Grandparents Raising Their Grandchildren:

Cultural Adoption

Kanaqlak (George Charles), Ph.D.

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Two other NRCs: Univ. of North Dakota & Univ. of Hawaii Manoa

Sign in: name, organization and e-mail.
Alaska Native languages
Alaska Native Peoples

Tsimshian

Kotzebue

Alutiiq Kodiak Dancer

Inupiat Elder

Yup’ik Dancer

Yup’ik Elder Cutting fish

Cutting Caribou

Celebration Dancers, Juneau
Beauty of Alaska

Sitka

Bethel

Whale bones in Inupiat cemetery

Nome

Atka

Barrow

Dutch Harbor

Naspaskiak
Cultural Symbols

Brown Bear House Screen
Chief Shakes, Wrangell

Chilkat Blanket

Gwich’in baby belts

Alutiiq woman’s hat

Whale Clan House, Kasaan

Koniac puffin beak rattle
Grandparents Teaching Grandchildren

Subsistence is more than nutrition

- Inupiaq Cutting Whale
- Putting up Salmon Port Graham
- Stretched Walrus Hide, Gambell
- Fishing Boats, Metlakatla
- Umiak & Whale Bones, Barrow
- Athabaskan Fish Wheel
- Putting up Fish, Yukon River
Grandparents Taught Dancing: We dance our differences

Cama-i Dance Festival
Yup’ik Dancer

St. Lawrence Island Drummer

Prince of Wales Dancers

Sugpiaq Dancers, Kodiak

Blanket Toss, Kotzebue

Celebration, Juneau
Community Health:

- Collective of health & wellness of its members
- Elder/Youth significant aspect of wellness
- Cultural disruption results in destruction of traditional communities & culture
- Restoring Grandparent/ G. children Bond by traditional “cultural adoption” as in past
- Before contact “cultural adoptions were common in Alaska

This power point was based on the paper, Elder Education Project: Cultural Adoption, in the context of Tribal Adoption and Western Adoption: by Steve Sumida, JD, former consultant to the NRC. Nancy Furlow, Ph.D. inserted the public domain photos from the State of Alaska Tourism Program for Cultural Knowledge of Alaska Native Elders, Alaska Native Studies Dept. course.
Three Types of Adoptions

- **Cultural Adoption**: Culture Inherent sovereignty, Montana v. United States, 450 U.S. 544, 564 (1981)

- **Tribal Adoption**: Federal Indian Law recognizing the modern day successors to historical bands of Natives. Concurrent jurisdiction with State 25 USC 1322(c)

- **Western Adoption**: Alaska State Statutes Title 25, Chapter 23 Note the State of Alaska judicial law does not necessarily recognize full concurrent Tribal jurisdiction over child custody
Cultural Adoption:

- Most Inupiat middle aged adults living today on the North Slope have a sibling or a cousin who was adopted in this manner. It could be as simple as a young mother passing a child to an elder “because that elder had no little ones at home.” This was a legal adoption where the traditional culture recognized the resulting relationship between the grandparent and grandchild as similar to a western parent–child relationship.
Tribal Adoption:

- This is rarely done in Alaska but is more common among lower 48 tribes. The legal basis is the federal Indian civil rights act which recognizes the inherent jurisdiction of recognized tribal governments over their members.

- Legal Basis 25 USC. 1903(5)
Western Adoption:

- Most non-Natives think of this process as an adoption. The process usually involves attorneys, some degree of governmental administrative review, and then court system implementation resulting in a court order.

- 7 AAC 05.700(b)
- AS. Title 25.Chapter 23
- AS 47.10
Structures & Process: Cultural Adoptions

- Can be carried out by individuals. Culturally defined recognized traditional process within the tribe, or cultural band, Native village or traditional clan authority such as an Elders Council. Or simply individuals acting consistent with recognized cultural tribal norms as in the above example.

- The adoption is complete when the community consensus accepts it as consistent with the traditions and culture. No writing is required.

- Many Western entities will recognize these adoptions though sometimes requiring additional information from church records, medical records or affidavits. The state of Alaska generally requires that Tribal adoption process also occur and that Western Administrative action also occur.
Structures & Process: **Tribal Adoptions**

- Tribal council or by an entity such as a tribal court or an elders council with delegated authority.
- In Alaska Tribal Councils have used this process to simply convert a cultural adoption into a tribal adoption by a short Tribal Resolution that recognizes a prior cultural adoption.
- Tribal Adoptions in the lower 48 mimic the administrative and legal procedures and formality of the state systems.
- State of Alaska will recognize Tribal Adoptions carried out consistent with this process (even cultural adoptions that have been formalized by a tribal process). 15 AAC 125.845
Structures & Process: Western Adoptions

- Executive and Judicial Action
- The process often requires the assistance of an attorney.
- The process is explained in a detailed attachment.
- 25.23.173
- 25 USC 1951 ICWA (sec 301(a))
Cultural Outcome

- **Cultural Adoption:** Does not terminate birth relationships, but rather expands significance of new relationships.

- **Tribal Adoption:** A hybrid system results when the preliminary process was an outgrowth of an ICWA custody process.

- **Western Adoption:** Terminates prior family cultural relationships AS 25.23.180 Secrecy 25.23.150
Values

- **Cultural Adoption:** Best interests of the community based on Traditional cultural values
- **Tribal Adoption:** Depends on which process was used
- **Western Adoptions:** Standard: best interests of the child based on western values
Sample: Tribal Adoption short Form

- NATIVE VILLAGE OF RAVEN TRADITIONAL COUNCIL
- RESOLUTION NO. __--_____________
- A RESOLUTION RECOGNIZING THE ADOPTION OF EKALOOK BY JOE NATCHIKPUK
- WHEREAS the Native village of raven is the sovereign federally recognized tribe for the region whose governing body is the Raven Traditional Council, and
- WHEREAS the traditional councils sits as the tribal court to enforce the unwritten traditions and cultural values, and written laws, regulations and ordinances to the extent consistent with our unwritten traditions and culture, and
- WHEREAS Joe Natchikpuk has adopted Ekalook consistent with our Native traditions and culture as recognized by the tribal community.
- THEREFORE BE IT RESOLVED THAT,
  - The Tribal Staff is directed to issue a Certificate of Adoption in the above matter.
- BE IT FURTHER RESOLVED THAT,
  - The Tribal Staff shall take such actions as necessary to secure recognition of this order with state and federal authorities.
- NOW THEREFORE THE ADOPTION IS SO ORDERED.
- CERTIFICATION: Done by a majority vote of a quorum on the __ day of _____________20___
- ATTEST:
- ____________________________________________
- President  Secretary
Articles/Publications


- American Indian/Alaskan Native grandparents raising grandchildren: findings from the census 2000 supplementary survey.

- Web address:
  http://www.thefreelibrary.com/American%2fAlaskan+Native+grandparents+raising+grandchildren%3a...-a0132226488

- Program to help grandparents raising grandchildren

- Web Address: http://elkodaily.com/lifestyles/article_bc615efe-99af-11df-8af0-001cc4c03286.html Grandparents raising grandchildren

- Microsoft Word - View as html Grandparents raising their grandchildren: A review of the literature and suggestions for ... on American Indian/Alaska Native (hereafter, Native American) grandparent

  www.gu.org/...A0/Bib08_Grandparents_Raising_Grandchildren.doc

- Depression Among Rural Native American and European American Grandparents Rearing Their Grandchildren Authors: Bethany L. Letiecq: Montana State University, Bozeman, bletiecq@montana.edu; Sandra J. Bailey: Montana State University, Bozeman; and Marcia A. Kurtz: Montana State University, Bozeman. Web Address:
  http://jfi.sagepub.com/content/29/3/334.abstract
Elders: Our Cultural Treasures & Wisdom Keepers
Contact Information

- The National Resource Center for American Indian, Alaska Natives and Native Hawaiian Elders.
  
- College of Health & Social Welfare
  
- University of Alaska Anchorage
  
- 3211 Providence Drive, Suite 205
  
- Anchorage, Alaska 99508
  
- **Web site:** elders.uaa.alaska.edu
  
  - Project papers, power-points, links,
  
  - **Phone:** 907-786-4329
  
  - **Fax:** 907-786-4440

Kanaqlak (George P. Charles), Ph.D.

**E-mail:** gcharles@uaa.alaska.edu