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## **Policies and Practices Affecting Aboriginal Fathers' Involvement with their Children**

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### **Introduction**

This paper offers Aboriginal fathers' perspectives on how policies and practices of federal and provincial agencies and in-community programs affect their involvement with their children. Canadian history has included a series of legislative acts that have ingrained racism and contributed to the social exclusion of many Aboriginal individuals and groups. Systemic racism occurs when institutions such as government agencies and organizations responsible for developing and maintaining public policy, health care, education and social services function in ways that limit rights or opportunities on the basis of ethnic identity (Moffatt & Cook 2005). Provisions in the *Indian Act* effectively work to diminish the population eligible for federal entitlements as Status Indians. Jurisdictional ambiguity for First Nations peoples' health and social services has reduced the transparency and accessibility of services. Domination of social services by non-Aboriginal agencies and personnel has limited the cultural acceptability of services to Aboriginal children and families. In addition to being harmed by racist legislation, insufficient funding and lack of appropriately trained personnel has meant that even when promising policies are in place, service systems frequently fail to deliver assistance to families in timely and needed ways.

Within this difficult context, Aboriginal fathers have been especially excluded, both as a stakeholder group and as a resource for their children. Recently, steps have been taken to improve developmental conditions for Aboriginal children, for example, through targeted infant development programs, innovative Maternal and Child Health programs, and Aboriginal Head Start. Yet, the contributions that Aboriginal fathers can make to their children's health and development have yet to be recognized. The Grand Chief of the First Nations Summit in British Columbia, Ed John, asserted in a recent forum:

Fathers may very well be the greatest untapped resources in the lives of Aboriginal children. If we could support them to get involved and stay connected with their children, that would be a big protective factor for these youngsters as they grow up. (Aboriginal Early Childhood Development Leaders Forum, Vancouver, April 27, 2004, quoted with permission).

Research involving non-Aboriginal fathers shows clear correlations between fathers' involvement and developmental outcomes for children, mothers, fathers, families, and communities (Lamb 2004; Marsiglio, Day, & Lamb 2000; Flouri & Buchanan 2004), as well as improvements in fathers' mental health (Milkie, Bianchi, Mattingly, & Robinson 2002) and fathers' social well-being (Pleck & Masciadrelli 2004). Steps need to be taken to reduce systemic barriers and create supportive environments for Aboriginal fathers to initiate and sustain positive relationships with their children.

An opportunity to conduct the first research study of First Nations and Métis fathers in Canada came through a networked study of seven populations of fathers, including Aboriginal fathers, initiated by the Father Involvement Research Alliance of Canada. The study explored fathers' involvement with their children, and their views about needed reforms to legislation, public policies, community resources, and supports (Daly & Ball 2005).

## Method

**Research ethics:** Conceived as part of a larger agenda of reparative social justice (Ball 2005a), the study was guided by principles and protocols suggested by Indigenous scholars for research involving Indigenous peoples (Castellano 2004; Inter-agency Advisory Panel 2003; Piquemal 2000; Ten Fingers 2005; University of Victoria Indigenous Governance Program 2003). Community relevance, respectful partnerships, and research capacity building were seen as ethical prerequisites for participating in the national fatherhood study. An urgent need to understand and support Aboriginal fathers had already been expressed by the national office of Aboriginal Head Start, and by agencies in British Columbia serving Aboriginal children and families. Low participation of First Nations and Métis fathers in children's programs was found in previous research (Ball 2005b), and unsuccessful efforts to involve Aboriginal fathers are a frequently reported concern among health-care and child-care practitioners. Thus, Aboriginal practitioners in several community-based agencies readily engaged as community partners in the research.

Due to time and budget constraints, the study was conducted only in B.C. Community-university partnership agreements were negotiated with one First Nation reserve, and two community-based agencies serving First Nations and Métis children in Prince George. After news of the study spread, the research team received an outpouring of requests from First Nations and Métis fathers, communities, and agencies to participate. Hence, the study expanded to include two more First Nations and two urban-Aboriginal program partners, as well as 18 fathers without partner affiliations who asked to contribute their stories.

**Research plan:** Two First Nations fathers and one woman of Aboriginal descent worked on the study team with the co-authors, contributing variously to the design, collection, transcription, and interpretation of data, and to sessions with

community partners to confirm understandings and plan strategies for mobilizing knowledge gained from the research. Information gathering had three components: (1) a demographic profile of Aboriginal fathers in Canada using census data; (2) a questionnaire asking each father about their involvements with their children, their roles in relation to their children's other relatives, and their use of community programs; and (3) a 60-minute conversational interview with each father that was audiotaped and transcribed (Ball 2006).

**Participant recruitment:** The study recruited 80 self-identified First Nations and Métis fathers, including biological fathers, regardless of their degree of involvement with their children, and men engaged in fathering roles with children of current or former partners. Because community partners wanted to know about Aboriginal fathers with young children, the study recruited fathers with at least one child less than seven years of age.

**Data analysis:** Analysis of the interview transcripts used a grounded theory approach demonstrated in family interaction research by one of the authors (Ball, Cowan, & Cowan 1995).

## Results

### *Participants*

Among the 80 fathers who volunteered for the study, 72 were First Nations (90%), seven were Métis (9%), and one was a non-Aboriginal father of First Nations children. The sample was fairly representative of Aboriginal men in Canada with reference to characteristics of men self-reporting Aboriginal ethnic origins in the 2001 census (Statistics Canada 2001). These characteristics are summarized in **Table 7.1** (page 126).

### **Long and Winding Roads to Becoming Fathers**

Nearly all of the fathers described a gradual process of identifying with fatherhood and learning to be positively involved with their children. Nearly half of the fathers had little or no contact with their first-born child, or with children from an earlier partnership until these children were adolescent or older. In contrast, studies of European-heritage fathers indicate that the birth of their first child has an immediate, momentous impact on them (e.g., Palkovitz, Copes, & Woolfolk 2001).

Many study participants described needing time to “*get up the courage to reach out to my kids*” and “*to try to get to know them, and let them get to know me.*” Some also explained that in order to sustain contact with their children, they needed time to learn to manage relationships with their children's mothers, extended families, foster parents, and family service workers. Although most fathers in the study were actively involved with children who had come later, usually through a

**Table 7.1: Self-Reported Demographic Characteristics of Participants**

Characteristics	%	Frequency	M	SD
Identity as First Nations	90.0	72		
Identity as Métis	8.75	7		
Living On-Reserve	43.8	35		
Living Off-Reserve	52.5	42		
Age			38.00 11.89	
Number of children identified as theirs			3.29	2.13
Number of children in home			2.08	1.49
Number of adults in home			2.11	0.90
Living with a spouse or partner	55.0	44		
Highest level of education				
Some high school	36.4	29		
High school diploma	21.3	17		
Trade/college certificate or diploma	2.5	18		
Some university	11.3	9		
Bachelor's degree or higher	5.1	4		
Other	3.8	3		
Total household income				
Under \$10,000	15.0	12		
\$10 – 19,000	12.5	10		
\$20 – 39,000	20.0	16		
\$40 – 59,000	13.8	11		
\$60 – 79,000	10.0	8		
\$80 – 99,000	2.5	2		
Over \$100,000	2.5	2		
Refused	23.8	19		
Receiving institutional financial assistance	32.5	26		
Partner receiving institutional financial assistance	8.8	7		
Currently employed or self-employed with an income	61.3	49		
Partner currently employed outside the home	37.5	30		
Physical or mental disabilities or special needs	27.5	22		

subsequent partnership, nearly half of the fathers said they wished for more involvement with their children. What are some of the barriers that make the transition to fatherhood and the goal of sustaining desired levels of involvement with their children so challenging for Aboriginal fathers?

## **Disrupted Intergenerational Transmission of Fathering**

Aboriginal fathers' accounts of historical trauma and ongoing racist legislation and policies pointed to a monolithic set of causal factors shaping their experiences of being fathered, and of becoming fathers.

One thing I notice is a lot of non-Aboriginal fathers going out with their kids, doing stuff with their kids and it is something I don't really see Native guys doing. [Why do you think that is?]

I think it has a lot to do with how they were raised and how they grew up in their own family. I was never taught those things. I never did those things with my family. It is kind of hard.

Most fathers referred to various government policies that have disrupted teaching and learning about positive fathering from one generation to another.

I didn't have the affection of a loving father-child relationship, like kissing your younger children. So back when my child was born, I had no communication skills. I only learned years later what it takes to love a child. Over the years, I have learned to love myself. Then I'll be able to learn to love my child. There was nothing like that when I was growing up in a residential school. Because I was in residential school until I was eighteen years old, so I really didn't learn anything. No love and no hugs from the priests or the nuns. I just came out cold.

Government policies have resulted in the dispersion of children and extended family groupings through residential schooling, foster care, adoption, forced relocations of villages, and incentives for assimilation and urbanization. For example, one father described visits he has now with a daughter he had with a non-Aboriginal mother whose family members had arranged to have his daughter adopted.

It makes me feel so happy to be called 'Dad.' With my older children, I did not have a chance to be part of their lives. My oldest daughter lives with her grandparents in [another province] and I haven't seen her since she was a newborn.

Many of the fathers were displaced geographically from their communities of origin, and expressed regret about not being able to share their cultural and linguistic heritage with their children.

Knowing about your culture has a huge impact on your parenting because if you have no knowledge of where you come from or your roots, it leaves a gap in your child's upbringing, their identity, self-esteem, and self-worth.

Aboriginal scholars have chronicled the devastating effects of colonial government policies that were aimed, first, at segregating Native peoples from colonial

society through a reservation system, and subsequently, at forcing Aboriginal peoples either to assimilate into colonial society or subsist on its margins (Fournier & Crey 1997; Grant 1996; Ing 2000; Lawrence 2004; Miller 1996; York 1990). Over the course of seven generations, systems of tribal community governance and extended family life were broken down, and the transmission of cultural knowledge and skills for living on the land was disrupted (Chrisjohn & Young 1997; Smolewski & Wesley-Esquimaux 2003). Urbanization has disconnected Aboriginal people from their heritage language, culture, and clans (Brown, Higgitt, Wingert, Miller, & Morrissette 2005; Jantzen 2004; Lawrence 2004; Newhouse & Peters 2003). As a result of colonial efforts to sever ties between Aboriginal children and parents, most Aboriginal adults today have not enjoyed the kinds of experiential learning, affection, and play that are considered foundations for eventual parenting (Cassidy & Shaver 1999; Lamb 2004).

My father was not involved in my life. He was abusive. I was only a year old when he left, and so I don't know if I ever saw it or experienced it [being fathered]. He left ... I can remember seeing him and wishing he were more involved. After he died, I had dreams of him and he didn't recognize me. There was a lot of stuff that I had to deal with as I grew up. But, I knew that was not what I wanted for my children. I wanted my children to have a father and to understand the joys and rewards of having both parents in their lives.

## **Institutional Barriers**

Aboriginal fathers also perceived several institutional barriers to sustained and satisfying involvement with their children, including: legislation and practices affecting establishment of paternity; mother-centred programs of support for parenting, child care, education, and health; legal and community-level custody and guardianship decisions favouring care by mothers or mothers' extended family members; lack of Aboriginal child welfare agencies, and disruptions in family care caused by non-Aboriginal welfare agencies.

## **Establishing Paternity**

Paternity designation has implications for determination of Aboriginal identity and, in the case of First Nations people, registration under the 1985 *Indian Act*. Research with non-Aboriginal fathers has shown that fathers who voluntarily establish their paternity on their child's birth record are more likely to provide financial support and to be involved with their child (Argys & Peters 2001; Bergman & Hobson 2002), even after parents separate (Mincy, Garfinkel, & Nepomnyaschy 2005). One study in the US shows that among 217,798 infants, those without a father's name on their birth certificate (17.9 %) were 2.3 times more likely to die in the first year of life compared to those with paternity designation on their birth certificate (Gaudino, Jenkins, & Rochat 1999). According to Clatworthy (2004), nearly one in five children born to Registered Indian women between 1985 and 1999 did not have a father of record on official documents.

Various people may play a role in this omission, including fathers themselves, mothers, community health care and hospital staff, provincial birth registrars, First Nations regional administrators, and federal regional managers of Indian registration involved in the birth registration process. Clatworthy found higher rates of unstated paternity in communities that do not have community-based maternity facilities, and where maternity facilities are far from communities and fathers may not be present to sign birth documentation. In Clatworthy's study, First Nations registration officers attributed lack of paternity designation to a number of factors, including: fathers' denial of paternity to avoid responsibility for the mother or the child; fathers' lack of understanding about the registration process and the importance of paternal designation for establishing a child's entitlement to registration under the *Indian Act*; mothers' wishes, based on concerns about safety for themselves or the child, or their desire to hide the child's paternity from family and community; and financial costs to amending birth registration that may prohibit delayed paternity designation.

Paternity designation may also be influenced by the ways in which fatherhood is constructed and held in the community. For example, in some First Nations communities that are traditionally matrilineal, mothers and their families may view children as belonging most importantly to the mother and her family, and may regard paternity designation as less important. Prevalent social stereotypes of First Nations fathers as deadbeat dads may encourage mothers to avoid registration of paternity. Some fathers in the current study explained that they had not claimed paternity on birth records for one or more of their children because they felt undeserving: in their own evaluation, they had nothing to offer their child, or wanted to hide their ethnic or personal identity in an effort to save their child from stigma. Some First Nations women who commented on the study findings noted that, in addition to birth registry, legal marriage is an institution that was introduced by Europeans. Traditionally, among Aboriginals neither marriages nor births were matters of legal, written record.

One tool that has been used to erode traditional roles for fathers within First Nations family systems and communities is legislation in the *Indian Act* that has caused people to have their Indian Status denied or revoked if they do not live on-reserve in their communities of origin. Without status, many are forbidden to live on-reserve with their cultural and linguistic community. This process consists of a kind of legislated forceful relocation, similar in effect to the better known forced relocations of the communities of Davis Inlet and Cheslatta. Partly as a result of enfranchisement<sup>2</sup> and forced relocation, a majority of Aboriginal people live off-reserve, and are not entitled to the unique benefits and supports that the federal government is obligated to provide to Status Indians living on-reserve, including funding for programs specifically designed to support Aboriginal families, including fathers.

Hastening the decline of First Nations family and community unity and support has been legislation in the *Indian Act* that causes women who marry non-Aboriginal men to

have their status revoked, precluding entitlements for children whose fathers were not registered as status Indians. Common sections of the *Indian Act* pre-dating 1985 were Sections 12(1)b, which caused loss of status to women marrying non-Indians, or Métis, and non-status Indians, and Section 12(1) a: 4, or the double mother clause, which caused children to lose status at the age of 21 years if their mother and their father's mother were non-Indian.<sup>3</sup> The *Indian Act* continues to differentiate between Status, Non-Status, and off-reserve Indians. In so doing, the Act can be viewed as violating the United Nations Covenant of Civil and Political Rights (1976), that guarantees all citizens the rights to community, culture, and language.

The effects of these colonial policies are felt by mothers and fathers, as well as by their children. Numerous position papers have advised changes to the *Indian Act* that would result, in principle, in greater equity and government accountability to Aboriginal peoples (e.g., Quebec Native Women's Association 2000). However, even when needed policy reforms have been achieved, for example, in the case of Bill C-31, whereby certain Aboriginal people living off-reserve acquired status, resources have often not been committed to make these changes meaningful in the lived experiences of Aboriginal families. Meanwhile, the system invites manipulations in order to reduce the derogatory and debilitating effects of the *Indian Act*. For example, there are anecdotal reports of paternity being designated as a Status Indian man who is not actually a child's father but who is able to secure a child's entitlement to registration as a Status Indian under provisions of the *Indian Act*. As one father noted:

The *Indian Act* is a breeding formula, with recipes for what needs to show up on birth records in order to produce a Status Indian child who may be able to pass on their status to their own offspring, depending on the status of the person they have the child with. That's why we're called alphabet Indians. Some Indians have learned their alphabet and use paternity designation to spell entitlements for their children.

## Poverty

Among broad determinants of Aboriginal fathers' involvement with their children, one of the most significant is poverty. In the current study, although 61% of the fathers had at least some part-time work, 37.5% were living far below the poverty line, based on their family size, size of community of residence, and household income. This is consistent with 2001 census data (Statistics Canada 2001), which show that although 68% of Aboriginal men are employed part time, only 29% have full-time employment. Census data also show a higher prevalence of inadequate housing and food among Aboriginal families living both on- and off-reserve, compared to non-Aboriginal families. Fathers in the study who identified poverty as a barrier to fathering and family well-being attributed this to various government policies and intervention.



We don't have much. We are losing our rights. Whether it be hunting or fishing, we lose everything. And our people seem to be getting poorer and poorer. There is no end in sight. Soon as you get a little bit ahead, the government puts up a policy. A never ending battle with colonialism.

Poverty marginalizes fathers' involvement through both direct and indirect effects. For fathers living apart from their children, poverty often means that they are unable to relocate to live near their children, unable to cover transportation costs to visit their children regularly or at all, and unable or less inclined to access programs that may be available for fathers or families.

The poverty and the cultural aspect make it a little harder to access services. Aboriginal young families, in general, in my own experiences I have found that they are a little more transient, moving from town to town or house to house. They are not as fixed, regardless of how many kids they have. And the poverty issue makes for the same hardships as for non-Aboriginal families who are poor, but culturally Aboriginal families are less apt to go for services that are not specifically for Aboriginals.

Some of the fathers in the study described feeling inadequate, or ashamed of not being able to provide a suitable living space, food, clothing, recreation or entertainment for their children. Over one-quarter of the fathers in the study did not have a phone, many did not have driver's licenses, and few owned their own vehicle. Several had changed addresses within six months after their interview. Four had no home at all and were "couch surfing," living in temporary shelters, or on the streets. One was living in a halfway house. All of these manifestations of poverty contribute to the challenges that many Aboriginal fathers encounter in trying to maintain contact with their children, and engage comfortably and in suitable settings with them.

Poverty also reduces the prospects of fathers or mothers being able to retrieve a child who has been placed in the care of the government. When a child is removed, parents receiving income assistance are cut back to the level for accommodating a single person, making it difficult to provide a suitable home for the return of the child. When parents are separated, mothers who retain custody of children and who are poor may be highly transient, making it difficult for a father to find his children in order to sustain his relationship with them.

## **Dislocations from the World of Work**

Jobs that traditionally enabled Aboriginal men to be family breadwinners, and provided a context for fathers to teach skills and transmit stories to their children, have diminished as access to land, and jobs in industries depending on natural resources have diminished. Few Aboriginal fathers have the means to take their children out on trap lines, fishing boats, or hunting grounds, or to teach them their ancestral language. At the same time, 51% of First Nations men in Canada have not completed high school (Statistics Canada 2001) and may be out of step with their children's achievements or goals in formal schooling.

The Aboriginal male, their job title used to be hunting and gathering. They used to have to hunt and if you weren't hunting or fishing you were preparing to go hunting, fishing, gathering food, making shelters and doing all those things. So, that whole thing with the Europeans coming in and wiping it all out ... First it was the residential school and they took away the language, or tried to take the language away. They took the entire role of the male in the Aboriginal community away so that left a big empty gap for males. They didn't know what to do, where to go, what to say, when to say it, or anything. They had to be fit in and women had to play another role in telling the male what to do, but the women kept their jobs. The women looked after the kids; they did all the food preparations and things like that. That stayed. The women fit in a lot easier than the men I think. It wasn't easy for women, but they had certain jobs that they were able to do. Whereas the men, they had to go off, they had to go and learn how to build certain kind of houses and they had to relearn how to live in society, how to get a wife and what to do as a husband, as a father and as a member of a community.

## **Mother-centric Outreach and Services**

Some fathers in the current study perceived that there are currently more opportunities for women to enter the work force in office jobs, especially in urban centres, and to receive funding and support for vocational training and education.

I'll go out and try looking for a job and they tell me I don't have the right education ... they give me the run around. All the education programs are geared towards single mothers and they tell me that they can't help me.

While a large proportion of Aboriginal men have been dislocated from the world of work, it appears that more fathers have become very involved in domestic life, including a few who are primary or lone caregivers.

Now, we have moved to such a society that women are more in the limelight of career opportunities. That's a great thing. Now there's a shift going on, where there has to be a balance where both parents have equal involvement in their kids' lives. I think it's the economy that dictates how it's being done ... There's a lot more fathers staying home now, instead of going to work. I'm a stay-at-home dad and my brother just became a stay-at-home dad.

Yet, most fathers in the study expressed their acute sense of social exclusion in what seems to them to be a mother's world of prenatal care and education, child care, parent education, health services, home-school liaison, social services, and other forms of support for parenting.

There needs to be provided more male-based information, programs and workshops for men. I went there [to a parent support program] and there were all mothers. When I go to things like that, I just do not feel comfortable. I was going to go to the "Nobody's Perfect" program, but it is nothing but females in there! I would like to go in there and just start advocating for the fathers. I want to go in there and say, 'This is a good program, but you have to expand it to include the father's point of view, give them a voice.' And when I try to speak up about it, people just brush it off. They say they have 'enough work to do' and 'we only have a certain amount of time to talk about these issues and maybe we'll just talk about it next time.' Nothing happens.

Indeed, community-based program managers who were interviewed in another study (Ball 2005b) commented that, until now, Aboriginal fathers have not been seen as a source of support for infants, children and mothers. One parent support worker admitted: “It’s not so much that we have failed to reach Aboriginal dads. It’s more that we have never tried.”

Virtually all fathers in the study identified a need for more support to learn to be a father. Mothers have overwhelmingly been beneficiaries of parenting outreach, support, and education programs.

It should be equal rights for the male and the female ... She (my child’s mother) had so much support from the Ministry and through the parenting programs; she had it all set up for her. But then, when we split up, all that left with her.

Fathers most frequently identified a need for information packets and DVD programs explaining child health, safety, dental care, teaching techniques for preschoolers, and ways for fathers to handle new situations with their children, especially with daughters (e.g., bathing, toileting, leisure time interests, and puberty).

I think that father’s support is big and being able to see how other fathers handle different situations. Because honestly, there are a lot of fathers out there who weren’t raised by a father, or were raised by an abusive father, and don’t know how to be a father. Like me—my father was not around, so you have to learn right from the beginning, when you have a baby sitting right there in front of you and you have to be a dad.

Fathers wanted these resources to be specifically tailored for Aboriginal fathers.

I know that John Howard has that but it is not specifically for Aboriginal fathers. I think that there is a high degree of cultural shame amongst Aboriginal people and I think that if they [Aboriginal fathers] could identify with other Aboriginal fathers, share their experiences, share their strengths, then maybe they could step out of that and teach their children how to be proud of who they are.

Fathers variously asserted that they were not “irrelevant” or “indifferent,” as schools, health centres, and courts often seem to view them, and they suggested that institutions have policies that require practitioners to keep a record about how to reach a child’s father, and to contact fathers, as well as mothers, about significant events (e.g., accident reports, achievements), appointments (e.g., parent-teacher meetings, diagnostic assessment reports, immunization visits), and achievement (e.g., report cards).

For years it has been the single mother. So the people that are trained to deal with parenting and children are so focused on the woman. If there is policy for mothers, there needs to be policy for fathers. You know—family support workers, education, daycare workers and people like that need to be trained to deal with fathers. They need to know that there are fathers out there that are trying and they should be pushing for that.

In addition to exclusionary practices in institutions, fathers described settings and events where they experienced socially hostile or dismissive attitudes, as if they were intruders in their child’s life. For example, one father described how he

feels like he is being looked at with suspicion when he walks down the city street with his four year old daughter: “as if I might be abducting her.” Another father reported that he had been pointedly asked at the community swimming pool where his daughter’s mother was. Most fathers described situations where they had felt uncomfortable or unwelcome because the program was expecting mothers rather than fathers (e.g., Mother-Tot program, Mothers’ Morning Out, Mother Goose, Maternal and Child Health Programs).

Four fathers in the study were raising their children as lone parents, and were particularly vocal in expressing the sense of being left without help to figure out how to raise their child: “Nobody has even tried to talk to us; they haven’t made an effort.”

## Separated and Divorced Aboriginal Fathers

Fair, equitable access to children by Aboriginal fathers after separation or divorce is an area where policy reforms are needed, and commitments of funding are required to implement provisions that may already be articulated. The appearance of bias in favour of awarding custody to mothers is pervasive in Canada. For Aboriginal fathers of children whose mother is non-Aboriginal, historically mothers are given custody. Several fathers who had lost custody of one or more children expressed their view that: “*When you go to court, it doesn’t matter what the situation is, the courts are always in favour of the women.*”

Two of the lone fathers in the study were raising their young daughters after their child’s mother had gone missing. Both were isolated on small rural reserves, and reported that they had received little or no support from health, education, or social services. Another lone father described a lack of acknowledgement for his role as primary caregiver with only occasional appearances by the child’s mother.

I had already had our daughter for nearly two years before this court case happened ... Her mother had only been around for three days, but the social workers assumed that she was the one that was bringing her up. I know that there are a lot of single mothers out there, but for my case, they sort of just left me high and dry. There was no support for me. I just want them to understand what I have to do to bring this child up.

First Nations child and family service agency staff who were consulted for this study noted several ways that Aboriginal fathers are currently under-represented in custody decision making, and where there are gaps in services. For example, Shelly Johnson, Executive Director of Victoria’s Surrounded by Cedar Child and Family Services Agency, identified a litany of barriers to sustained father-child relationships in situations involving child welfare interventions: long wait lists for separation and divorce mediation; lack of Aboriginal court workers; reluctance of mediators to take cases involving alcohol or other substance abuse; minimal legal representation; lack of appropriate education to inform fathers about their rights to legal aid; lack of staff to supervise father-child visits; lack of suitable,

accessible places for supervised visits; lack of training for staff to supervise visits; and lack of clarity and follow-up when a non-Aboriginal mother refuses an Aboriginal father access to children (S. Johnson, personal communication 2006). In a survey done by the Victoria Urban Aboriginal Steering Committee Society, separation and divorce mediation counselling was identified by First Nations people living on- and off-reserve as one of their program priorities (Johnson 2001).

## **Jurisdictional Ambiguities in Access to Support Services**

For Aboriginal fathers, access to resources, programs and services is more complicated than for non-Aboriginal fathers. There are several levels of government involved in providing funding, services, and other resources for Aboriginal peoples, including federal, provincial, and First Nations self-government, and First Nations or Inuit specific legislation. There are different policy frameworks in each provincial and territorial government for the administration of government services to Aboriginal peoples, and different fiduciary responsibilities with respect to different populations of Aboriginal people. For example, the federal government provides a wide range of services to First Nations on reserves and to Inuit, primarily through Indian and Northern Affairs Canada, and Health Canada. Apart from this unique relationship, provincial governments have jurisdiction over health services, housing, education, and child and family services for Aboriginal peoples living off-reserve. Thus, the specific designation of the father's Aboriginal identity, as well as the geographic location(s) in which a father and his child reside, influence what kinds of services are available as well as how to access them. The situation is doubly complex when a child has a different identity with regard to Aboriginality or status, and/or lives in a different geographic location under a different jurisdiction.

Jurisdictional confusions, overlaps, and gaps reflecting the multiple levels of government involvement in financing and delivering programs and services cause fragmentation, redundancies, inconsistencies, instability, and lack of transparency of services for Aboriginal fathers and their families. "Client-centred" or "customer-service" orientations are not characteristic of most child and family service agencies. In particular, social assistance and child protection services tend to be more professional-oriented, and designed to meet the needs of the government system and its preoccupation with standards and liability, rather than the family system, with its preoccupation to survive and provide some quality of life for family members. Navigating and negotiating needed resources and services requires far more tenacity, ingenuity, time, and resources than most men or women have at their disposal. In addition to the labyrinthine nature of services for Aboriginal peoples, many First Nations and Métis people find the system especially intimidating because of the history of oppressive relations between

government and Aboriginal peoples, and the lack of culturally competent staff or a cultural frame around services.

## **Child Welfare: Least Disruptive Interventions**

Removal of children from their homes and communities is a common cause of disrupted father-child relationships. Several fathers in the study described this as the primary reason for lack of contact with one or more of their children. Aboriginal children are demographically over-represented in the child welfare system. The national First Nations Child and Family Caring Society estimates that 30–40% of children in the care of child welfare agencies across Canada are Aboriginal. According to this Society, Aboriginal children are most often identified as needing care as a result of neglect (almost twice the rate of non-Aboriginal children removed for reasons of neglect) as opposed to abuse or other concerns. Neglect is often a result of poverty, lack of education, poor parenting skills, and/or father's or mother's stress or illness.

Within the context of Canadian legislation recognizing certain special rights and legal status of Aboriginal people, government child welfare policies have gradually provided for Aboriginal people to assume authority over child welfare services for Aboriginal children. The extent and type of services offered by Aboriginal child and family welfare agencies depends upon the identity of the child, where he or she lives, and the type of agreement in place in that particular jurisdiction.

In general, a “kith and kin” approach is consistent with Aboriginal perspectives on caring for children within extended family networks, and with the child welfare principle of using “least disruptive interventions.” In a kith and kin approach, children considered to be in need of an increased level of resourced care or protection are kept in their own homes, with extra supports, or in the homes of relatives or friends close to home. This approach increases opportunities for continuous relationships between children and their parents. However, there is inadequate funding to implement least disruptive service policies. According to a study by the First Nations Child and Family Caring Society and the Department of Indian and Northern Affairs federal child welfare agencies, children and families on reserves receive 22% less funding than their provincial counterparts (Blackstock, Clarke, Cullen, D’Hondt & Formsma 2004; FNCFCS 2005). In B.C., guardians of children living in the home of a relative for purposes of child protection receive a lower rate of pay and receive no support services compared to if the child is placed in a foster home with a non-relative. This policy means that children who are retained closer to home and family are more likely to live in poverty without needed supports. Thus, there is a financial disincentive for relatives to keep children within their family network.

First Nations control over welfare services to children and families living off-reserve is disputed in many parts of Canada (Gough, Blackstock, & Bala 2005).

Again, jurisdictional ambiguities have resulted in limited or restricted access to services that fathers need in order to maintain contact with their children either when their relationships with the child's mother is ruptured, or the child is deemed in need of protective custody. Fathers in the study who had lost custody of their children as a result of divorce, foster care, or adoption, described feeling caught in an uninterpretable web with no legal representation or program support. They pointed to unanswered questions such as: What exactly constitutes adequate care and protection? What constitutes a suitable home in which to place a child for alternative care? What do fathers need to do to be eligible for supervised access to their children? Apprehension about dealing with government authorities, low levels of literacy, lack of transportation, language barriers, and personal difficulties interfering with effective participation in the deliberations with professionals are just some of the barriers that fathers described as factors compounding the challenge of navigating the complexities of child welfare services.

## **Recommendations**

### ***Implement Recommendations in the Royal Commission on Aboriginal Peoples.***

The Royal Commission on Aboriginal Peoples (RCAP 1996) is a public policy landmark that can serve as a primary reference point for deliberating steps towards policy reform and provision of needed resources and services to promote social justice for Aboriginal peoples in general, and for Aboriginal fathers specifically. This five-volume, 4,000-page report has 440 recommendations. Volume 2 builds on the historical review provided in Volume 1 by making the case for Aboriginal self-government within the Canadian context as the primary means for Aboriginal people to gain control over their affairs, including matters of child care, protection, and family well-being. Implementation of the recommendations in this report, deliberated over six years of consultations, would significantly improve conditions for Aboriginal children and families. While nation-to-nation negotiations are the preferred approach to renewing relationships between Aboriginal Peoples and provincial, federal, and territorial governments in Canada, many recommendations in this document could be implemented while this larger agenda unfolds.

### ***Reduce Systemic Barriers to Social Inclusion.***

Progress needs to be made to reduce systemic barriers to Aboriginal fathers' social inclusion. Poverty, racism, negative social expectations, and policies that prevent Aboriginal fathers from establishing paternity and sustaining connections with children as family circumstances change combine to perpetuate Aboriginal fathers' social exclusion and a vacuum of support. The multigenerational perspective that Aboriginal fathers in the study brought to their understandings of fathering casts the need for policy reforms and systemic program solutions within a post-colonial social justice agenda that requires a long-term commitment.

***Facilitate Paternity Designation.***

There are legal rights and responsibilities, as well as familial, social, emotional, and cultural implications, that flow from the designation of paternity on a birth certificate—perhaps no more so than for Aboriginal peoples, given the distinctions among Aboriginal peoples constructed by the *Indian Act*. Steps are needed to ensure that both fathers and mothers are aware of the process of registration and the implications of unstated paternity. Opportunities for paternity registration need to be made readily accessible and free of charge to fathers at the time of a child's birth as well as for an extended period subsequent to the birth. Special efforts need to be made to reach out to fathers in rural and remote areas where maternity facilities are far from home, fathers may be working far from home, and there may be limited ability for fathers to travel to be present at their child's birth.

***Support Cultural Continuity.***

Disrupted father-child relationships exacerbate the challenges for both Aboriginal children and their fathers to elaborate cohesive and positive Aboriginal identities, especially for those living off-reserve, away from their cultural and language community. Continuity of father-child relationships means that children are continuously given opportunities to learn and consolidate Aboriginal cultural knowledge and identity. Following the diminution of intergenerational cultural learning as a result of residential schooling, foster care and adoption, resources are needed to enable Aboriginal fathers to restore their cultural roots and reconstitute culturally meaningful roles for fathers, and to involve their children in learning their culture, for example, through Native Friendship Centres and other Aboriginal community programs. The Canadian Constitution affirms children's right of cultural continuity, stating that: "First Nations children have a right to learn, maintain, and preserve their language(s) and cultures." The United Nations Convention on the Rights of the Child also recognizes that "traditional cultural values are highlighted as essential for the protection and harmonious development of children."

***Commit Resources for Outreach and Support Programs for Aboriginal Fathers.***

Many practitioners recognize the deficiencies of the motherhood-first paradigm and the need for its transformation (Rohner & Veneziano 2001). Policy and program development to enhance Aboriginal fathers' involvement needs to occur at the level of communities or community agencies representing the particular needs, goals, and circumstances of particular Aboriginal groups. Fathers in this study articulated a mandate for community-based agencies, as well as political bodies, to get involved in supporting healing programs, reducing negative stereotypes of Aboriginal fathers and families, and actively reaching out to support fathers in their fatherhood journeys. These initiatives are best directed by Aboriginal people themselves.



### ***Increase Transparency and Aboriginal Control of Child Welfare Services.***

There is an immediate need to fund and support the development and operation of Aboriginal-controlled child and family service agencies. Policy reforms in some provinces are responding to calls by Aboriginal leaders to embrace a ‘least disruptive interventions’ approach, including kinship care, whereby children requiring protective guardianship are placed in the homes of relatives (Gleeson 1996). Policy reform is needed to provide for equivalent levels of funding and access to support services (e.g., counselling, respite, transportation) as are available when children are placed in the care of non-relatives. The kinship care approach needs to be given time to mature, and evaluated with a view to improvements in implementation.

While Aboriginal-controlled child welfare agencies are evolving, existing service agencies can be improved by increasing the cultural competence of staff, providing culturally appropriate supports and interventions around services, and providing language interpreter services and outreach. Existing systems of services for Aboriginal children and families can be made more transparent, accessible, and father-friendly through appropriate print materials and Aboriginal staff who can serve as guides to help fathers navigate the child welfare system. Funding to deliver training in communities and Indigenous post-secondary institutions can strengthen the Aboriginal work force available to assume positions of child welfare agencies. Parent support programs, legal consultations, mediation, and family intervention services need to be offered in settings that are accessible and sensitive to the legacy of residential schools and other government interventions.

### **Fund Research Focused on Aboriginal Fathers**

Aboriginal fathers’ voices have rarely been heard in community programs or research. Practitioners have called for more knowledge about Aboriginal fathers’ intentions in regards to parenting, their living circumstances, needs, and goals in order to inform community outreach efforts. Community response to this exploratory study and insights gleaned from fathers’ stories suggest that research about Aboriginal fathering can fill a distinct gap in knowledge about fathering, which primarily represents men of western-European heritage. One father reflected the importance of listening to fathers:

I think it’s really important that Aboriginal people are heard in this survey and I’m honoured to be asked to take part in this. The more that we do this, the more that we work on hearing the voices of Aboriginal males and other males in Canada then the government will get a better understanding of what it is they’re dealing with ... instead of telling us what we need to be doing, asking us what we, you know asking for input from us and getting out of what I’m saying and all the other men that your going to talk to or listen to or read about, put it all together and you’re going to get some answers, and programs and services are going to be put together in a way that’s going to come from down in the ground here.

There are over 600 culturally distinct First Nations in Canada, and many sources of variation among Aboriginal peoples living in urban centers across the country. There are significant differences in policies affecting different Aboriginal populations and significant variations in policies across provinces and territories. In particular, access to resources varies greatly between the largely urban, off-reserve population and the more rural on-reserve population of First Nations men. To avoid an overgeneralized, ‘pan-Aboriginal’ interpretation of Aboriginal fathers’ experiences and changes needed to policy and practice, future research should explore the constitution of fathering and patterns of fathers’ involvement across specific cultural groups and settings with varied historical and current circumstances.

## **Conclusions**

Aboriginal fathers in Canada remain very much on the margins of mainstream society with no focused social advocacy or previous research. There are monumental challenges facing Aboriginal fathers and families. However, several fathers who took part in the current study referred to themselves as “success stories,” and were proud of the quality of relationships with their children that they had achieved with little help from community programs, child welfare services, or society as a whole. Their stories suggest the potential for a new generation of positively involved Aboriginal fathers that urgently needs to be recognized and supported through policy reforms and resources to put policies into practice.

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## Endnotes

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- 2 Enfranchisement refers to losing the status of being “Indian,” under the law. When one was enfranchised, it meant they gained the franchise to vote in Federal elections. Up until 1960 it was not possible for status Indians to vote unless they revoked, lost, or were taken off the Indian status list of the *Indian Act*. There were both voluntary or involuntary provisions under which this could happen; however, in 1984, a presentation read into the standing committee hearings, (The United Native Nations Presentation to the Parliamentary Standing Committee on Indian Affairs Respecting Bill C-31) proved that all provisions were involuntary, and that they were all coercive and enticing. Thus all those who once had status and lost it or were entitled, were eligible for reinstatement under Bill C-3, the act amending the *Indian Act*.
- 3 This term originally meant no Indian blood, but it turned out that if the mother were Indian with no status, it applied as well. So the term used in this sense, is the legal term Indian, one registered under the Indian Act. The term Indian is not synonymous with having Indian blood, only that they are registered as Indian. A non-Indian woman (no Indian blood) gained status upon marriage to a status Indian man prior to April 17, 1985. The real reason for enfranchisement was to diminish Canada’s legal and fiscal responsibility to Section 91(24) of the BNA Act obligations to “Indians and lands reserved for Indians.”

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