of the ways that the physical space of a birth disrupts the colonial audience of the birthing practice and the act of mothering as an Indigenous woman.

Indigenous birthing collectives are becoming visible elsewhere as well. The ekw'í7tl Indigenous doula collective is a Vancouver based community that operates under a similar framework as the Seventh Generation. The collective prioritizes matching Indigenous doulas with Indigenous families as a means of maintaining cultural and spiritual birth-work (ekw'í7tl Website). The collective also prioritizes “holistic” healthcare, which works to support the “full-spectrum mental, emotional, physical, and spiritual” wellbeing of Indigenous mothers and their children (Ibid). The ekw'í7tl collective highlights the paramount importance of keeping families together from birth (Bachlakova 2016). They note that the history of family disruption is not only caught up in residential schools or the welfare system, but was also enacted in the name of healthcare (Ibid). Throughout settler-colonialism Indigenous birthing practices, including the knowledge of midwives themselves, was legitimized by the government and replaced with medicalized births (Ibid). Evacuation births are unfortunately still quite prevalent for Indigenous women, with an estimated 29% of Indigenous mothers in British Columbia having to travel away from their home communities to give birth (Ibid).

These Indigenous midwifery collectives are supported by the National Aboriginal Council of Midwifery, which connects Indigenous midwives across Canada. This Council advocates for First Nations, Métis, and Inuit midwives by representing Indigenous midwives in

meetings with Canadian health organizations, including the Canadian Association of Midwives (National Aboriginal Council of Midwives Website). The Council states that its goal is to advocate for Indigenous women and midwives in keeping with the principles reflected in the United Nations Declaration of Indigenous Rights (UNDRIP) (Ibid). Their goals are not only to ensure the recognition and maintenance of Indigenous midwifery knowledge and practices, but also to ensure the choice in birth place for all Indigenous women (Ibid). The Council maintains that the well-being of Indigenous families and communities begins with the well-being of Indigenous mothers and their children, and believe that Indigenous midwives support the healing of Indigenous communities from historical and ongoing trauma and violence (Ibid). According to the Council, this healing capacity is grounded in the practice of ensuring that Indigenous women's inherent right to autonomy is respected throughout the birthing and caring practices (Ibid).

The work being done around Indigenous midwifery is further supported by broader projects surrounding reproductive justice, like the work being done by the Native Youth Sexual Health Network (NYSHN). NYSHN works with Indigenous peoples across Turtle Island to support the development and maintenance of “strong, comprehensive, and culturally safe sexuality and reproductive health, rights, and justice initiatives” for Indigenous peoples (Native Youth Sexual Health Network Website). This includes a variety of initiatives that range from “culturally safe sex education” to the reclamation of various ceremonial practices to support with a variety of pregnancy options (Ibid). The work of NYSHN is comprehensive, and acknowledges the continuities between various forms of colonial violence that have impacted Indigenous kinship networks and relationships. NYSHN offers support to Indigenous youth in custody,

prison, and the welfare system, as well as offering advocacy and awareness for Two-Spirit and LGBTQQIA youth, as well as working with Indigenous youth involved in sex work (Ibid).

In addition to developing practical resources for Indigenous peoples seeking support in areas of sexual and reproductive health, NYSHN advocates for Indigenous peoples' rights and draws valuable connections between the colonial violence done to sexual and reproductive rights, and ongoing assertions of colonialism, including "environmental violence" (through mining, gas, oil, and logging) (Ibid). The work of NYSHN builds on the work of Indigenous feminisms by highlighting the intersections between various manifestations of colonialism, and making the connections between reproductive and environmental justice clear. This includes initiatives such as "Violence on the Land, Violence on our Bodies: Building an Indigenous Response to Environmental Violence" (Ibid). This project carefully documents the experiences of Indigenous women and other community members "whose sexual and reproductive health and rights have been affected by gas and oil development, mining, and pesticides" (Ibid). Specifically, doing work around issues of sexual and reproductive health and fostering particular kinds of relationships, NYSHN resists and ultimately undermines settler-colonial state policies that aim to discipline and regulate particular Indigenous intimacies.

It is within this context of resurgence that Simpson articulates that the practice of Indigenous birthing, informed through Indigenous knowledge and practice, and reaffirmed through relationships of community and care can provide "a decolonized pathway into this world" for future generations of Indigenous children (2006, 28). Furthermore, it is not only a story of providing a decolonized birth for future children. Many Indigenous women experience the practice of Indigenous mothering as an act of decolonizing themselves through their own rebirth (Tabobondung et al. 2014, 83). Because so much colonial rupture has occurred within

relationships and between people, the practice of Indigenous mothering creates a valuable space where relationships are born and reborn. These relationships, in turn, provide the possibilities for creating and maintaining new bonds of kinship that resist colonial frameworks of nuclear family units as well as policies of isolation and apprehension that attempt to disrupt Indigenous nation-building, sovereignty, and self-determination.

The ekw'í7tl collective further acknowledges the deep cultural, spiritual, and political meanings of traditional birthing practices. Keisha, who is one of the founding members of the collective, notes that Indigenous birthing practices are also intimately connected with Indigenous nationhood and the increasingly visible Indigenous resurgence (cited in Bachlakova 2016). In particular, she draws attention to a recent birth that happened in the protest gathering in Standing Rock against the Dakota Access Pipeline, which was supported by Indigenous midwives. Keisha reiterates how the birth of an Indigenous child at the gathering delivers a strong message to “the powers trying to destroy that territory” (Ibid). In this case, this message reiterates the transgressive nature of Indigenous continuity and futurity highlighted in the first chapter of this thesis.

Indigenous Mothering as Expression of Sovereignty

Finally, following in the footsteps of Indigenous feminist scholars like Leanne Simpson, Kim Anderson, and others, this thesis puts forward the notion that Indigenous mothering is not only a political act, nor simply an aspect of Indigenous resistance against colonialism, but that it is in and of itself an act of sovereignty. Anderson, herself building on ideas put forward by Patricia Hill Collins, notes that for some women—predominantly white, middle-class, heterosexual, and cis-gender women—mothering is perceived as an act of personal autonomy (2007, 768). Collins notes that this ignores the reality of many racialized mothers who are

themselves “members of a racial ethnic group struggling for power” (1994, 48). My reading of Anderson then leads me to believe that the connections between individual autonomy and collective sovereignty are non-separable in the contexts of Indigenous mothering.

Anderson explores this in more depth by explicating the threads that connect family, spirituality, and nationhood for Indigenous peoples. Anderson speaks of the ways motherhood organizes social and political relationships. She notes that this is located in a matrilineal context—here Anderson is speaking specifically about Carrier women— where “public leadership emerges from domestic authority,” and that the experiences, knowledge, and skills that many women bring forward in leadership practices are situated within their particular knowledge as mothers (2007, 774). She also connects the political and familial with the crucial spiritual relationships that underpin the positioning of motherhood within Indigenous nations. She notes that the resurgence of Indigenous birthing and midwifery practices is not only important politically, but that these carry valuable spiritual meaning that support Indigenous women in “validat[ing] their bodies as sites of empowerment” (Ibid, 767). This echoes what Lina Sunseri has also argued: that Indigenous mothering presents a form of empowered motherhood that stands in opposition to the generalized understanding of patriarchal motherhood that exists within dominant Western culture (Sunseri 2008, 22). Sunseri goes on to argue that this form of empowered motherhood exists when women mother from a position of agency, autonomy, and authority, rather than a place of passivity or submission (Ibid).

While Anderson warns against interpreting the motherhood as sovereignty question as one of overburdening Indigenous mothers (2007, 774), she also situates the conversation within an understanding of the ways that the responsibility of mothering the nation is in not an individualized responsibility. It is situated with the knowledge that families, communities, and

nations are all part of the work that is being done (Ibid). It involves extended kinship networks that empower Indigenous mothers by sharing responsibilities (Ibid, 764). It also requires reciprocity between different peoples and communities by re-mapping what is understood as the “roles and responsibilities” that surround ideologies of motherhood (Ibid, 775). Elsewhere, Wahpimaskwasis Janice Makokis has argued that a dominant Western understanding of ‘roles’ and ‘responsibilities’ places women’s labour in a gendered hierarchy, however in her Nehiyaw-Cree perspective, roles and responsibilities are both socially bound to communities and kinship networks, but are also reflective of spiritual and philosophical ways of understanding each person’s place in their community and in their world (2008, 44). In this way, reconsidering the question of Indigenous mothering within a settler-colonial context requires a critique of state intervention practices, but also a critical re-imagining of the Western imagination of what ‘motherhood’ and ‘mothering’ actually mean. As Anderson acknowledges, for many Indigenous women, family is not only a site of political resistance, but one of “renewal” as well (Ibid, 765).

In a lecture given at the University of Alberta in November of 2016, Rauna Kuokkanen cautioned against uncritically using the language of ‘mothering the nation’. She notes that this language is equally complicit in systems of oppression like heterosexim and heteropatriarchy that also underpin colonial systems. I do believe she is right that as scholars we need to proceed with great care in these conversations. However, I also believe that grounding an understanding of mothering as the work of sovereignty and decolonization is also not inherently complicit in heterosexism and heteropatriarchy. We can consider the work of Renée Elizabeth Mzineghiizhigo Bédard, who reminds us that mothering work is not only the work of biological mothers and therefore it does not necessitate a particular body or person to do that work (2006, 66). Similarly, Kim Anderson notes that the sense of collectivism and collectivity that underpin

many Indigenous worldviews organize community life in drastically different ways than the public/private divide that organizes life under Western Capitalism (2007, 765). For example, within the Western/Capitalist context, there are concerns that the unpaid private labour of women, in particular the unpaid labour of mothering, holds women disproportionately accountable for this work. In the context of my thesis, such concerns might manifest as concerns that Indigenous women and Indigenous mothers will be held disproportionately accountable for the work of decolonization and sovereignty. However, Anderson reminds us that within a collectivist paradigm, these distinctions are not really accurate nor reflective of social organization (2007, 765). Instead, the labour of mothering is happening more fluidly, both by mothers and others. That being said, using the language of “mothering the nation” also gives acknowledgment to the ways in which Indigenous women and mother are performing this labour in their roles as mothers.

Conclusions

This chapter of my thesis has provided some reflections on Indigenous women’s mothering work as resurgence. Significantly, I have highlighted both theoretical and practical ways that this work is taking place in order to most effectively demonstrate the scope of Indigenous women’s political mothering work. Some of the specific organizations that I have examined in this chapter are the Native Youth Sexual Health Network, the Seventh Generation midwives, the Council of Aboriginal Midwives, the ekw’i7tl collective. This chapter was written to reflect the significance of resurgence against the institutional power embedded in systems like the residential schools and the contemporary child welfare regime.

At its core, this chapter is a reflection on the belief that sovereignty is neither absolutist nor institutional in all cases, but that in many ways, sovereignty is located within loving and

caring relationships— including motherhood. When we consider the deep significance of Indigenous kinship relationships to the Canadian-state, and take this into consideration against the attempts and strategies of intervention that the state has historically used against Indigenous families, the power in these relationships becomes even more apparent.

Conclusion

This thesis has attempted to contribute to a greater understanding of the connections between the residential school system and contemporary Indigenous child welfare in Alberta. It has also taken up a consideration of Indigenous mothering as a space of political resurgence and Indigenous sovereignty. In order to do so, I have considered the histories of the residential school system, as well as some of the contemporary issues faced by Indigenous children and their families in child welfare systems today. I do not believe that the comparisons offered were exhaustive, and with time, as more research becomes available, it is likely that our understandings of the situation will grow. This research depended on theoretical, historical, and document analyses. While I have intentionally centred Indigenous feminisms as the theoretical basis of this research, it has also relied on many other streams of feminist thought, not least of which is Black feminism, whose theories about nuclear families and mothering practices have proven invaluable to reconsidering the questions at hand.

Using document analysis to understand both the historical example of residential schools, and the contemporary example of child welfare, this case study highlighted the continuities that are visible between the two systems, as well as how child welfare has shifted and evolved. Significantly, noting how the lives of Indigenous children are continually subject to precarity and state sanctioned violence encourages a more nuanced analysis of how child welfare operates for Indigenous families in Canada and Alberta. Viewing these case studies next to each other also encourages us to consider how the two systems are not only connected, but how they shape one another in contemporary Canada. Indigenous child welfare in Canada cannot and must not be considered extraneous to the residential school system.

Continuities

As this thesis has attempted to demonstrate, it is important to gain a better sense of awareness about the continuities between the residential school system and contemporary child welfare. This research has highlighted some notable continuities between the two systems, which I will highlight below: namely, institutional connections, ongoing debates regarding jurisdiction and responsibilities, and the ongoing precarity and ungrievability of Indigenous children in the settler-state. Moreover, this thesis has also articulated some of the ways in which the contemporary child welfare system is discontinuous with the residential school system, and has highlighted some of the ways that Indigenous child welfare in the present moment is shaped largely by neoliberalism and its interactions with settler-colonialism.

Institutional Continuities

As highlighted in the historical analysis of this thesis, there are demonstrable and clear institutional connections between the residential school system, and ongoing child apprehensions. This occurred through the slow transferring of children from residential schools to provincial child welfare, and then the ongoing and increasing apprehension from the time of the sixties scoop to what has now been termed the “millennium scoop” (Sinclair 2007, 66-67).

Within this institutional history, it is important to consider the ways that the contemporary documents analyzed reflect this history. For example, it is valuable to note that the FNCIS-2008 considers parental history of welfare placement to be a caregiver risk-factor in child maltreatment investigations (Sinha et al. 2011, 55). This is an important example of how the continuities between residential schools, the sixties scoop, and contemporary child welfare are not only symbolic or theoretical, but are embedded in welfare policy and practice. Given the

history of Indigenous child apprehension in Canada, it is difficult to conceive of this practice outside of a racialized implementation of child welfare policy that continues to enable the state to blame Indigenous peoples for settler-colonial violence, and use this blame to legitimize further violence.

In spite of the demonstrable institutional connectivity between residential schools and contemporary child welfare, available data does not always acknowledge these connections. Of the four reports analyzed for this thesis, only one (*Kiskisik Awasisak*), acknowledged the historical continuity between child welfare and the residential schools. Significantly, two of the three reports that do not highlight this continuity also do not offer substantial discussion about Indigenous children in the welfare system and provide insight largely in the form of statistical evidence. This is reflective of the neoliberal erasure of settler-colonialism that was discussed previously in this thesis. As I have argued, the neoliberal responsabilization of Indigenous mothers and communities is possible only in a context wherein this historical connection is not made explicit, and which does not hold the settler state expressly accountable for this dislocation. When it is discussed, for example in *Kiskisik Awasisak*, it is discussed as the “sixties scoop period,” suggesting that at some point the sixties scoop had clearly ended and a new phase of child welfare had begun (Sinha et al. 2011, 7). What this fails to demonstrate, however, is a reality in which there have been no clear breaks between different historical phases of apprehension, as discussed above. Significantly, the erasure of this institutional history in reports that discuss Indigenous child welfare allows apprehensions to continue to take place by reinforcing the mythology that Indigenous families are incapable of caring for their own.

Jurisdiction and Responsibility

As was noted in my case study, contemporary child welfare experiences many of the same jurisdictional debates that have emerged from the residential school system. This development was particularly notable throughout the late twentieth century and parallels the emergence of a neoliberal political rationality. While some debate initially occurred, in relation to responsibility for Métis children, it did not appear to be the same systemic devolution of services that happened throughout the 1960s-1990s for all Indigenous children. Prior to the advancement of neoliberal ideologies, there was substantial backlash at the federal level in terms of the transfer of Indigenous children to provincial systems as many people felt that, in spite of the serious issues with the residential school system, they were more likely to keep siblings and families together (Truth and Reconciliation Commission 2015a, 173). In this way, while the debates between responsibility and obligation have consistently appeared in discourse surrounding Indigenous child welfare, I would argue that the massive ruptures we see in contemporary child welfare are the result of a push towards neoliberal welfare policies and a broader trend of decentralization.

Debates regarding jurisdiction and responsibility for funds are ongoing and evident within the documents analyzed. Significantly, the Report to Canada's Premiers takes a hard stance on the Federal Government's responsibility to provide for Indigenous child welfare throughout Canada, and notes that the Federal Government has not met its obligations in this regard (Aboriginal Children in Care Working Group 2015, 11). However, while placing all responsibility on the Federal Government to take on responsibility for this funding, the report absolves provincial governments of their complicity in these jurisdictional debates. The report goes on to suggest that provincial governments across Canada have undertaken a 'Child First' approach to meet the requirements to fulfill Jordan's Principle (Ibid). Similarly, federal ministers

who were invited to be a part of the completion of the report did not respond to the invitations and were therefore not a part of the broader conversations that took place (Ibid, 4). This represents an ongoing challenge of communication between provincial and federal levels of government and their capacity to engage in these conversations together, rather than the tendency to hold the other party accountable. This ultimately results in inaction to address concerns that Indigenous peoples have brought forward regarding the welfare system.

Precarity and Ungrievability

My research is also premised on the belief that the precarity and ungrievability of Indigenous children's lives, as discussed in the previous two chapters, reflects in and of itself a form of continuity that is crucial to the settler state. Because Canada (as a settler-colonial entity) is dependent on the elimination of Indigenous peoples and sovereignty, it is also true that the state depends on continuous deaths. For the purposes of my research, I believe that precarity and ungrievability are continuous in two significant ways: first, that the conditions of precarity that Indigenous children are subject to remain continuous in very tangible forms. That is, the continuation of underfunding social services for Indigenous children and the lack of care afforded to the lives of Indigenous children as compared with other children in Canada remains consistent. Secondly, I believe that the settler population in Canada is afforded the possibility to pay witness to the deaths of Indigenous children historically (over and over again) through narratives of pain experienced in residential schools.

As described in the previous two chapters, both residential schools and contemporary welfare services experience a profound lack of funding when compared with services for non-Indigenous children (Truth and Reconciliation Commission 2015b, 95; Blackstock 2011, 187). As Butler notes, precarity is not simply a condition of all lives, but a distinct and "politically

induced condition” that requires that the state has foreclosed responsibility to care for and protect certain lives from vulnerability, and perhaps is itself the agent of violence within these lives (2004, 26). This is notable in both cases of residential schools and child welfare, wherein the state sanctions deliberate forces of violence in the lives of Indigenous children both historically and contemporarily. By refusing to provide services for Indigenous children that meet the standards of acceptability for non-Indigenous children, the state is conditioning precarity for Indigenous children. Furthermore, the refusal to protect Indigenous children is consistent through both structures: as mentioned previously, the government was aware of excessive abuse taking place in residential schools from what was effectively the start of the era (Truth and Reconciliation Commission 2015a, 147). For over a century, however, the state actively refused to acknowledge or address this abuse (Ibid). The same is true in many instances of death in Alberta (and other) welfare services today. When examining the *Children in Care* database, it is clear from many of the reports that concerns for Indigenous children’s safety and health had been flagged—often a number of times—without any action taken on the part of state actors (Children in Care 2013). This knowledge of precariousness—and the refusal to act in any way to reduce the vulnerability of these children—is a political move on the part of the state to create the conditions of precarity for Indigenous children.

Secondly, I would argue that in many ways, the settler population is afforded opportunities to bear witness to Indigenous deaths multiple times, and that this too is part of a settler-colonial desire to experience and re-experience the elimination of Indigenous peoples. Considering that lives subject to precarity are un-grievable, and as a result are not understood to be human lives in the way that the state understands human life, the lives of Indigenous children within a settler-colonial state are understood to already be negated in the eyes of the state (Butler

2004, 33). Butler goes on to describe that lives that have already been negated “have a strange way of remaining animated and so must be negated again (and again)” (Ibid). I would argue that this, too, is a continuous realization of Indigenous precarity. The settler population is simultaneously able to re-experience the violence to which Indigenous children were subject to in residential schools, while ignoring the violence to which Indigenous children are subject to in contemporary welfare systems. It is also true that sometimes, settler Canadians are able to re-experience the violence to which Indigenous children are subject to contemporarily. I argue that the two examples of ‘obituaries’ (for lack of a better word) may appear paradoxical, but in fact reflect a continuity of a settler desire for Indigenous elimination, one which is premised both through an invisibilization of Indigenous bodies that are marked by the violence of the state, as well as the desire to bear witness to this violence and ‘see’ it with their own eyes.

To further explicate my point, I would once again draw on the example of ‘Orange Shirt Day’. This day of remembrance affords settlers a certain space to memorialize the ghosts of Indigenous children past, those who suffered under the residential school system and those who died as the result of its violence. Its temporal distance affords settlers the ability to grieve, in a manner of speaker, violence against Indigenous children as exclusively located in a different past. There is no implicit demand for settlers to grieve or even consider the Indigenous children who exist in the present or to recognize the various forms of state violence that impact their lives. To the settler imaginary, then, settler-colonialism *and* Indigenous children become ghosts of a distant past that no longer inform contemporary Canada beyond a symbolic gesture or remembrance.

Discontinuities

While these continuities are significant to pay attention to, it is also important to acknowledge that the residential school system and contemporary child welfare exist in different contexts and serve different needs. This means that the two systems are differentially constituted, and it is therefore important to acknowledge these discontinuities.

The Narrative of the 'Unfit Mother'

The pervasiveness of the rhetoric of Indigenous women's 'inadequate' mothering qualities cannot be understated both in historical and contemporary times. In some British Columbia residential schools, over half of the students were enrolled for loosely defined "unfavourable home conditions" (Truth and Reconciliation Commission 2015b, 160). It is also evident that, while certainly not exclusively so, discussions of inadequate Indigenous parenting were—and are—largely a gendered conversation. This is perhaps most evident in two qualities of European settler-colonialism throughout the nineteenth and twentieth centuries. First, it is situated within a context of heteropatriarchal ideologies of gender, family, motherhood (Jacobs 2009, 11). Secondly, the history of intermarriage between Indigenous women and settler men prior to Confederation meant that ideologies of race and gender frequently intersected. This constructed very particular ideologies of motherhood for Indigenous women that were distinct from but located within broader ideologies of gender and motherhood (Salmon 2011, 167).

The second chapter of this thesis, in which I have described the historical iterations of this mythology, is not only demonstrative of how commonly held and pervasive this belief system was, but is also an important reminder that in many ways, racialized ideologies of 'the good mother' dictated government policy. As Jacobs notes, the colonizer not only scrutinized but *regulated* the ways in which Indigenous women were able to engage in relationships, as well as the ways they were able to raise and care for their children (Jacobs 2009, 24). This desire to

invade the personal lives and intimate relationships of Indigenous peoples ultimately grew into the child removal policies detailed in this thesis.

Furthermore, in many ways, settler-colonialism's ideologies of motherhood were some of the earliest projects of white feminists. Jacobs' example of the Women's National Indian Association is an American example, but one that nonetheless resonates with how white women in Canada perceived it as their maternal role in the Canadian state to instruct Indigenous women on how to properly be mothers. Jacobs cites an excerpt from this association that states that it is "Not until Indian women become good nurses, good housekeepers, intelligent Christian women will the Indian problem be solved" (Jacobs 2009, 87). From this small excerpt, we can see how the 'Indian problem' was conceived of as a gendered issue in settler-colonies. Furthermore, it calls attention to the centrality of motherhood to the settler-colonial project. All of this has been embedded in a broader politics of maternalism towards Indigenous peoples in settler-colonial contexts. Jacobs notes that such maternalist politics ultimately resulted in the state adopting a sort of 'mothering' role, offering not only to mother the children of women deemed incapable, but also 'mothering' "seemingly disadvantaged women" (Ibid, 87).

In contemporary times, the racialized language of 'unfit' mothering is less explicit. In none of the documents analyzed for this research was there any deliberate mention of Indigenous mothers as 'unfit'. Yet it is also true that these ideas are reflected in public discourse, as well as in professionalised knowledge regarding child welfare and parenting. While the conversations have taken more implicit tones, I believe that it is still possible to find racialized depictions of Indigenous mothers—and other caregivers—as lacking the appropriate skills conducive to raising and caring for children 'adequately'. This was certainly the case with the four reports analyzed for this thesis. Notably, *Kiskisik Awasisak* highlighted the many 'Caregiver Risk

Factors' that are most likely to impact Indigenous women's capacities to properly care for their children. This included an increased likelihood that Indigenous women would be victims of domestic violence, or more likely to use alcohol or other drugs than other Canadian women (Sinha et al. 2011, 57). While this is not an explicit statement that Indigenous women are unfit mothers, it implicitly connotes that there are ways in which Indigenous women are 'high-risk' mothers compared with non-Indigenous women in Canada.

One of the ways this conversation has been institutionalized most prominently is through the co-optation of the language of 'intergenerational trauma'. First and foremost, it is not my intention to dismiss the devastating impacts of the residential school system, and settler-colonial violence more broadly, nor to dismiss the ways that these structures have resulted in substantial trauma for many Indigenous peoples. I certainly do believe it is the case that intergenerational trauma has profound and lasting impacts for many Indigenous peoples, and further I believe that the pervasive disruptions of Indigenous caring and family relationships that have occurred through settler-colonialism have had profound impacts on Indigenous families. It is not my intention to suggest otherwise. However, it is also fairly commonplace for social workers, researchers, and policy makers to attribute the cause of ongoing child apprehensions to the legacy of intergenerational trauma resulting from the residential school system. This is demonstrable in the documents analyzed for this research: *Kiskisik Awasisak* notes that structural conditions are compounded by a legacy of intergenerational trauma and the effects of colonialism that impacts Indigenous peoples' capacities to parent (Sinha et al. 2011, 11). The Report to Canada's Premiers similarly highlights colonialism as a 'root cause' of continuous overrepresentation as the history of residential schooling perpetuates "intergenerational social crises" (Aboriginal Children in Care Working Group 2015, 3). In this way, the knowledge of

intergenerational trauma and the ways it impacts the lives of Indigenous peoples today has been co-opted by government and professional discourse to legitimize further interventions. However, to attribute the crisis of Indigenous children in the welfare system exclusively to the legacy of intergenerational trauma continues to place individualized blame on parents and caregivers, while simultaneously invisibilizing the ways that the contemporary child welfare system is not merely a legacy of the residential school era, but an institutionalized continuation of racialized welfare practices in its own right.

In spite of this continuity, however, it is also true that the myth of the unfit mother has been differently constituted and has served different purposes through this evolution. Indicating a continuity between these expressions certainly is not intended to suggest that they are one and the same. Historically, the categorization of mothering and ‘unfit’ mothering as a racialized category reflects attitudes of the time regarding nation-building and racialization. As Marlee Kline notes, however, “the dominant ideology of motherhood is a historically and culturally specific phenomenon” (1993, 311), and therefore the standards and values against which Indigenous mothers are evaluated have shifted.

Contemporary discourses of racialized mothers as ‘unfit’ or otherwise criminal reflects the neoliberal framework that governs contemporary political and social life. In a neoliberal context, “motherhood is an arena in which national anxieties are imagined on the bodies of women and the formations of family” (Ramsay 2016, 319). ‘Good’ and ‘right’ mothering therefore becomes a space wherein ‘good’ and ‘right’ citizenship is also evaluated and where merit and deservingness are applied to certain bodies (Ibid, 320). Contemporary welfare interventions highlight the need to “transform” mothers deemed to be unfit into “a particular kind of citizen who meets the requirements of whiteness” (Ibid, 329). This ‘kind’ of citizen/mother

embodies the qualities valued by a neoliberal rationality, namely “individualism, discipline, and self-reliance” (Ibid, 330). In this way, as Ramsay argues, child welfare systems— while seemingly contrary to the neoliberal desire for non-intervention— are in fact institutions that surveille, administer, and regulate “the reproduction of certain citizenship values through the control of motherhood” (Ibid, 332). Arguably, the attempt to regulate citizenship values and nation-building through the control of motherhood is not itself the difference between historical iterations of ‘unfit mothering’ discourse, but rather it is the question of which citizenship values that the state seeks to see reproduced that is.

Assimilation and Intent

In addition to reflecting different standards of ‘good’ mothering, it is also important to recognize the different purposes that these two interventions have served. While I have demonstrated the ways that the two institutions are connected, there are important distinctions between the two in terms of regulatory intentions. First and foremost, the two institutions diverge in terms of functional purposes. The residential school system has become infamous in Canadian society for its stated intention of “killing the Indian in the child” (Truth and Reconciliation Commission 2015b, 577). On the other hand, the child welfare system’s regulation of good and deserving motherhood reflects the political rationality of neoliberalism and reproductive citizenship. These differences reflect a shifting understanding of citizenship, belonging, and nationhood that I believe can be understood through the development of a neoliberal political rationality that seeks to create ‘good’ and ‘deserving’ citizens.

While residential schools used Indigenous reproduction as a tool for assimilation, the contemporary child welfare system attempts to assimilate Indigenous reproduction and family orders. In other words, reproduction and Indigenous motherhood was not the focus of residential

schooling. While it was not the focus of the institution, however, it was crucial for the residential school system to attempt to regulate reproduction, and it certainly had profound impacts on Indigenous families. On the other hand, the child welfare system uses the site of the family as a direct space for assimilation. As Ramsay notes, the monitoring of the child welfare program is intended to create certain kinds of mothers/citizens through its surveillance and requirements (2016, 323). As a result, the attempted assimilation of Indigenous peoples into Canadian society is no longer necessarily about removing Indigenous children from their families, but about reconstituting Indigenous families to fit within the scope of a ‘good’ Canadian family and therefore a family who is deserving of state support.

This is notable in the reports analyzed, particularly in their emphasis on programming that could better support Indigenous families in becoming ‘good’ and ‘responsible’ families. This is especially evident in the Report to Canada’s Premiers, which highlights a number of programs designed to promote intensive parenting support and programming. These programs highlight the need for Indigenous peoples to develop violence prevention plans (2015, 19), as well as “educational, health, nutritional, and parenting programming” (Ibid, 27). Prevention programming like this is situated on a fine line between supporting Indigenous mothers and families in a way that enables autonomy and self-determination, and programming that supports the surveillance and policing of what constitutes ‘appropriate’ mothering in the contemporary neoliberal world. That being said, this kind of preventative programming supports a particular kind of cultural implementation that works through Indigenous cultures—as long as they fit within the broader conceptualization of ‘good’ mothering.

Moving Forward

In addition to rethinking the connections between residential schools and the contemporary child welfare system, this thesis has also attempted to reconsider how we understand the role of Indigenous mothering, particularly as a site of political resurgence and of Indigenous nationhood and sovereignty. Once again, this list is certainly not exhaustive, however it does offer a more nuanced perspective into the questions at hand. Social science research tends to position Indigenous women as victims of violence, rather than as agents of political and social transformation. The final chapter of my thesis has attempted to highlight several of the ways that Indigenous women have used mothering as a way to disrupt settler-colonial violence. While some of this chapter addresses specific and tangible ways that Indigenous women perform these disruptions, another significant consideration is the way that Indigenous mothering itself *is* a means of resurgence against a state that is driven to eliminate Indigeneity and Indigenous sovereignty.

There are many possibilities for expanding this research, both within the discipline of Political Science, as well as in other interdisciplinary fields. For example, this research focused specifically on residential schools as a site of disrupting Indigenous mothering. While this is certainly the most well-known and frequently cited example, there are many other state intervention policies that should be accorded the same amount of inquiry. My research has alluded to several examples, like the sixties scoop, the eugenics movement and the forced sterilizations of Indigenous women, and the *Indian Act's* legal regulation of Indigenous mothering. While my research has acknowledged the interconnectedness between these various policies, I would be remiss in suggesting that this offered sufficient analysis to fully understand the questions at hand.

Another means of building on this research is to consider how (white) maternal activism itself shaped these policies and practices. As a white feminist researcher, I believe that it is crucial to examine the implications of white women's— and especially white feminism's— involvement in the practice of regulating Indigenous mothering. Although there is research that considers this relationship in other contexts—Margaret Jacobs' work on Australia and the United States has been invaluable to this thesis—there is a relative absence on how this relationship operated in the Canadian context. However, as this thesis has attempted to demonstrate, mothering and race are fundamentally connected, and have played pivotal roles in the development of a Canadian nation-state.

Finally, it is important to note the limitations of this research within this field of inquiry. Of importance to this study is the relative lack of information available regarding child welfare in Canada. While my research offered an Alberta-specific perspective to this research, the amount of publically available, empirical data that had been disaggregated either by province or by race were limited—and this was particularly the case when seeking data disaggregated to include data that was reflective of Indigenous child welfare across different provinces. As mentioned previously, the Alberta Incidence Report did not offer any specific insight into the case of Indigenous children in the welfare system, despite the fact that they have consistently represented a majority of the children in the system.

On a similar note, this study is also limited by the data that is available, and how it is presented. That is to say that the documents analyzed for this thesis ultimately do not represent the interests of Indigenous mothers or their children, and may have included discussion with Indigenous partners, but were not likely lead by Indigenous researchers. Even the FNCIS, which was ultimately completed by the Assembly of First Nations, relied on research completed by

settler researchers, and as a result is limited in its capacity to appropriately represent the perspectives of those most deeply influenced by these policies and practices.

In spite of these limitations, I believe that this research is valuable both in its own conclusions, but also as a means of initiating more nuanced conversations around these kinds of questions. In particular, it is my hope that this thesis has added thoughtful and useful knowledge to the discussions of reconciliation and decolonization that are happening throughout Canada as a result of the Truth and Reconciliation Commission's work.

It is also my hope that this research enables a greater understanding of the ways that sovereignty is located in the smaller spaces of relationships of care, like the relationships between Indigenous mothers and their children. In this thesis, I have highlighted the many ways that the state is invested in regulating these kinds of relationships, particularly through the intersecting ideologies and structures of both neoliberalism and settler-colonialism. In particular, these intimate spaces are of great importance to the project of nation-building— both that of the Canadian nation state, and of Indigenous nations resisting this framework. Bringing the discussion back to Indigenous feminist frameworks, where I began, this thesis is part of a larger project of imagining Indigenous futurities and the act of undoing “the reproductive future of white supremacy” (Smith 2010, 48). By beginning in these smaller spaces of intimate relationships, it is possible to reimagine a different kind of reproductive future.

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