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Acknowledgements

Dear Readers,

We are honoured to present you with the fifth volume of *The Society: Sociology and Criminology Undergraduate Review* academic journal. *The Society* aims to gather and display the exceptional scholarly contributions of sociology and criminology undergraduate students at the University of Toronto Mississauga. *The Society* is assembled by a group of student managers, editors and authors, who are greatly assisted by faculty members, specifically Professor Ellen Berrey.

We would like to thank and acknowledge everyone who has contributed generously to the establishment of this journal. We would like to thank the faculty members of the Sociology Department who have provided us with a significant amount of support in selecting articles that clearly capture the sociological and criminological sphere of the journal.

We thank the editors who devoted time and effort to edit our journals. We highly appreciate their precision and their succinct revisions, without which the journal would not achieve its academic integrity.

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We thank you for reading this journal and perusing through the academic contributions of these students. We hope that you enjoy navigating this journal and reading some of the best works that our Sociology and Criminology Undergraduate students have to offer.

The SCS Executive Team, 2019-20

Syrian Refugee Teens' Acculturation in Canada : A Preliminary Analysis of Refugee Integration Stress and Equity Team Data at the University of Toronto

Mohamed Afify

Abstract

Approximately 21,550 Syrian refugees under the age of 17 have found a home in Canada between 2015 to 2019 (IRCC 2019). They have resettled during a time with growing sentiments of Islamophobia (Beirich and Buchanan 2018) and xenophobia (Bricker 2019) across the West. The question of Islamic compatibility with the West has posited a concern among policy makers and the general public. Understanding how this group of adolescents acculturate in Canada provides a lens into Canadian multiculturalism and our ability to welcome newcomers. This paper examines how adolescent Syrian refugee males construct their identity in relation to their homeland and Canada. Additionally, it asks how the construction of identity influences their acculturation preferences. In this essay, the results displayed are based on 15 interviews conducted in 2019 with Syrian adolescent males as a member of the Refugee Integration Stress and Equity team at the University of Toronto. These findings focus on teens' critical period of individuation, and how they navigate identity formation in this Canadian context. This paper adds to the concept of cultural contestation (O'Brien 2017) by holding it against the Canadian case. The findings suggest that most of the adolescent males follow integrationist or ethnic acculturation strategies, while Canadian multiculturalism possibly mitigates sentiments of cultural contestation.

The Canadian government has accepted nearly 60,000 Syrian refugees since November 2015 as many thousands more continue to seek refuge (IRCC 2019). Like others before them, these newcomers carry experiences of both grit and struggle. Our evolving Canadian refugee resettlement environment offers scholars of immigration and youth a renewed mandate to study how adolescent boys construct their identities in a critical period of flux and transition. As a phase of individuation, adolescence can lead to disorientation especially when paired with the socialization of two different cultures with contradictory cultural schemas (Fischer 2015). By studying the patterned experience of these adolescent Syrian refugees, we can better understand how they construct their identity in two relative contexts and the types of acculturation that may result from such identity formation. In a climate of growing anti-immigration sentiment across Canada (Bricker 2019), it is imperative to learn how migrants are adapting, managing and adjusting to a new way of life in a context of unprecedented refugee resettlement. This paper offers a preliminary assessment of a subsample of interviews with adolescent boys conducted as a part of the *Refugee Integration, Stress, and Equity* (RISE) team at the University of Toronto among the first of five interview waves.

The purpose of the analysis is to answer the following questions: how do adolescent Syrian refugee males construct their identity in relation to their homeland and Canada? And how does the construction of identity influence their acculturation preferences? To answer these questions, I describe and analyze data from interviews I (and other RISE team members) conducted between November 2018 and April 2019. I analyse the interviews using the theoretical framework of acculturation strategies relative to the participant's expressed identity. The first section discusses evidence of a process of othering among the teen males and how they perceive themselves in relation to Canadian society. The second section focuses on how boys' Arab and Muslim identities manifest in a Canadian context; which can, at times, feel directly contradictory from that of their homeland. According to O'Brien (2017), Muslim teens can find themselves in an arena of cultural contestation where they sometimes create specific acculturation strategies in order to coexist within both cultural schemas. I end with a discussion of possible future directions for research as well as related considerations that are beyond the scope of this paper. This includes the association of perceived discrimination and acculturation preferences since previous research has demonstrated this relationship to be an influential factor in immigrants' acculturation strategies.

Migrant Acculturation and Integration

To inform the broader scope of this study, I refer to Ouellete, Warmington and Yu (2007) who assess several Canadian studies of refugee integration in Canada. From their analysis, several key findings are relevant to this study. First is that refugee economic integration is varied by migration status (Ouellete et al. 2007:20). For example, Landed Canadian Refugees (LCRs) and Government Assisted Refugees (GARs) both lag behind other migrant groups such as landed immigrants and Privately Sponsored Refugees (PSRs), however after the fifth year from landing, the discrepancy fades (Oullete et al. 2007:20-21). Although economic integration is a strong predictor of how refugees are faring in their new home, other factors (such as trauma, human capital and social networks) need to be considered to accurately assess a group's integration (Oullette et al. 2007:26). Secondly, although the term can be vague, "refugee integration" requires a sort of adaptation by both the newcomer group and the host country which involves a reflexive approach reflected in the Canadian policy landscape (Oullete et al. 2007:17). However, new evidence from Statistics Canada suggests that refugees migrating to Canada from Iraq, Somalia, Afghanistan and other Muslim-majority countries do not reach parity with their immigrant counterparts even when key markers of human capital (e.g. educational attainment, language skills) are held constant (Taylor 2019). In the case

of this recent cohort of Syrian newcomers to Canada, who are largely Arab and Muslim, they may experience different cultural stigmas which may not have been the case with other groups, especially given a present-day political climate that presents Muslim refugees as a problem in need of resolution (Mondon and Winter 2017). This is reflected through xenophobia across Europe, the United States and Canada, a proliferation of anti-immigration hate groups and a push for policy reform to halt migration to Western countries (Beirich and Buchanan 2017). As Oullete et al. (2007) contend, refugee integration is a two-way relationship between the host society and the refugee population. The way these two groups interact will shape how refugees integrate and adapt. Positive experiences are likely to lead to more successful integration and future success, while negative experiences will likely lead to contradictory outcomes. For example, perceived discrimination can lead to mental health issues which have been linked to poor academic scores and retention (Rose et al. 2017).

Their integration may also vary from other migrant groups due to both the current context as well as their ethnic and religious makeup. Briones et al. (2012) found variation in immigrant youth adaptation in Spain, as Moroccan youth experienced more discrimination and worse adaptation than an Ecuadorean cohort. Similarly, Montgomery and Foldspang (2008) conducted a study of 131 refugees in Denmark, of which 67 were Middle Eastern. They found a significant link between perceived discrimination and internalized issues associated with adaptations such as withdrawal, leading to further isolation from the host country (Foldspang and Montgomery 2008). Similarly, discrimination has a profound effect on the acculturation strategies which migrants adopt. The concept of acculturation will be elaborated on in the following section where I identify how acculturation strategies may impact overall identity development for adolescent Syrian refugees. Previous literature suggests that a generally hostile social climate in the West presents challenges for Muslim and Arab migrants, establishing that this group possesses unique characteristics that prevent them from integrating similarly to other migrant groups. However, aside from explicit discrimination, bicultural stress can impact adolescent development as well. Therefore, this group is intersecting with a new culture and a context of political divisiveness and polarization which is very likely to impact development. For example, Blanco (et al. 2014) measured the existence of bi-cultural stressors and their impact among Hispanic adolescents in the U.S. They found that adolescents struggling between homeland and host-land identity integration had an increased likelihood of alcohol misuse (Blanco et al. 2014).

In the human life course, adolescence is a second phase of individuation in which a person becomes distinct to themselves and forms their identity (Fischer 2015). On its own, this process is full of crisis and instability but, when paired with the stressors of integrating one's identity with a new culture, this process can be interrupted with implications for the third phase of individuation (Fischer 2015). This struggle is further pronounced when an adolescent's parents also have difficulty integrating into a new culture (Fischer 2015). Thus, given the social and cultural distance many resettled Syrian adolescents may feel in Canada, their acculturation strategies may be more or less positive and integrative.

Culturally Contested Lives and Acculturation

As mentioned previously, the framework of this paper follows Fischer 2015's four acculturation strategies. The first strategy is *assimilation*, where the culture and values of the homeland are abandoned and replaced by the new host country (Fischer 2015). The second strategy is *integration* where both homeland and host-land cultural schemas are adopted and reconciled (Fischer 2015). The third strategy is *separation* which is characterized by individuals holding on to their original culture and avoiding interaction with the host-land culture. Lastly is *marginalization*, which is when individuals decline to maintain involvement with either cultural schemas or contact with other groups; this is often the result of discrimination (Berry and Sabatier 2009). Existing academic literature presents strong evidence that suggests discrimination can predict individual's acculturation strategy. For example, Ameyaw (et al. 2018) found that participants who were more associated with an assimilation strategy were less likely to express a sense of perceived discrimination. This suggests that host populations are more accepting of assimilation over other strategies (Ameyaw et al. 2018). However, the degree to which this applies likely has great variance depending on a country's social environment and institutionalized policy.

In a comparison of Montreal, Canada, and Paris, France, researchers found that newcomers in Montreal were more likely to be aligned with strategies of integration and less likely to employ strategies of separation and marginalization (Berrey and Sabtier 2010). Relatedly, visible minorities in Paris (e.g. Haitians, Algerians and Moroccans) were the most discriminated against in comparison to other European migrant groups (Berrey and Sabtier 2010). Although there were no Arabs or people from Muslim-majority countries in the Montreal group, Montreal was less associated overall with discrimination. However, people from Muslim-majority countries might have a different experience today in Franco-Canadian settings like Montreal and Anglo-Canadian settings like Toronto as

discussed earlier. Overall, an emphasis on ethnic acculturation (i.e. placing importance on transmitting homeland culture to a subsequent immigrant generation) in Paris was associated with higher levels of perceived discrimination, yet that was not the case in Montreal (Berrey and Sabtier 2010). In the French context, Arabs experience some of the highest rates of discrimination and draw less often upon strategies of assimilation than other ethnic groups such as Vietnamese or Greek immigrants (Berrey and Sabtier 2010). Furthermore, despite Algerians mostly preferring integration, they still experienced some of the highest rates of discrimination, furthering the hypothesis that Arabs present a somewhat unique case in the West.

The question of Muslim compatibility with Western life is the central theme in John O'Brien's (2017) ethnography *Keeping It Halal*. O'Brien (2017) studied a group of adolescent Muslim males who were all part of a Sunday mosque club. They called their friend group "The Legendz." Given the prominence of their faith on their identity, O'Brien (2017) analyzed how these adolescents navigated the two contradictory cultural rubrics. O'Brien defines *cultural rubrics* as the set of schemas, habits, symbols and practices (O'Brien 2017). For example, a typical adolescent in the U.S would gain status by going to parties, taking part in heterosexual relationships and possibly consuming alcohol; all of which are forbidden under the tenants of Islam (O'Brien 2017). Association too much with Islamic culture puts them at risk of not seeming 'cool' whereas associating too much with U.S culture put them at risk of disappointing local expectations and Islamic ideals (O'Brien 2017). This situation of living 'culturally contested lives' is not unique to just Arabs in the west. O'Brien (2017) notes that other minority groups experience this phenomenon such as African American and Latino Youth.

O'Brien cites Eli Anderson's (2000) conception of "decent" or "good" and "ghetto" or "street" (O'Brien 2017). Similar to their Muslim counterparts, these youths navigate two opposed cultural rubrics; by excelling at school and being "decent" they are more aligned with academic success. However, they also make themselves vulnerable to ridicule by peers who deem them to be "nerdy" or "acting white" (O'Brien 2017). O'Brien (2017) found that the Legendz manage to navigate both cultural rubrics by, for example, listening to popular rap songs, but censoring certain parts. For the most part, they successfully navigated both cultural rubrics and implicitly engaged integration strategies. However, they did express a certain pressure to do so, as if the strategy of integration could only be possible through clearly defined aspects of assimilation such as knowing rap songs and playing basketball. That is, they felt an onus to present themselves as American first and Muslim second. Following O'Brien, would this dynamic apply to recently resettled young men in Canada? In the following sections, I assess if and how Syrian

adolescent males navigate competing cultural rubrics and if they perceive a similar challenge as that of the Legendz. Analysing the case of newcomer Syrian boys in Canada can further identify how Canada's policy of multiculturalism may manifest into different acculturation strategies, deepening our knowledge of how Arab newcomers in particular build their identities in the Western world.

Methods

The process of data collection was conducted under the umbrella of the RISE (Refugee Integration, Stress, and Equity) research project, headed by the principal investigator Dr. Neda Maghbooleh, a sociologist at the University of Toronto. As a research assistant, I was granted the ability to use interview data collected between November 2018 and April 2019 with Syrian newcomer mothers and teenagers (n=121). This paper focuses on a subset of 15 interviews with teenage boys conducted by myself and one other male research assistant. The interview guide included 40 questions that covered the respondent's history, religion, relationships, identity and problems (see Appendix A). Once we had contact with a family willing to participate, RA's would contact the mother first as many of the teens were under 18 years of age. Once contacted, a time and location were scheduled to the preference of the participant and their family. To ensure ethical consideration was maintained, following the REB guidelines as set out by the University of Toronto, each respondent was briefed on their rights as a participant which included explaining that the study was voluntary and that confidentiality would be maintained. To ensure confidentiality, each participant was given participant numbers and I provided pseudonyms for those who's information I used in this study.

All other data is protected and cannot be viewed by anyone not a part of the RISE team. Interviews with extremely sensitive information were only viewable by the principal investigator and research officer. To further ensure ethical protocol was met, RA's made it a point to express that if participants would no longer like to be part of the study, all of their information would be deleted. Every participant was given a \$20 gift card to a major chain pharmacy and grocery store as honorarium. These protocols were essential in maintaining ethical clearance while helping the team build rapport with the participants. After the wave of interviews was complete, the audio was translated and transcribed into English. Once the transcription process was finished, I was able to conduct a thematic analysis to uncover primary indicators of integration or strain via an analysis of the participants' responses. A key methodological limitation is that a majority of the 15 interviews involved parental presence in the discussion space or in an audible distance. This likely impacted the teenage respondents' answers since parental pressure may have led to less candid answers.

Analysis

National Identity Formation and Acculturation

In this section, I assess how participants negotiate their identity in regards to Syria and Canada. This was captured through questions proposed in the interview guide which examined their sense of national identity and whether participants saw themselves as potential Canadians. I analyze their sense of mattering and their perceptions of Canadian identity as they pertain to ethnicity and race. These questions also provide insight into areas where teens may prefer certain acculturation strategies over others. For example, when it comes to making friends, teens may only have close ties to Arab or Muslim friend groups which could indicate a preference for separation. Whereas if teens expressed that a “Canadian” could be anyone from any ethnic, religious or racial background, that could indicate an acculturation strategy closer to integration.

Part of their identity formation revolves around how they view themselves in Canada. I was curious to investigate if participants saw themselves as ‘other’ or simply part of Canadian society? What the young men described in the interviews varied significantly. Some expressed an acceptance of Canadian multicultural values, which may indicate that they do not perceive themselves as ‘other’, but rather as a part of a flexible national Canadian identity. When I asked Ramy (age 14), who had been in Canada for four years, this question he replied:

Interviewer: *laughs* When you hear someone say ‘Canadian’ to describe someone to you, who do you imagine?

Ramy: What do you mean?

Interviewer: If I told you ‘my friend is Canadian’ who do you imagine in your head?

Ramy: A normal person. He respects others.

Interviewer: What does he look like, what is his life?

Ramy: A kind person and I don’t know, just a normal person, a normal human.

Interviewer: And what is a normal person to you?

Ramy: A good person. A person trying to finish school. I first thought they were all white.

Interviewer: Sorry, like what?

Ramy: Like they’re all white

Interviewer: Oh, *laughs* you did not find a lot of Whites?

Ramy: No, not all of them. I did not think there would be every area. And I thought the would only be Canadian, but here they are spread out, every area has people here.

Interviewer: If I told you someone is Canadian, you don’t always imagine someone white, they can be...

Ramy: Here? Any person could be Canadian.

With an expressed perception of Canada as a multicultural country, some teens like Ramy seemed to describe a preference towards integrative acculturation. They saw themselves fitting into a prevalent notion of Canada as a country open to all ethnicities, religions and races. Youth in our study, like Ramy may be an exception, as they largely live in some of the most diverse parts of Ontario and Canada. Yet, even then, their answers were not unanimous as it was expected. In fact, some seemed to understand themselves as 'other'. I interpreted this by looking closely at their responses to questions in our interview guide that asked participants to reflect upon who they understand to be a "foreigner" versus a Canadian. When Omar (age 13) was asked who he thinks is Canadian, he gave a response that would indicate a sense of othering since he stated:

Interviewer: Ok. When you hear someone say 'Canadian', describe to me this person, what do they look like?

Omar: Like... what?

Interviewer: Like if I told you 'yesterday I was with a Canadian person' who do you imagine, what do they look like? Describe him to me.

Omar: Canadian?

Interviewer: Yes.

Omar: His description, I don't know. Blonde, his hair blonde, everything blonde.

Unlike Ramy, Omar expressed a more restrictive idea of what a "Canadian" looks like such as identifying people as having, "everything blonde." It is important to note however, that Arabic language itself provides complexities to what could be overly simplified interpretations of participants' own words. Essentially, among Arabic speakers, the word 'Canadian' refers to Canadian national identity, but 'foreigners' is used by our participants as a term to describe people who are not white, but also not Arab; this is similar to how the term 'foreigners' would have been used by this population in their home countries, too.

Therefore, complexities in Arabic language and different schemas in a Canadian resettlement context offer challenges when asking participants to describe a 'Canadian' as the terms and schemas may be conflated with Arab-specific notions of who 'foreigners' are. Nonetheless, across the 15 interviews analysed here, there were two common answers to "who is a foreigner?". Some participants expressed that a foreigner is anyone who is not Canadian or has not been in Canada long enough. Answers such as these may indicate an individual's stronger preference towards integrationist acculturation, as they imply a more fluid perception of Canadian identity and who could potentially become Canadian, leaving open the possibility that they too can become Canadian. On the other hand, responses along the lines of "Westerner" or "non-Arab" may indicate a separationist

or ethnic acculturation preference, as the individual likely perceives their Arab identity as distinctly 'other' than that of Canadians. Thus, their definition of foreigner may focus on a fixed cultural identity rather than a national identity. This means they may situate their definition of foreigner detached from their Canadian context and interpret the questions from an Arab lens. For example, when Firaz (one of the oldest participants at the age 17) was asked this question, he demonstrated a normative view of a foreigner in the Canadian setting, meaning someone who is new to the country.

Interviewer: Ok. When someone says 'foreigner', who do you imagine? Describe to me who you imagine.

Firaz: Maybe they can be an immigrant, a person who isn't Canadian.

Interviewer: So not Canadian would be what?

Firaz: Someone from, from a different country.

Interviewer: Like where?

Firaz: Maybe they are from a different continent. Maybe they can be, they can be, I don't know, from a different country. Like they are strange [unfamiliar with area], not born here. They have maybe a different religion and different civilization from the Canadians.

Firaz's expression of the normative perception around foreigners in Canada coincides with his normative perceptions as to who is a 'Canadian'. Firaz's answers seem uniformly accepting of a multicultural rubric, indicating an orientation toward integration. Other participants' responses tended to follow a more "Arab" interpretation of the word. For example, Nasir, who is 15 years old, was rather puzzled by the question, stating:

Interviewer: [If] I am telling you 'yesterday I was with someone who is a foreigner, me and him were doing whatever' who do you think of? What does a foreigner look like in your head?

Nasir: Like a human.

Interviewer: Like a human. This human looks like what?

Nasir: A human.

Interviewer: How would you describe a foreigner to me?

Nasir: Does not speak Arabic.

Interviewer: Does not speak Arabic. Anything else?

Nasir: Their looks can be different, I cannot tell you that this is a foreigner. All foreigners must be like this; I could not describe to you these things.

Here, Nasir's answer indicates confusion due to how the word "foreigner" is translated in Arabic. Alternatively, it may reflect a more generalizable Arab-specific interpretation, contradicting the participants' current settings in Canada. That is, under the Canadian definition they could be defined as foreigners.

To further investigate how teens interpret their identities within the Canadian context, another question in the interview guide was included as a tool to reflect upon how important individuals felt in Canada. Do they feel that Canadians care about them? Not only might their answers to this question shed light on their sense of belonging, but they could also give us some insight into teens' mental health and sense of integration. Whereas six participants responded that they did feel a sense of importance, the rest were split in their sentiments, either feeling not important at all, or being indifferent to the question. This was due to ideologies of feeling that they mattered as much as anyone else. Ramy, who articulated a sense of multicultural identity earlier in his interview, described a sense of immediate importance followed by a sense of indifference. This may be a result of high expectations upon arrival as the economic condition of these families is more stable than after the first year. Ramy's response may be a reflection of those initial expectations, stating:

Interviewer: Ok. How much do you feel that people here care for you, other than your family and your friends? Do you feel that the normal Canadian people care about you?

Ramy: As soon as we came they treated us different when we came, they watched over us more.

Interviewer: Different, how?

Ramy: They treated us, they were very good with us. And the others, everyone else treats us normally, because they are used to us.

Although our interview guide did not attempt to provide an extensive assessment of mental health, it may be a good indicator for youths' sense of isolation which can lead to detrimental effects on mental health. Akkaymak (2017) demonstrated how migrants' expectations can quickly shape their perception of their reality. He found that highly educated immigrants experience more strain due to their perceived high-status credentials which made limited job prospects feel even grimmer (Akkaymak 2017). In the case of resettled Syrian youth, we may find an opposite effect. Many refugee teens did not expect much diversity in Canada upon landing. Some knew very little about Canada aside from the fact that it is cold. Therefore, the shock of seeing anyone similar to themselves may have quickly reduced the feelings of isolation, though they appear to persist for some. Overall, these initial interviews with teen boys indicate that most engage a strategy of integration or ethnic acculturation. While some teens' responses engage a notion of multicultural Canada, and are therefore easier to interpret within an acculturation frame, their perceptions of "who is a foreigner" complicates this interpretation. Some participants' persistence in identifying Canadians (or Westerners in general) as foreigners may indicate an embedded and primary Arab cultural rubric. Equally possible is the idea that an Arabic language interpretation of "foreigner" is too

broad in scope to accurately serve as an index of acculturation strategy or cultural rubric. Aside from their interpretation of “foreigner,” the participants do not seem to express a sense of exceptionalism in regards to their ability to adapt to Canadian society. However, other aspects of their life such as religion may possess a more pronounced effect on their ability to integrate and their preferred acculturation strategy.

Cultural Contestation

In O’Brien’s (2017) ethnography, the prevailing sentiment among the Legendz is that they felt an onus to prove their American identity, in order to justify the expression of their Muslim identity. For a variety of reasons, I hypothesized that this sentiment would not be as strongly held with this cohort of resettled Syrian adolescents in Canada. Most importantly, the youth in our study live in diverse areas across the Greater Toronto Area. Additionally, Canadian multiculturalist policy overtly promotes the expression of a wider variety of backgrounds and cultures than more assimilationist policies in the U.S. To better assess cultural contestation, I analyzed how the teens practice their religion within a new cultural context. Religion is a salient part of Arab identities. In this case, Arab ethnic and national identities are intertwined with Islamic culture as evident by the language itself. Phrases such as ‘Inshallah’ (in God’s will), are ingrained into the cultural rubrics of most Arabs. And largely, it is non-Christian religions that are commonly understood as directly contradictory to normative notions of Western life (O’Brien 2017).

Religion was an especially sensitive topic in our interview guide. Some teenagers expressed guilt for a perceived lack of practicing religion as well or as often as they should, while others expressed an increased sense of religiosity. The most salient pattern among teenagers was the culture shock they expressed experiencing in Canada and how this conflicted with their cultural practices. Mohamed (14) was the first participant I interviewed, and we spoke in a crowded Tim Hortons. He had begrudgingly left his old public school for a new one because his family had recently moved within the Toronto area. While describing what seemed to be cultural contestation, he seemed reluctant and timid to express his views on what seemed to be his experience with seeing public displays of affection.

Mohamed: Oh, I like this. In Turkey and in Iraq I used to pray. Yes, the mosque, it does not busy us.

Here, everything they do. We just go out and not speak. We do not go to them and tell them this is haram or something. They have their religion, everyone to their religion. My religion is Islam. Some people are Christian religion. Yes.

Interviewer: Ok. Do you feel that your relationship with religion changes since you came, unlike when you were in Turkey or Iraq?

Mohamed: Yes, it changed.

Interviewer: How did it change?

Mohamed: It changed... I see... Istaghfarallah [God forgive me] I see the girls like this and the boys like this. Everywhere I go I see something horrible.

Mohamed's understanding of "something horrible" relates to O'Brien's (2017) concept of cultural contestation; some teens in our study expressed this cultural contestation as a source of stress. After living in Muslim-majority countries all their lives, their cultural rubrics led to certain expectations in society, making Canadian society all the more surprising. Unlike the Legendz, Mohamed did not describe experiencing this stressor from his peers nor did he feel that this was a practice necessary to gain status. Instead, he seemed hesitant to even express these sentiments. This may indicate a need for broader conceptualization of cultural contestation as sentiments of shock or stress are consciously averted to avoid displaying an image of ungratefulness or imposing traditions. Kareem (age 17) felt a similar sentiment as Mohamed, saying:

Interviewer: Ok. Have you felt, like, has there been any time that you felt you could not be as religious as much as you would have liked in Canada? Has it become harder for you? Or something like that.

Kareem: Of course, it's harder here. In Syria and Jordan, you do not see, for example, what do I tell you... For example, girls were in different schools. There was a school for boys and a school for girls. They were not with each other. Here everyone is with each other, it's normal, so it became harder.

Interestingly, Kareem experienced a sort of stress and an expressed difficulty to practice his religion from the general environment, rather than explicit cultural pressures. Again, this is different from what O'Brien (2017) documented among the Legendz as they consciously used *category symbols* to identify more with mainstream American teens. But here, I notice that the teens express stress from implicit external pressures which they fear will disrupt their ability to practice their religion or traditions. This is not a fear of lacking status among peers, nor is it pressure to assimilate, but rather it seems to be the fear of temptation of integrating into the Canadian mainstream and neglecting their Arab roots. The key difference is that teens who express feelings of cultural contestation do not express an obligation to change their identity or display their Canadian identity before their Arab identity. Rather, they seem to express a fear of eventually assimilating and neglecting their cultural roots, though it is unclear whether this is a fear that is self-generated or if it has been passed on by their parents. However, other teens did not express any sort of stress and emphasized secular values and a reciprocal respect for other religions and cultural practices.

Mouhayman (age 16) emphasized this sentiment as he stated:

Interviewer: Yes ok. So this following question is have you felt any pressure to change your religious practices? So from the people around you at school, when you're at work, do you feel any of those kinds of pressures or not really?

Mouhayman: No not really. Because nobody involves themselves in your affairs-

Interviewer: Ok yes-

Mouhayman: Like everyone says that every person can practice their own religion.

Interviewer: Yes exactly.

Mouhayman: Nobody gets involved in someone's religion.

Interviewer: Yes here-

Mouhayman: Yes and in the schools they don't bring up the topic of religion at all.

Interviewer: Yes yes.

Mouhayman: And at the schools they don't bring up religion. No classifications of: 'oh you're Muslim, he's Christian'.

Interviewer: Yes yes.

Mouhayman: No Canadian people pressure you onto religion.

Interviewer: Ya no exactly ya ya.

Mouhayman: That's what's nice.

Lastly, teens were not uniform in detailing their experiences of both discrimination and acceptance in Canada. For example, Omar (age 13) found that sentiments of exclusion and inclusion equally characterized his experiences:

Interviewer: What is the thing you like most or didn't like.

Omar: What I didn't like in Canada, they keep calling me Syrian and always they bully me [in English], that. What I liked in Canada, is that they respect you. They don't ask about your religion, that, the respect.

Interviewer: Has someone bothered you because you are Syrian, other than teens at school?

Omar: I don't think so, no.

Interestingly, Omar expressed contradictory views when it came to his peers as they bothered him over his Syrian identity. Therefore, it seems teens who experienced discrimination find themselves in a gap between a federally mandated policy of multiculturalism which is promoted through the educational system and anti-Arab or anti-Syrian sentiments which some of their peers express. This gap likely explains how teens in our study have expressed contradictory sentiments in regard to Canada being both tolerant and discriminatory. Overall, the case of cultural contestation in Canada does seem to have qualities unique to this context. First, the teens in our study express less felt pressure to adapt their cultural rubrics in order to gain status among peers, unlike what the Legendz experienced. Instead, when feelings of cultural contestation are present, settled Syrian teens express them as fear of diverting away from traditional values or practices. This does not

appear to be motivated by an effort to gain status, but because of a dominant cultural environment that is culturally contradictory and difficult to avoid. In essence, this is a more diffused sentiment of cultural contestation, one that is more implicit and without an explicit onus to privilege a certain cultural rubric over another. Despite these sentiments, most of the teens do not express this as a stressor, but praise Canada for being tolerant, even those who reported experiencing discrimination here. This is possibly explained by the dissonance between the notion of multiculturalism promoted through Canadian education and the racist sentiments expressed by their peers. From this, it appears that sentiments of cultural contestation do exist for resettled Syrian teens in Canada, but they seem to be mitigated by policies that promote an integrationist acculturation strategy, like multiculturalism.

Discussion & Conclusion

The broader scope of this study was to assess the acculturation strategies Syrian refugee adolescent males while assessing the impact of cultural contestation as theorized by O'Brien (2017). Overall, I present two main findings. First, teens are almost evenly split in their acceptance of a multicultural identity. While some consider a Canadian to be someone from any religious or ethnic background, others perceive Canadian as White Westerners. The implication of this is that acculturation strategies may be evenly split between integrationist and separationist (and or ethnic) acculturation strategies. This notion was further reinforced through their perception regarding who is a foreigner. I observed a similar divide regarding those who perceive the concept of a foreigner through a normative Canadian lens which is anyone new to Canada, indicating an integration acculturation strategy. While others used one that aligned with an Arab cultural rubric, being a White, Westerner, which indicates a preference to a separationist or ethnic acculturation strategy.

Second, I observed key differences between how sentiments of cultural contestation manifest in the Canadian context. Although some teens do express sentiments of cultural contestation, they do not feel an onus to overtly express their Canadian identity. This is unlike what O'Brien (2017) observed which was teens consciously making an effort to adopt mainstream American cultural symbols in order to justify their expressed Muslim identity. Here, when teens do express these sentiments, it is a general shock, stressor or fear of eventually assimilating and neglecting their Arab culture. Yet, they do not express explicit pressure or onus to overtly identify with their Canadian identity. This may be attributed to a policy of multiculturalism which they likely encounter through their schooling. Canadian

multicultural policy could be having a mitigating effect on cultural contestation which could explain the difference between how they experience cultural contestation versus what the Legendz experienced (O'Brien 2017). This mitigating effect may further impact the acculturation preferences of these teens as one of the main predictors of acculturation strategy is perceived discrimination (Ameyaw et al. 2018). Thus, through the promotion of multiculturalism, teens may be less impacted by overt discrimination, which could encourage more preference of an integrationist acculturation strategy. It is important to note key differences from this cohort of teens and those observed by O'Brien (2017). Most of the teens observed by O'Brien (2017) were either born in the U.S or immigrated at a young age. This likely has an impact on the value they placed on adopting a more American cultural rubric and consciously expressing it. In comparison, none of the teens I interviewed had been in Canada for more than three years and the majority are younger in comparison to the Legendz. Therefore, different phases of identity formation are likely involved which shaped some of the differences observed. The Syrian teens may be at an earlier period of contestation.

Their selective use of English in the interviews could be an indication of this as they code switch to express certain sentiments of contestation such as 'bullying' and 'racism'. Longitudinal data would be essential in understanding how the teens integrate over time while assessing if their views on discrimination have changed. A large concern was that when teens negate discrimination as schoolyard bullying, they are using mental accounting to underplay what might be a larger issue. Therefore, it is imperative to understand how these teens experience bullying as compared to native-born teens and whether the effects of bullying are the same on refugee teens. Finally, this research would have benefited from a gender comparison. Syrian teens female's lives are very different from their male counterparts. We may find differences in discrimination (as females with hijabs are a more visible minority) and differences in acculturation strategy as mobility between gender could impact how they integrate. Due to the limited scope of this study, I was unable to incorporate an analysis of gender, however, any assessment of refugee integration that does not include a gender analysis would be incomplete.

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Appendix 1

Pseudonym	Age	Number of Siblings	Date of Arrival to Canada	Transition Country
Nour	16	3	2017 *	Saudi Arabia
Abdul	13	3	2017 *	Saudi Arabia
Firaz	17	4	2017	Lebanon
Essam	14	4	2017	Lebanon
Omar	13	3	2016	Turkey
Hakeem	15	4	2016	Lebanon
Nasir	15	4	2016	Jordan
Ramy	14	2	2016	Lebanon
Kareem	17	3	2016 *	Jordan
Mohamed	14	3	2016	Turkey
Ahmed	16	3	2016 *	Lebanon
Hisham	13	4	2016	Turkey
Ashraf	13	2	2016 *	Lebanon
Haitham	16	4	2018	Jordan
Mouhayman	16	1	2016	Lebanon

*For 5 out of the 15 participants it was unclear from the interview data when their families arrived; imputing from other sources of data, these are the best estimates.

Appendix 2

AT START OF INTERVIEW [consent process]

1. Thank participant; Introduce ourselves.
2. Explain that the study focuses on newcomer parents and teenagers.
3. Explain that we are interviewing you (the teen) because your parent has consented to be in our study and consented to your participation. Each mother and teen is asked to do 3 interviews and surveys about their migration and experiences of family and resettlement over the course of 3 years.
4. Though we expect each conversation to take approximately 60 minutes, they can be as short or long as you desires.
5. You can quit at any time, or skip questions you feel uncomfortable answering.

6. If any one member of the mother/teen dyad decides to withdraw, data for both will be removed. You may also change your mind after the interview is concluded and if you get in touch with us afterwards, we will do our best to remove data for both mother and teen, though that may be difficult once it has been made anonymous and compiled with information from the other people we are interviewing.
7. Some of the issues we discuss may be painful and we will be sensitive to that. The goal of the study is to help create policies and systems of support for newcomers to Canada like you.
8. Participation does not come with any personal benefit other than a \$20 gift card in honor of your time.
9. We work for the University of Toronto, not the government, but our study is funded by the government.
10. Only we, the researchers, will have access to your personal responses. We will not use any real names. What is shared with us will be kept confidential with the following exceptions: we will report any evidence of child (persons under 18 years of age) maltreatment to the appropriate agency as required by law. However, this has never happened before. The University ethics review team may make sure we follow the ethics review process by examining our procedures and data.
11. Nonetheless, it is possible that certain characteristics about your life (number of siblings, etc.) may be recognizable to people you know, even when fake names are attached.
12. We will pause frequently to allow for questions.
13. We reiterate that participating in the university study will have no effect on your residency in Canada. It will not affect relationships with any center, agency or school.
14. After the study is done, we will make the results available (but not with any names or their actual voice recordings) via a project website and through academic publications.
15. Do you still wish to participate?

We will record their responses as follows:

CASE ID number:

Agrees to participate:

YES

NO

Interview Guide - Teens

[in Arabic]

"Thank you for agreeing to do this interview."

"First, I'd like to ask a few simple questions about your family. Remind me, how many siblings do you have?" [if needed, ask participant to list in detail their ages/gender]

"This next series of questions asks about your life before and after moving to Canada."

A. Tell me the story of how you left Syria:

[probes: where did you first go when you left Syria? How did you end up in Canada? Sponsorship [Government? Private?]

1. How were things when you first arrived to Canada?
2. In what ways are things better since you first arrived? In what ways are things more difficult?
3. Are you currently enrolled in school? If yes, what kind of school do you attend? How is it going?
[probes: any difficulties? language? specific classes?]
4. Do you do any kinds of work inside or outside the home right now? Tell me more:
5. Tell me about your work goals: what do you hope to do for your job someday? Why? Have you shared this with your parents? What do your parents think about this?
6. Tell me about things you enjoy in your life (*hobbies, fun, and leisure*). Has this changed since Syria?
7. Aside from your family, do you spend time with other people here in Canada? Friends?
[probes: Have you been able to make friends here? How?]
8. Is this different than back in Syria? How so?
9. Are you still in communication with friends from Syria? Say more:
10. Tell me about your relationship to religion in Syria. Was religion part of your upbringing? If yes, how?
11. Has your relationship to religion changed since coming to Canada? Have you been able to maintain the practices that are important to you?

[probes: What about your mother [and father, if relevant]? What is your impression of

their practices and relationship to religion now?]

[more probes: have you felt pressure to change your practices since coming to Canada?]

"In this next series of questions, I'd like to ask more about your family."

13. Tell me more about your family in Canada. Tell me about those not with you in Canada:

14. Tell me about your mother. How do you feel is she doing these days?

[probes: What is your relationship like? What disagreements do you have?]

15. Have you noticed a change in your mother since coming to Canada? If yes, what?

[probes: What do you think is the biggest difficulty she is facing today? What do think she is proud of? What makes her happy?]

16. [if relevant] Tell me about your father. How do you feel he is doing these days?

[probes: What is your relationship like? What disagreements do you have?]

17. Have you noticed a change in your father since coming to Canada? If yes, what?

[probes: What do you think is the biggest difficulty he is facing today? What do think he is proud of? What makes him happy?]

18. Tell me about your siblings. How are they doing right now?

Repeat: for sibling X

Repeat for sibling Y

Repeat for sibling Z

19. Tell me about your youngest sibling. How is s/he doing?

20. Is there anything else you'd like to tell me about your family?

"In this next series of questions, I'd like to ask you more about school."

21. Tell me about your schooling experience in Syria. Did you like going to school?

22. Tell me about your schooling after you first left Syria.

23. Do you like school right now? Why? Why not?

24. What do you hope for yourself this year in school?

"In this next series of questions, I'd like to ask about your impressions of Canada:"

25. What did you think of Canada before you arrived? Had you heard anything from others (stereotypes, ideas, warnings) about Canada?

26. When you first arrived to Canada, what were your initial impressions? Were they different than what you expected? Have your first impressions changed?

27. When you hear someone say "Canadian" to describe someone (a person/a family), whom do you think they are describing? To you, what does a Canadian look like?

28. When you hear someone say "foreigner" to describe someone, whom do you think they are describing? To you, who is described as a foreigner in Canada?
29. How do you view Canadian mothers? Canadian fathers? Canadian teenagers?
30. Are there things you have seen in Canada that you are surprised about? Things that you like? Things that you dislike?

"In this next series of questions, I'd like to ask about troubles you may have experienced."

31. Have you had any difficult or negative experiences so far in Canada? Tell me about that experience.
32. Have you ever felt you were treated unfairly because of who you are? Tell me about that.

[probes: for the way you look, your language, accent, status, because born outside of Canada?]

33. What concerns do you have about your future? Why?
34. What things do you most miss from life before you moved to Canada?
35. How often do you worry about how your family will pay the bills? What are your biggest concerns about money right now?
36. Are you happy where you are living?

[probes: If yes, why? If no, why?; what kind of troubles are in your building/street/neighbourhood]

37. If you have trouble with your schoolwork, with whom would you talk? How do you think you might get help for that?
38. If you have trouble with others at school, who would you talk to? How do you think you might get help for that?
39. With whom can you talk when things are difficult for you? Is there anyone here in town? How about people who do not live here -- through phone, texting, or other means?
40. If it was possible, would you want to return to Syria? To visit Syria again? To stay in Syria permanently?
41. How do you think your future in Canada will be? How much control do you feel that you have over your future? How about your family's future in Canada? What are your hopes for your family?
42. Would you want to settle in Canada permanently? If not, what other country else?
43. How much do you feel like you matter to others here in the community? To Canada?
44. How are you doing these days? What things are most difficult for you?
45. What are you most proud of?

Thank you very much for taking the time to talk to us. The last part of this interview asks you to complete this survey:

As we mentioned at the beginning of the interview, this is the first in a series of interviews we would like to conduct with you. The next interview will be about a year from now it will be shorter, as we will not need to repeat questions about your background.

- Are you still ok with doing another interview then?*
- How would you like us to contact you to arrange that interview?*

The Myth of Presuming Innocence: An Examination of Bail Conditions in Canada

Brittany Stout

Abstract

A common practice of contemporary bail reform in Canada is correlated with an increased reliance on bail conditions as an alternative method to utilizing remand. Despite the presumption of a means of protecting the safety and ensuring maintenance of the law, the over the implementation of bail conditions has presented a problematic lack of innocent presumptions of alleged perpetrators. In this article, data pertaining to the effectiveness of bail conditions throughout Canadian jurisdictions will be examined. Contemporary data, including reference to the Canadian Charter as well as current legislation implemented for bail conditions, will aid in supporting the central argument stating that the practice of conditional release veers toward punitiveness as opposed to upholding the presumption of innocence. This article identifies several unanticipated issues that can result from a system reliant on stringent bail conditions that prolong the individual's involvement in the criminal justice system, severely restricts their liberty and sets them up to fail through technical violations. Findings suggest that although Section 515(10) of the Criminal Code implies that there is a presumption of release without condition unless proven otherwise, evidence displays that numerous individuals are discriminated against regarding this law.

The presumption of innocence is a fundamental principle within contemporary criminal justice. Protecting the individual's right to liberty through maintaining a presumption of innocence is also imperative in maintaining confidence in the administration of justice. Yet, attempts to constrain and monitor the behaviour of accused offenders prior to criminal conviction through onerous bail conditions has become the norm in Canada. Within the criminal justice system, bail conditions represent a set of requirements that an accused perpetrator must follow to remain out of remand while awaiting trial (Manikis and De Santi 2019). The failure to comply with these conditions results in re-arrest of the accused and the laying of new charges (Manikis and De Santi 2019). While bail conditions imposed during judicial interim release are presented as a means of maintaining public safety while the accused awaits trial, their implementation acts as a form of punitive practice. The overuse of bail conditions impedes the individual's right to liberty and results in increased administrative justice violations, thus extending the accused's involvement in the justice system. To remedy this, policies must be established that increase the use of release on recognizance and limit any imposed conditions.

The Practice of Judicial Interim Release

The laws that govern bail in Canada officially aim to protect the individual liberty of citizens through upholding the presumption of innocence and the right to a fair trial. The Charter guarantees this through the right to not be denied reasonable bail without just cause (Department of Justice 2019 A). Reasonable bail implies that there is an assumption of release and the presumption that the imposition of detainment or restrictions on liberty should only be inflicted when necessary (Manikis and De Santi 2019). Specifically, under section 515(10) of the Criminal Code, bail should only be denied if detention is deemed necessary to ensure court attendance, if it is necessary for public safety, or to maintain confidence in the administration of justice (Department of Justice 2019 A). In many Canadian courts, the practice of judicial interim release operates under the guise of reducing the potential risk of danger to the public and constraining the behaviour of the accused. The reality, however, is that this system is functioning in a manner that inherently contradicts these laws and notions. Legally innocent individuals being processed through the criminal justice system are often exposed to a bail system that is disproportionately punitive and often criminalizes the accused, specifically through the overuse of bail conditions.

Bail Strategies and Conditions

The goals of implementing conditions for individuals awaiting trial is to replace monetary bail and decrease the number of people in remand. Moreover, conditions are used to constrain the harmful behaviours of the individual and to ensure the protection of society. While a positive reform in theory, imposed bail conditions are often disproportionately risk-averse and thus, punitive. Bail courts in Canada regularly implement overly stringent conditions on individuals while they await trial. Often these conditions have nothing to do with the initial crime that the individual has been accused of. In their work, Deshman and Myers (2014) describe the most common conditions, even if these conditions are not associated with the initial charge, as including abstinence requirements, residency conditions, and rigid curfews that interfere with employment and daily life. Further, the conditions may include increased surveillance through ankle monitoring and frequent, unannounced check-ins. The implementation of strict conditions and surveillance on individuals awaiting trial acts as a form of punitive practice that increases the likelihood of recidivism through additional administrative charges for breaching bail conditions. Deshman and Myers (2014) found that in over 20% of the criminal and federal cases completed in both Ontario and Yukon, administration of justice charges were the most serious charge, with most of them stemming from bail condition violations. Further, researchers found that allegations of broken bail

conditions had caused the number of compliance charges to rise exponentially over the past decade (Dashman and Myers 2014). Research suggests that one of the main factors that has contributed to the increase in the number of administrative justice charges for bail violations is that individuals are waiting longer periods between their bail hearings and their trials. Sprott and Myers (2011) found that one-third of the individuals they studied that were released from court with bail conditions were charged with failing to comply with their conditions. Those who were assigned copious bail conditions and who had to comply with those conditions for longer periods were the most likely to accumulate further charges (Sprott and Myers 2011). In theory, bail conditions as an alternative to monetary bail and remand aimed to be more equitable for those with lower income levels, less educational attainment, and those with other financial responsibilities. However, the research suggests that the rise in the criminal justice system's overuse of bail conditions, especially combined with having to comply with those conditions for longer periods, has become a form of overly punitive practice resulting in further criminalization of legally innocent individuals.

Criminal law serves the purpose of advocating for justice while prohibiting and punishing conduct that may violate the protection of morality, the individual, or the state. Accordingly, bail conditions are often used as a method of dealing with offenders who exhibit risk factors in order to manage their behaviour while they await their trial. In making decisions about pretrial release, officials must try to balance the preservation of liberty and the presumption of innocence with the goals of community protection (Gottfredson and Gottfredson 1988). However, there are numerous issues surrounding bail conditions that must be dealt with as a part of criminal law policy. The infliction of bail conditions can be conducive to community protection and are in many cases necessary; however, they are most often applied to non-violent offenders and more often overly restrictive and too numerous. Further, researchers argue that the conditions imposed are often unnecessary or unrelated to the initial crime and more directed toward behaviour modification (Dashman and Myers 2014). These conditions often include geographical boundaries, cell phone bans, restrictions on computer and internet usage, and reporting to bail officers (Dashman and Myers 2014). These restrictions are all applied before a finding of guilt; however, violating any one of them results in immediate administration of justice charges. Evidence suggests that a large proportion of individuals admitted into remand are there for non-violent offences, and one in five are remanded for failing to comply with their bail conditions (Dashman and Myers 2014). The cycle of restrictive release and re-arrest is neither consistent with the principles of justice nor constitutional.

It is inherently unconstitutional to impose unnecessary restrictions on liberty on a legally innocent individual, especially when those conditions are unrealistic in terms of compliance and are not consistent with the principles of bail.

How Conditional Release Sets Individuals Up for Failure

As technology evolves, judges are capable of moving beyond either monetary bail, remanding alleged offenders, or releasing them on recognizance while they await trial. As Canadian jurisdictions gain more access to tracking technology, courts now have the capabilities of implementing a larger range of conditions than in the past. Consequently, the expansion of pretrial release and the subsequent implementation of onerous bail conditions has resulted in conditions being imposed on individuals who would otherwise be released on recognizance by the courts (Hopkins, Doyle and Bains 2018). Deshman and Myers (2014) interviewed a defence attorney in Ontario, who described a case where his client was a first-time offender charged with a summary offence. The conditions of his release on bail included a curfew and ordered him to move in with his surety in a different city than where his job was located. Despite being a first-time offender with a relatively minor charge, the conditions imposed on him disrupted his life and resulted in the loss of his livelihood (Deshman and Myers 2014). Bail conditions were created as an alternative to allow disadvantaged alleged offenders to remain in the community while awaiting trial; however, this opportunity has now come at the cost of individual liberty through increased surveillance and government intrusion through conditions.

Both the Criminal Code and the Charter of Rights and Freedoms guarantee reasonable bail and liberty (Department of Justice 2019 B), respectively. Inflicting numerous bail conditions on legally innocent individuals who do not meet the requirements of section 515(10) of the Criminal Code and would otherwise be released on recognizance inherently violates the individual's right to reasonable bail. This suggests that rather than imposing conditions to keep the community safe or to ensure court appearance, strict bail conditions, that are often unrelated to the offence itself, are being imposed as a means of controlling the behaviour of alleged offenders prior to a finding of guilt. Research indicates that many of the issues surrounding bail conditions are related to the type and number of conditions imposed. Across Canada, the average number of conditions imposed is 6.5 (Deshman and Myers 2014). Yukon was found to impose twice as many conditions as any other jurisdiction, with a mean of thirteen conditions per case (Deshman and Myers 2014). Given that finding, it is no coincidence that the rate of administration of justice charges in Yukon has increased by seventy-three per cent since 2004 (Statistics Canada 2015). This evidence is indicative of the fact that the increase of

bail conditions in Yukon as a means of constraining crime and maintaining public confidence is ineffective. Increasing bail conditions can be categorized as a worse alternative because rather than constraining crime and the defendant's behaviour, this method has resulted in an exponential rise in the rate of administration of justice charges. This negatively impacts the entire justice system because the extra charges resulting from conditional breaches means cases become more complex. The influx of additional criminal charges results in heavier caseloads for courts and an increased likelihood the accused is found guilty. Further, Ontario takes into consideration the conditions that are set and the time an individual is subjected to those conditions during sentencing (Sprott and Myers 2011). In the case of *R v. CR*, the court held that when an individual has been on release for long periods and subject to very strict conditions, it may be considered a mitigating factor when deciding on a sentence following a finding of guilt (Sprott and Myers 2011). Every accused is guaranteed the constitutional right of the presumption of innocence. Yet in Ontario, the conditions imposed on a legally innocent individual during bail are considered a factor in sentencing. This practice sets the individual up to fail before they have even been convicted and is thus overly punitive.

An Alternative Model

The implementation of onerous bail conditions and intrusive surveillance methods have been justified as necessary in reducing the flight risk of defendants as they await trial. Alternatively, a jurisdiction in Oregon ran a program that replaced surveillance and check-ins with automated phone calls to remind defendants about upcoming court dates (Hopkins et al. 2018). The results of the program were that failure-to-appear rates decreased by 37% and saved the jurisdiction over one million dollars in surveillance costs in the first eight months (Hopkins et al. 2018). Further, New York City implemented a similar system in 2017 and found that phone reminders improved appearance rates by 26% (Hopkins et al. 2018). The success of these programs contradicts the common notion that missed court dates are a result of insubordination or willful flight. Instead, they suggest that non-invasive alternatives to ensure compliance are both effective and cost-efficient, while not restricting and overcomplicating the lives of defendants.

Recommendations for Reform

While a system of conditional release is an improvement over unaffordable monetary bail and remand without due process, conditional release is still a punitive and often ineffective system. The overuse of bail conditions imposed during judicial interim release impedes the individual's right to liberty and extends

their involvement within the criminal justice system. Public opinion, policies and the legal system must join together to remedy this situation. Within the legal system, policies must be amended to stress the presumption of innocence and unsupervised release for defendants who are considered low risk. Specifically, release on the defendant's recognizance should become the norm. This concept is described as the "liberty is the norm" principle, according to Hopkins et al. (2018). Implementing policies consistent with this principle would ensure that judicial officers maximize the use of release for low-risk defendants on recognizance. Conditional release should be emphasized as a restriction of liberty that should only be applied when substantial evidence can be presented that indicates conditions are necessary to ensure public safety.

As there are cases where conditions might be deemed necessary for a defendant, the legal system should only apply a small set of conditions that are specifically applicable to each case. Conditions should only be applied when necessary to deter criminality or risk of flight. In these cases, the criminal justice system should be held accountable for implementing changes to reform conditional bail to better serve the individual. If an individual breaches one of their conditions, the system should rely on handling these situations through administrative means. This would result in a lower influx of criminal charges and lower caseload for courts to handle. Further, a regular review of bail programs should be conducted to ensure that programs are upholding individual rights and are not imposing overly strict conditions (Deshman and Myers 2014). The system should also focus on constructive forms of intervention and support rather than punitive forms of deterrence. With the support of politicians and the public, alleged offenders who exhibit risk factors should receive adequate social support. Any set conditions should also be conducive to rehabilitation and restoration through an increase in well-run programs and services that are better funded. Intrusive check-in methods should be replaced by less invasive techniques such as phone call reminders for upcoming hearing and check-ins, as these approaches have been proven to be effective. The studies conducted in New York and Oregon both proved to be positive alternatives as non-invasive reminder methods are a reduced violation of individual liberty and are more effective in decreasing the rates of defendants who do not show up for court.

Penal Populism and the Impact of Reform on the Administration of Justice

Despite evidence that retributive and overly punitive methods of punishment are ineffective in decreasing crime and recidivism rates, the stigmatization surrounding crime has led to a 'tough on crime' era in which there has been increased public support for a more retributive justice system (Jennings et al. 2016). One drawback in changing the rules of bail to become less punitive is that it is inconsistent with the concept of penal populism. Penal populism refers to the notion that public support and encouragement of severe forms of criminal justice affects policy, often resulting in more punitive sanctions regardless of whether those sanctions result in lower rates of crime or not (Turner 2014). Hence, less stringent bail could make the public lose confidence in the administration of justice. Any changes in the bail system that result in less punitive action and an emphasis on recognizance could be interpreted as evidence of a weak administration of justice. Specifically, it could be seen by members of society as the justice system favouring the rights of the alleged offender over the rights of the victim by allowing the accused to roam free within society without any supervision while waiting for their trial. Considering that the point of the administration of justice is to provide justice for all those who enter the legal system and maintain public confidence, the minimization of conditions for individuals accused of crimes could be misinterpreted as minimizing the damage done by accused parties. Consequently, this could tarnish the reputation of the administration of justice by creating public perception that the system is becoming soft on crime.

Alternatively, it is imperative to consider that the administration of justice is meant to provide impartiality for anyone who enters the justice system. The presumption of innocence must apply to anyone accused of a crime until that individual is proven guilty. Thus, the implementation of a less punitive bail system would bolster the administration of justice in the long run by actually maintaining impartiality. The Criminal Code provides guidelines detailing the instances where reasonable bail can be denied to an accused. Specifically, tertiary grounds state that bail can be denied to maintain the administration of justice (Department of Justice 2019 A). Here, maintaining the administration of justice entails the denial of bail for individuals accused of committing heinous crimes where the evidence is overwhelming, to retain public confidence. The recommended policy would not change the grounds for the denial of bail or make bail on recognizance easier to achieve for violent offenders. It would only modify bail for low-risk, non-serious offenders who would otherwise be released on recognizance or very few conditions. Evidence suggests that imposing restrictive conditions and supervision on low-risk defendants does not increase public safety and simply increases the risk of individual failure (Deshman and Myers 2014). Thus, these policies in practice

would not tarnish the administration of justice. However, for these policy changes to be effective, the public must be educated in order to end the stigmatization surrounding the criminal justice system. Part of this process involves politicians discouraging stigmatization through penal populism and the creation of further 'tough on crime' policies.

Conclusion

The right to be presumed innocent, the right to liberty, and the right to not be denied reasonable bail without just cause are guaranteed within the Charter. Section 515(10) of the Criminal Code implies that there is a presumption of release without condition unless reasonable grounds to impose remand or conditions are met. Yet, the bail system regularly discriminates against legally innocent individuals by imposing overly punitive and unreasonable conditions for those who would otherwise qualify for bail on recognizance. Hence, it further criminalizes legally innocent people because any violation of conditions immediately results in violation of conditions charges, thus increasing the defendant's involvement within the criminal justice system. To remedy this, liberty must be considered the norm. Policies that limit any imposed conditions to those that apply to each case must be implemented. Further, in situations where conditions are deemed necessary for low-risk offenders, there must be an emphasis on constructive forms of intervention over punitive forms of deterrence. The conditions enforced must be relative to the crime itself and the individual's risk factors. The personal, financial, and societal costs of the constant cycle of restricting legally innocent people through onerous conditions and then punishing them through further charges and remand is a dangerous cycle that simply cannot continue.

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The Emotional Rollercoaster of Correctional Officers: Not Just a Job

Claudia Marszalek

Abstract

Emotions are everywhere in our criminal justice system. However, society does not yet have a consensus on when to incorporate emotions and when to exclude them at the different stages and processes of the criminal justice system. This paper examines literature based on the role of emotions in punishment, specifically, how correctional officers are affected by emotionally intense work environments. In order to mobilize justice, society relies on correctional institutions to control the conditions of custody and punitive consequences. Prisons are emotionally painful not only for inmates, but officers as well. Emotions such as anxiety, sadness, or disgust can impact the way that officers control their own emotions and how they treat offenders. Punitive conditions and long-term exposure to violent and emotionally disturbed inmates becomes difficult for correctional officers to separate their work-selves from their societal-selves. The lack of training or preparation by Correctional Services Canada contributes to officers' deteriorating mental health. Further, gender differences between female and male correctional officers are not recognized in the minimal training that is offered. The 'one size fits all' approach continues to be employed when training officers on how to display and control emotions in punitive settings. The emotional intelligence training and practices that Correctional Services Canada offers is inadequate in order to appropriately prepare front line-workers with the emotional longevity to govern inmates. The existing issues that are reported on job posting websites and government sources continue to support the scholarly literature on emotional hardships that correctional officers experience.

In the Canadian Criminal Justice System, correctional institutions are emotionally intense environments where the strict control of emotional displays is expected from all correctional officers. Correctional officers deal directly with various offenders, and their assumed role of rehabilitator and punisher imposes a lot of pressure on officers to cope with their negative emotions to effectively govern the sporadic emotional displays of inmates. In this paper, I will examine how the exposure to emotionally intense correctional environments affects the well-being of officers and perpetuates deteriorating mental health that develops from the repression of emotions, especially anxiety and disgust (Canton 2015). Correctional officers are an important example of how emotions are addressed in the criminal justice system, and how prison officers are the frontline-workers that ensure offenders' legal rights are still upheld even in carceral environments. Correctional officers use their emotional intelligence skills to exercise punishment. However, officers are often expected to have emotional intelligence skills before applying for their job, rather than developing it through training modules delivered by Correctional Services of Canada. This lack of communication of information can pose detrimental effects on the manner in which officers cope and manage their

own anxieties and those of inmates. First, I will argue that although correctional officers are the frontline-workers in the correctional field, they lack coaching and guidance for administering justice in an emotionally intelligent manner. Second, there continues to be gender differences in the occupational culture of prisons. The methods to manipulate and control negative emotions between female and male prison officers must be personalized to match the particular level of training an officer will benefit from. In saying this, standardized approaches to emotional intelligence training are not effective, training must be tailored according to the varying needs and pre-existing level of knowledge of individuals. Customizable training would be a healthier and more effective way to maintain order and governance in carceral settings.

Today, the intended purpose of correctional institutions is to isolate law breakers from society while simultaneously rehabilitating them into competent and law-abiding citizens. The criminal justice system (CJS) has shifted to recognize the emotions behind punitive punishments that result in abuses of offenders in correctional facilities - emotionally and physically. The CJS contended to take an emotionally aware approach that includes a rehabilitative attitude towards punishment by considering the mental and emotional disorders that offenders largely develop during their terms of isolation. However, the justice system is also restructuring and extending criminal sentencing sanctions by imposing minimum sentences for offences that evoke particular emotions within society, such as fear and disgust (Crawley 2004; Manzella and West 2003; Ricciardelli and Spencer 2017). This divide between the importance of rehabilitation and punitive punishments in correctional facilities is often found to become a highly anxious and stressful profession. The unpredictable environment can easily become dangerous when officers are not adequately trained in directing their emotions in carceral settings, or do not know how to de-escalate situations without starting potentially volatile situations between the over-crowded prisoners and a shortage of prison officers.

Emotions in Carceral Settings

Over the last decade, criminologists have applied the evaluative approach to understand how the occupational culture affects correctional officers' emotions internal and external to the prison environment. According to Kahan and Nussbaum (1996), the evaluative approach states that emotions are shaped and formed through personal experiences and are seen as rational evaluations of context. In the correctional field, accountability is shifted onto correctional officers as they are trained and relied on to control their anxieties in order to administer custodial services in a humane yet punitive manner. By using the evaluative approach, officers' emotions may be trained in order to eliminate biased treatment

of offenders (Kahan and Nussbaum 1996). According to Bruhn, Lindberg and Nylander (2011), correctional officers must abide by formal procedures that control the intensity and regulation of emotional displays in order to refrain from invoking subjective biases or unfavourable treatment of offenders. Also, Sherman (2003) argues that the CJS is committed to including emotional intelligence awareness training that teaches skills to rationally evaluate the emotions of offenders when punishing their behaviour. It is important to evaluate the positive and negative emotional relationships between correctional officers and offenders because it indicates how inmates are punished formally and informally by officers. Adaptive emotional intelligence provides officers the proper training to regulate their anger, anxieties, and fears when handling inmates in order to better rehabilitate offenders. Furthermore, there are many gaps between the formal and informal punishment effects on emotions when communicating with offenders (Donta 2016). Prisons are emotionally painful not only for inmates, but officers as well (Crawley 2004; Sherman 2003; Tracy 2004; 2005). Emotions such as anxiety, sadness, disgust, and frustration manifest and impact how officers control their own emotions and treat offenders (Canton 2015; Crawley 2004; Kahan 1998). The approaches in which officers exercise emotional intelligence, or lack thereof, is often a result of two opposing positions on the occupational hierarchy which are confined together in highly emotionally charged environments (Kahan 1998).

This is interesting because the evidence suggests that even correctional officers are strained to only speak with each other and thus, are subject to a type of secondary isolation as a result of their work environment (Gazso and Ricciardelli 2013). Their emotions and ability to control them becomes more difficult with the more strain they experience as they are the frontline-workers dealing with offenders that are segregated from society (Bruhn et al. 2011; Ferdik and Smith 2016). When caring for inmates at face-value, it is expected for officers to be considerate of inmates' needs, yet preventing them from showing any vulnerabilities or overly emotional responses to problematic behaviour (Bruhn et al. 2011). Similarly, Ferdik and Smith (2016) found that when officers were trained to show less aggressive emotional displays and took a 'softer' approach to handling inmate complaints, this significantly reduced the number of violent inmate altercations. Officers are expected to rationalize their emotions and professionally deal with the inmate's anger instead of becoming violent and resorting to the 'one plus one' power dynamic (Griffiths 2014). The 'one plus one' concept may be described as the actions wherein officers are permitted to use one higher level of force than they are confronted with (Griffiths 2014). This is problematic since correctional officers are not properly trained on how to deflate emotional outbursts of inmates in the first place, possible aggravation and lack of emotional cognition

could hinder the effectiveness of open communication. This is especially true when the inmate is already acting violently and officers can automatically use force instead of engaging in voluntary communication to de-escalate the anxieties and anger of the offender.

Literature and Current Perceptions

Correctional officers may experience a wide spectrum of emotions on a daily basis. Anxiety is a significant emotion that officers are not trained to cope with. According to Crawley (2004), anxiety emerges in prisons due to the unpredictability of suddenly dangerous situations. To support the numerous claims of scholars, the Indeed Job Recruiting website can connect literature to recent published reviews that correctional officers, employed by the Correctional Services of Canada (CSC), wrote. Majority of the reviews support the notion that the carceral work environment has “considerable unpredictability in dealing with dangerous persons” (Retired Officer, 2012). Another officer stated that the workplace invokes a “constant state of hyper-vigilance [that] takes its toll on your body, mind, and well-being” (Correctional Officer II, February 2019). As can be conveyed, prison officers must constantly evaluate the potential of danger and learn how to self-cope with their anxiety in order to effectively supervise their units.

Moreover, Gazso and Ricciardelli (2013) argue that correctional officers who work in maximum security, segregation units, or wards that are dedicated to housing problematic inmates are more likely to develop strong negative emotional responses overtime. This may be due to the long-term exposure of inmates in distress and experiencing intense psychological pressures. Officers are expected to “manage the emotions of prisoners... perform emotions according to the occupational norms of the prison and ... keep their own ‘real-time’ emotions in check” (Crawley 2004:5). When prison officers work in harsher conditions, it tends to become more difficult to control their emotions and separate their work-selves from their societal-selves. Correctional officers’ psychological wellbeing and sociability deteriorated as they received higher expectations and pressures to de-emotionalize their interactions with offenders who deviate from moral norms (Crawley 2004; Gazso and Ricciardelli 2013). For example, the majority of correctional officers reported feelings of fear, anxiety, and isolation (Crawley 2004). Higgins and Tewksbury (2006) found a strong association between emotional dissonance and work-stress. This supports Schuck (2014) and Donta (2016) because when correctional staff has to abide by their emotional scripts and repress true emotions, the officer will exert higher levels of stress to control their feelings in emotionally controversial situations. Emotional dissonance can be described as the conflict between the correctional officers’ true emotions and the emotions that they

are required to show or repress with particular offenders, such as sex-offenders. As a result, the gap between emotions which are overtly expressed and the emotions that are inhibited can cause psychologically painful events and long-term traumas. Significantly, Gazso and Ricciardelli (2013) found that correctional officers' occupational emotional strain had impacted their life negatively. Negative emotions, in particular, anxiety, fear and isolation, were associated with mental health symptoms such as insomnia and paranoia outside of the correctional facility. Numerous officers asserted that they could not simply "leave their work at work" (Gazso and Ricciardelli 2013:112). This is a significant and relevant finding as it was exactly expressed by a correctional officer's review on Indeed; they supported the fact that "The Hardest Part of the Job: Leaving work at work" (Correctional Officer II, Current Employee as of February 2019). As can be seen, the research is relevant and representative of the true feelings and emotions officers continue to experience today. Furthermore, the role of disgust is a powerful emotion in correctional institutions because, especially seen in maximum prisons and protective custody units, correctional officers may be so set in their biases that they can coerce and exercise worse treatments upon inmates (Ricciardelli and Spencer 2017).

The association between power and disgust is apparent when placing levels of disgust on a social hierarchy of human action (Canton 2015; Kahan 1998). For example, Ricciardelli and Spencer (2017) found that correctional officers' overt displays of emotional disgust towards sex offenders has been problematic and tyrannical over this category of inmate. As officers are placed in more emotionally negative evoking environments, occupational structures influence the broader cultural values and perspectives of officers. Here, officers' preconceived emotions towards sex offenders often influence the manner in which the officer will treat the person. Officers bring biased emotions, even unintentionally, to work and consider sex offenders as 'not normal criminals' that are so repulsive they cannot be rehabilitated, unlike 'normal' offenders. As officers are placed in more emotionally negative evoking environments, occupational structures influence broader social and ethical values that distinguish morally good and bad behaviour (Kahan 1998). Emotions contribute to the divide of the 'us versus them' dichotomy that reinforces moral values and boundaries between offender and officers. Conflicting roles of punisher and rehabilitator becomes an obstacle because officers did not want to interact with offenders, yet were professionally obligated to despite their emotional condemnations. Moreover, correctional facilities are domestic institutions because the prison is a home to many inmates due to their lengthy sentences. The power structure resembles a family structure where correctional officers act as the parental figure in ensuring their needs are tended to and requests are kept up with

(Tracy 2005). Correctional officers take inmates' lives into their own hands and ensure that there is a civil balance in an easily hostile environment. As a result, officers unintentionally may form relationships with inmates that take on a parental or mentor role (Clifton and Tracy 2006; Côté and Yip 2013; Crawley 2004). For example, officers may experience sympathy and a profound feeling of compassion for particular inmates. At times, officers reported that their compassionate emotions allowed them to exercise their judgment-based decisions when interacting and ensuring particular inmates' needs are met. This influenced the ways officers interacted and felt emotionally, even external to their workplace environment.

Over time, stress and negative emotions resulted in more punitive punishments and interactions between correctional officers and inmates. Higgins and Tewksbury (2006) argue that correctional officers who reported high levels of stress were less likely to be productive and effectively engaged in their jobs. This is significant because it shows how emotional strain extends beyond the highly structured correctional institution. The prison has adverse effects even on officers, where their daily exposure to violent and threatening environments can consequently affect officers' sense of security even when they are not in their workplace (Bruhn et al. 2011; Crawley 2004; Ricciardelli and Spencer 2017). In light of these findings, there has been a growing trend to emotionalize the correctional workplace culture which would result in a positive change in the ways inmates are treated. Detachment and depersonalization are common techniques correctional officers employ in order to avoid being emotionally manipulated by inmates.

These techniques are important to acknowledge as it is counter-productive to use techniques of emotion-loss and repression, which is shown to have adverse psychological effects on correctional officers such as Post Traumatic Stress Disorder, displacement of anger, and a variety of anxiety and emotional disorders. Additionally, emotional intelligence programs are largely absent from required training procedures in CSC. According to Donta (2016), implementing emotional intelligence examinations would play a significant role in educating and providing strategies to cope with anxiety, disgust and fear for all ranks of correctional officers. In support, Schuck (2014) argues that officers who are better able to manage their emotional labour skills have more positive interactions with inmates across all levels of correctional facilities. Emotional intelligence provides officers with the proper training to regulate their anger, anxieties, and fears when handling inmates who may be sympathized with or ethically condemned in disgust.

Emotions and Correctional Services of Canada

In order to thoroughly investigate what types of emotional intelligence training is provided to prospective correctional officers, I sorted through the CSC website to find exactly what training is required to become an officer. To my dismay, unable to find relevant information; I contacted the training centre via email inquiring about the required training that officers would receive in relevance to controlling emotions and those of inmates. Disappointingly, I received two links: the first, was the link to the physical fitness and aptitude test that would require examination and, the second link was directed to an 'Effective Communication' section. This section simply focused on "effective speech... listening skills... cross-cultural communication ... professionalism" (Correctional Services of Canada 2019). Throughout the website there was no indication of training or guidelines on how to cope with regulating personal emotions in intensive and morally controversial environments. The only testing or examination requirement is a fitness test. Emotional intelligence is simply implied to be a personally acquired skill that is expected from the employee before applying, receiving, and accepting the job offer.

The Canadian government has acknowledged the gaps between emotional and physical training, and increased programs devoted to emotional awareness to educate correctional officers on cognition of emotion (Manzella and West 2003). Pilot emotional intelligence training programs are claimed to be based on emotional cognition to equip officers with the ability to understand the source of their emotions, and how to professionally act upon them in order to treat offenders in a unified and emotionally sensitive manner. Cognition refers to mental states and emotions that are evaluated over time, for example, "sleeping on" certain decisions. Cognitive emotional intelligence may be a significant component in training programs. This is because when officers experience anxiety, they will be better able to understand the root causes of that emotion, whether it stems from fear, anger, or hostility towards particular offenders (Manzella and West 2003). By cognitively evaluating the source of officers' and offenders' emotions, they will be more proficient in controlling emotional displays and constructing scripts when speaking directly to inmates. Instead of losing patience or using de-attachment techniques of emotion-loss, officers will be able to hone their ability to cope with anxiety, which may improve how particular officers will impose punishments and forceful actions upon the emotionally hostile inmate. Emotional cognition will be more effective in toning down the violence that officers exercise over inmates due to the lack of sympathy and ability to discern their own emotions when treating inmates humanely.

Emotional intelligence training is important because it is related to correctional officers' emotion-understanding ability. Correctional officers with high emotion-understanding ability are more likely to cognitively frame their emotions in order to identify the reasons behind the anxieties and intense emotions they experience or must cope with (Côté and Yip 2013; Manzella and West 2003). This is significant because it means that correctional officers with low emotion-understanding ability will attribute their negative emotions to incorrect reasons or sources which can lead to cruel treatment of offenders. Additionally, Côté and Yip (2013) found that when individuals are more self-aware of their emotions, they were better able to control negative environments and situations from an objective and professional perspective. This is related to anxiety in particular because correctional officers with lower levels of emotion-understanding ability are more susceptible to emotional manipulation exerted by offenders, which results in employing harsher and forceful routines on problematic inmates. Therefore, correctional officers who have lower cognitive abilities to control their emotions may tend to make impatient decisions and are more vulnerable to negative emotions and outbursts.

Gendered Implications in the Criminal Justice System

The legal field has traditionally been dominated by male actors in virtually all levels of the CJS. In saying this, women are often excluded from research based on emotions and punishment. Schuck (2014) contends that correctional organizations continue to be gendered as hegemonic masculinity is embedded into the organizational culture. Moreover, numerous studies found that female officers are more effective in de-escalating potentially violent offenders and situations that may arise in correctional facilities. Female officers displayed higher levels of emotional awareness and 'soft' communication skills in the corrections field (Donta 2016). In support, Schuck (2014) argues that females are better at creating an emotional script that necessitates the ability to balance subjective emotions, such as empathy and sadness, with de-sensitized formal procedures, such as strict self-control when interacting with problematic or mentally ill inmates. The evaluative approach was seen even in Schuck's article. For example, female officers were better capable of evaluating possible communication techniques in emotionally stressful and hostile situations by being able to construct appropriate emotional displays. This may be because, according to Higgins and Tewksbury (2006), female correctional officers report higher levels of stress and anxiety due to their vulnerability of harassment. The harassment extended beyond inmates to other correctional coworkers working in the same environment. Additionally, Clifton and Tracey (2006) argue that females are better at controlling and coping with their anxieties and pressures because

taking care of others, cleaning, and disciplining in a lecturing approach is hegemonically “associated with femininity and mothering” (Clifton and Tracey 2006:19). This may be the product of conventional stereotypes that associate women with caring for others and being better at emotional labour and relationships to create a supportive and domestic environment even when there is conflict (Schuck 2014). Since women are more likely to develop anxieties from their work environment, they personally learn how to cope with their emotions in order to conform to the façade of male toughness and professionalism. Thus, hegemonic masculinity and the breakdown of this masculine ideal of emotional detachment may be beneficial when male correctional officers cognitively evaluate the source of their anxieties in order not to cruelly and unusually punish offenders based on their emotional passions.

Across the analyzed literature, scholars assert that even though women are more vulnerable to negative emotions such as anxiety, they performed their emotional labour better than men and were able to control their emotions and those of inmates by using communication instead of violence (Donta 2016; Higgins and Tewksbury 2006; Schuck 2014). Interestingly, Wyse (2013) found that offenders who spoke with female officers were more likely to express their emotional needs and begin a respectful relationship that fostered sympathy and compassion. Emotional stability and care were primary factors in the informal therapy sessions that took place between many officers and offenders. More often, female officers actively engaged in emotionally intelligent responses, such as therapeutic conversation to help work through inmates’ negative emotions, whereas males were statistically more violent when approaching problematic inmates. Emotional intelligence lead training would be beneficial for males when actively working through anxiety and disgust as they are immersed in a hegemonic culture of violence.

Conclusion

Overall, there continues to be a lack of literature and research on gendered emotional intelligence training. This can be a result of the training programs not being mandated nationally, or simply due to lumping genders together in research and training sessions as equals. Thus, there must be a change in training officers on rationalization techniques, appropriately managing emotions, and creating emotional scripts intended to strategically use their emotional intelligence to get inmates to cooperate. Apart from the rehabilitation of offenders, a central theme in the CJS, the emotional rehabilitation of officers must also be considered. There is a complete lack of statistics made available about the job satisfaction, mental health wellbeing, and other information about correctional officers in Canada. Statistics

Canada does not have a variety of information on the stresses and emotionally intense environments that lead to CO's mental health deterioration. In conclusion, the literature reflects a broad spectrum of how correctional officers' emotions vary and how negative emotions can significantly impact the way officers treat inmates and how they cope with their emotions within and outside of the correctional workplace. Anxiety, fear, disgust, and empathy are all dominant and intensified emotions due to the front line-working aspect as a part of prison occupational culture. These emotions affect the punishments employed by officers, as well as their emotional states and mental health outside of correctional institutions. Hence the rehabilitation of offenders is a central theme in the criminal justice system, however, emotional rehabilitation of officers must be considered and be made a priority in order to better equip officers with emotional intelligence-based training.

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Institutional Racism in Canada: Indigenous Lived Realities

Sierra Fonseca

Abstract

The Indigenous experience in Canada unveils contexts regarding forceful removal from their land through colonization as well as the occurrence of subsequent problematic indignities which have placed this marginalized group in a position of severe continual disadvantage. Based on a review of existing academic sociological literature, evidence displays how institutional racism, seen through legislative changes or healthcare practices, has facilitated continuous oppression in the communities of Indigenous peoples. Utilizing the 1876 *Indian Act* and reference to the *Canadian Indian Residential School System*, the claims will be supported by displaying how these examples of institutional legislation have provided the groundwork for seemingly covert racism of Indigenous peoples as compared to their White counterparts. Findings suggest that references to the *1876 Indian Act* and the *Canadian Indian Residential School System* display continual institutional racism which refutes the Canadian ideology of inclusivity and equality. Although both factors are abolished, evidence gathered in the article displays that institutional racism persists in both legislative and social levels for Indigenous communities.

Racism in Canada is a contentious, and oftentimes disregarded, topic of discussion in academic literature. This paper will examine how Indigenous peoples experience racism within Canada, despite the Canadian guise of being multicultural, diverse, and colour-blind. Based on a review of existing sociological literature and additional non-academic sources, this paper will establish how Indigenous peoples experience racial discrimination within Canada. Additionally, I will examine how said discrimination transcends into lived realities, both in contemporary contexts and throughout Canada's history. Given that there seems to be a belief that racism does not exist within Canadian borders, it is fundamental to examine how this belief is unfounded and contradicts the lived experiences of Indigenous peoples through institutional and societal racism. This paper will contextualize these claims through an analysis of the 1876 Indian Act and the Canadian Indian Residential School System to demonstrate how these events have established a foundation for institutional racism against Indigenous peoples, such as through health care at both the legislative and social levels.

Inferences of Anti-Indigenous Racism

Racism is a pervasive, multidimensional practice that has spanned and tainted Canada since the beginning of its formation. Despite race being a social construct, it has served as an effective tool to determine and reinforce paradigms of which racialized identities are superior, which are inferior, and has legitimized

inequalities and hierarchies based on these notions (Backhouse 1999). Furthermore, racism has also been used as an effective tool in the justification of prohibiting racialized communities from "maintain[ing] their own identities, cultures, and spiritual beliefs" in comparison to the privileges accorded to the dominant White race (Backhouse 1999:15). Canada, in particular, has been built on the foundations of racism and the entitlement accorded to the non-racialized White race, further entrenching their privileges within Canadian society (Allan & Smylie 2015:5). Through these undisputed practices, racism informs how people of colour experience the world around them—be it in the past, future, or the present. Anti-Indigenous racism is defined as the continued discrimination of Indigenous peoples based on their race and state-constructed identities, which fortifies the continuous struggles that these communities face (Government of Ontario 2019). It maintains itself through the notion that Indigenous peoples are inferior to non-Indigenous Canadians, which in and of itself allows racism to flourish through the barriers imposed from Canada's racist past, as well as entrenched, discriminating practices within the present (Government of Ontario 2019). These practices remain continuous because "Canadians are not used to the framing of their past as violent and ongoing. [Canadian histories have been written] as a benevolent, peaceful and ... [as a] natural progression from a resource-rich hinterland to a modern multicultural state" (McCallum & Perry 2018:5-6). Thus, ignorance to the true racialized formation of Canada allows these practices to remain continuous—all the while burying the racist and discriminatory foundation of Canada.

Historical Context of Indigenous Colonization in Canada

To understand the origins of racism inflicted upon Indigenous peoples, it is fundamental to examine the colonization of Aboriginal land. Canada was founded through colonization, through which European political power exerted control over Indigenous land and claimed ownership of that domain. Colonizers used ideologies of race as a justification for the pitiless exploitation of Indigenous peoples, who were deemed as inferior and defined as savages—needing to be controlled and turned into a 'civilized population' (Backhouse 1999:5). For Indigenous peoples, this meant being forced to leave their lands, break apart their communities, and dissipate their culture to assimilate into mainstream Canadian life (FemNetNorth 2016). According to McCallum and Perry (2018), "Indigenous people in such renderings of history have a very little role—removed or erased from the land to facilitate settlement and resource extraction" (McCallum & Perry 2018:5-6).

Subjected to the unquestionable power of the European colonizers, Indigenous peoples were victimized, and continue to be victimized, through the need to define Indigenous communities as the 'other' and/or as peoples in need of being controlled and civilized.

The 1493 Doctrine of Discovery

The extermination and displacement of Indigenous peoples from their land was first validated under the 1493 Doctrine of Discovery, whereby European colonizers were permitted to claim ownership of land if non-Christians inhabited the space, and to, therefore, consider the land "free to be taken" (FemNetNorth 2016:3). This was the case when the Europeans first arrived at Turtle Island, known today as North America, and claimed ownership of Indigenous land (FemNetNorth 2016:3). Prior to the Doctrine, it is fundamental to note that Indigenous peoples had their own governing apparatuses as well as treaties with other Indigenous nations to share the land while maintaining a sacred relationship with Mother Earth (Lindberg 2010:89). Despite the Doctrine ruling that European colonizers could presume the land was available to take, Indigenous peoples have inherent rights to Canadian land because these lands were inherited from their ancestors throughout generational lines with specific "meanings, philosophies, world views and laws" applicable to Indigenous life (Lindberg 2010:90). Of course, the presumption that this land was free to be taken if not occupied under the mandates of the European, Christian colonizers is racist in and of itself.

This presumption continues to subjugate Indigenous peoples through the notion that their lives, bodies, spirit, religion, and culture are of lesser value than the dominant White race. Upon the arrival of non-Indigenous peoples to Turtle Island in the 1500s, the two populations attempted, and were successful for the most part, to co-exist. This was also evident through The Royal Proclamation of 1763 acknowledging that First Nation communities have rights to their North American lands and that treaties would be the most appropriate legal measure for First Nations "to release control of their lands" (FemNetNorth 2016:3). Nevertheless, Lindberg (2010) states that when European "economic, numeric, or military power" surpassed that of the Indigenous peoples, European powers became the most robust in governing and taking control of the land (Lindberg 2010:92). Furthermore, Indigenous peoples did not abide by the superior European settlers' religions, economies, laws, or governing matters, which cemented the notion of Indigenous peoples being deserving of fewer rights under European rule (Lindberg 2010:94). However, it is fundamental to note that because Indigenous laws were attached to the land before European settlement, "colonizers broke and continue to break Indigenous laws" (Lindberg 2010:90). European settlers, however, saw themselves

as superior and bearing some sort of righteousness to the land, which continues to serve as the basis for the constant subjugation, victimization, and traumatization of Indigenous peoples and their lands. The aforementioned attempts at co-existing were purposely broken apart at the time of Canadian Confederation in 1867. This period marked a time when the British Crown deemed that Indigenous peoples were now a barrier to inhabiting Canadian land, and forced treaties upon their communities to displace them from their domains in order for Europeans to claim ownership of, and extract resources from, Indigenous land (FemNetNorth 2016:4). During this time, Indigenous peoples were vulnerable because the Europeans were bringing foreign, overseas illnesses onto their lands, which was wiping out their population (FemNetNorth 2016). In addition, these communities were suffering from severe impoverishment and famine (FemNetNorth 2016). Out of this sense of hopelessness, Indigenous peoples signed the treaties that exterminated them from their land and subsequent resources—in an attempt to keep their communities strong in the face of European power that was ruthlessly working to ‘rid themselves’ of Indigenous peoples altogether.

The 1876 Indian Act

In 1876, the Indian Act was created to govern and control all aspects of Indigenous life concerning their reserves, bands, as well as who can and cannot obtain the status of 'Indian', in an attempt to assimilate Aboriginals into mainstream Canadian life (Coates 2008). It mandated that Indigenous peoples were to be separated until prepared to assimilate into the dominant culture, allowing the government to take a paternalistic, racialized stance on governing their lives (Coates 2008:2). For instance, Indigenous peoples were forced onto reserves to allow European settlers to reside on their land for resource extraction and could be forced off without approval to build infrastructure (FemNetNorth 2016:4). The Act also prohibited Indigenous peoples from voting, and mandated that their status can be revoked if the legal requirements of the Act were not complied with. Likewise, their status can be ‘granted’ at the hand of the government once the 'Indian' was prepared to assimilate into the mainstream Canadian life through, for example, educational avenues (Coates 2008:3-4). Furthermore, the Act "disrupt[ed] traditional economies [through] cutting off sources of food and [therefore] manufacturing food dependencies on colonial authorities" (Allan & Smylie 2015:2). The embodiment of the Indian Act, as well as the fact that it is still in effect (although amended) in the present, demonstrates the fundamental notion that Indigenous peoples are inferior to nonIndigenous Canadian citizens, and how these beliefs have remained constant throughout time.

The Residential School System

One must understand that this ongoing traumatization is fundamental to the process of settler colonialism "as a structure, not an event; as ongoing and diffuse rather than historical and contained" (McCallum & Perry 2018:7). The need for Canada to first form a White settler state, to enforce White Supremacy, and to continue to reinforce the ongoing process of colonization propping up Canada's inherent White foundation, is evident through the forceful removal and "discipline" of Indigenous peoples into the Canadian Residential Schools (McCallum & Perry 2018:16). These racist roots continue to weave themselves throughout Canadian history into the 1870s when the need to separate the inferior and savage 'Indians'-to "kill the Indian in the child"- was justified under Residential Schools (Allan & Smylie 2015:7). The inherently racist purpose of the Residential Schools was to further assimilate Indigenous peoples into Canadian culture, to convert them to the dominant religion of Christianity, and to encourage these traumatized children "to despise their Indigenous identities" (Wolford & Gracek 2016:404). These institutions were the voice of the Canadian government articulating the need, once again, to continue attempting to destabilize and destroy the Aboriginal peoples.

Indigenous children were to be enrolled in these schools from the ages of 4 until about 19 and to spend a total of ten to twelve months separated from their families (Wolford & Gracek 2016:404). Within these schools, children suffered from physical and sexual abuse, were expected to work to afford their education as well as to support the Christian church, and suffered from malnutrition, illnesses and a lack of health care, amongst several other atrocities (Wolford & Gracek 2016:404). Until the closure of the final Residential School in 1996, 150,000 Indigenous children were entered into these schools and about 6,000 children died within its walls (Wolford & Gracek 2016:404). These merciless deaths occurred under the terrible conditions within these institutions under the failure of the Canadian government. What is of importance to note is that the deaths have been considered to be a manslaughter of the Indigenous peoples at the hand of governance that is meant to protect all citizens (Milloy & McCallum 2017). Seeing as though the government is responsible for ensuring the protection of its peoples, these realities for Indigenous peoples are a fundamental failure of the Canadian government in being held accountable for said protection. Indigenous children who survived left feeling traumatized, detached from their cultures, and unable to return home as a result thereof, while also not feeling closer to the dominant White culture that each of the children were expected to conform and assimilate into (Wolford & Gracek 2016:404). Thus, the Canadian Residential Schools served as an explicit and blatant

attempt to re-enforce Indigenous peoples being inferior to the dominant White Canadian, and in doing so, Canada had to sacrifice Indigenous children to systematically reinforce these racist ideologies. These laws and policies to subjugate Indigenous peoples and to force them into the Residential Schools provide the unquestionable political material foundation to demonstrate Canada's desire to rid themselves of the Indigenous peoples and future Indigenous generational lines.

Institutional Racism within Health Care

As a result of these aforementioned racist histories, Canada's legislation has forced Indigenous communities to suffer from disparities in health care, both at the legislative and social levels. Canada's legislation has placed Indigenous peoples at a disadvantage since the beginning of European settlement. Blatant attempts to clear Canada's name and to prop itself up as colour-blind are ineffective, and according to Lindberg (2010), it would be a fundamental mistake to assume that "de-racializing the surface de-systematizes the system which perpetuates itself based upon Indigenous (rights, claims, laws, peoples) inferiority" (Lindberg 2010:93). Therefore, it is fundamental to examine the disparities in Indigenous health care at the legislative and social levels as an ongoing process of colonization and continuous racism at the hands of the Canadian government, and what these racist histories have done to destabilize Indigenous peoples.

From the legislative level, colonialism has entrenched racism towards Indigenous peoples and has shaped the policies that seek to control and restrict their communities. Under the Indian Act, ideas of who can and cannot be included as status 'Indian' restricts non-status 'Indians' from adequate health care, despite encountering the same disparities as status 'Indians'. For example, the Non-Insured Health Benefits (NIHB) Program provides health care services to those identified under these state-constructed identities (status First Nations and Inuit peoples) but not to Métis and non-status First Nations (Allan & Smylie 2015:9). Moreover, the NIHB Program in and of itself is inadequate, as issues remain pertaining to accessing health care on-reserves, in remote communities, as well as being approved to receive these medical services (Allan & Smylie 2015:23). Nevertheless, adequate data on the inadequacies in Indigenous health care is scarce due to "inconsistent, inconclusive, and unreliable documentation" which also excludes non-Status First Nations and Métis peoples (Kitching et al. 2019:2). Thus, an adequate change in these realities is unable to be made due to a lack of prioritization and care in addressing these individuals. This ongoing process of colonization manifests itself through the notions of which Indigenous identities are 'allowed' to receive Canadian healthcare under these state-constructed identities.

Therefore, these processes "involved a much broader social, cultural, and political agenda that involved the organization of special [healthcare] services and programs for Indigenous peoples" (McCallum & Perry 2018:15). The legislation also serves to disregard and replace "Indigenous knowledge related to health," disregarding the need for a separate "Indian Health Services" apparatus (McCallum & Perry 2018:15). These restrictions operate to ensure that Indigenous peoples' health continues to deteriorate under continuous displacement and removal. Moreover, the Residential Schools have left Aboriginal peoples suffering from "rippling multigenerational effects" and with extreme disparities in their health care in comparison to non-Aboriginal peoples (Allan & Smylie 2015:7). This has left these communities more susceptible to higher levels of sexual and/or physical violence, substance abuse, as well as health issues and mental health issues that remain difficult to treat due to this fundamental discrimination (Allan & Smylie 2015; Wolford & Gracek 2016:404). When these disparities are not met with the crucial understanding that these stem from practices of racism, these notions "re-centre and privilege Whiteness as the normative perspective" (McCallum & Perry 2018:13). Through this, remedial attempts by the Canadian government to address their failure, albeit limited, continue to undermine these communities and disregard their traditions and knowledge—putting a band-aid on a deeply-rooted situation without an acknowledgement in destabilizing the racist root of these disparities.

From the social level, Indigenous peoples suffer from the racism inflicted on them amongst non-Indigenous populations based on their appearance and identification as Indigenous. Kitching et al. (2019) argues that Indigenous peoples face these discrepancies due to racist beliefs that "contribute to procedural neglect (care behaviour that falls short of the standards that constitute good care) and caring neglect (care behaviour that leads to the belief that health care staff "do not care")" (Kitching et al. 2019:2). Furthermore, Aboriginal peoples face inequalities within these settings through "negative behaviours such as insults and unfair treatment" as well as "non-verbal communication" that discriminates against them and subjugates them to deteriorating health (Kitching et al. 2019:2). Brian Sinclair's case, amongst several others, is one example of this neglect. Brian Sinclair was a non-Status First Nations man residing in Winnipeg, Manitoba. In September of 2008, Sinclair wheeled himself into the Health Sciences Centre (HSC), a hospital in Winnipeg, to be treated for a bladder infection (McCallum & Perry 2018:1). When Sinclair arrived, he was not registered properly by the Triage Nurses, despite each individual who arrived after Sinclair being properly registered (McCallum & Perry 2018: 20). Sinclair then wheeled himself to the corner of the emergency room, where he remained unattended for 34 hours, despite other individuals having expressed their concerns for his wellbeing (McCallum & Perry 2018). Even after

Sinclair had vomited on himself several times, the hospital staff refused to check up on him because it was assumed that he had been discharged, was homeless, or was intoxicated (McCallum & Perry 2018:22). After 34 hours of being unattended to and several denied requests from other patients to check up on Sinclair, the hospital staff decided to fulfill the request of one woman who believed he was dead (McCallum & Perry 2018). Sinclair was, in fact, dead. Despite several unsuccessful attempts to revive him, he died from a treatable and ignored bladder infection. Brian Sinclair was "not [visible] as a patient—despite being in a wheelchair, in an ER, with obvious signs of medical distress that were recognized by other patients" (McCallum & Perry 2018:26). Rather, Sinclair was visible as a presumably intoxicated or homeless Indigenous man, not deserving of care because being intoxicated or homeless are viewed as 'decisions' by Indigenous people and not framed through overarching structures of racism. In fact, the autopsy stated that Sinclair had not a single trace of drugs or alcohol in his body at the time of his death (McCallum & Perry 2018:25). The death of Brian Sinclair is not an isolated incident and cannot be treated as such. Sinclair's death is evidence of, "a particular structure of indifference born of and maintained by colonialism," being "the result of racism, of indifference, of a lack of empathy, and of staff choosing consistently to refuse care to an Indigenous person" (McCallum & Perry 2018:1, 192). Separating the death of Sinclair and other similar racialized failures of Canadian health care seeks to "misunderstand and underestimate the context—the structures—that shape [racialized Indigenous] experiences" (McCallum & Perry 2018:14). These overarching structures maintain themselves as Canada willfully ignores its continuous victimization of Indigenous communities.

This form of institutional racism against Indigenous peoples is extensive and longstanding, impacting whether or not these communities trust healthcare providers in tending to their concerns. For instance, Indigenous peoples have "strategize[d] around anticipating racism before visiting the [ER] or, in some cases, avoid care altogether" as a result of the subsequent racialized effects of their appearance, and that appearing Indigenous coupled with the belief that their communities are poorer than, and inferior to, non-Indigenous peoples can result in "a lack of credibility and/or negatively influence their chances of receiving help" (Allan & Smylie 2015:2-3, 9). Within health care settings, health care providers have also expressed negative perceptions toward Indigenous peoples, toward their abilities to decide what should and should not be done to their bodies, and whether or not their healthcare needs are being met (McCallum & Boyer 2018:190). In fact, discrimination amongst health care providers is a major determinant of whether or not Indigenous healthcare needs are being met (Kitching et al. 2019:7). For example, about "27.3% of the Indigenous population in Toronto has self-reported unmet

health needs" versus the "national estimate of 16.2% of Indigenous peoples" having unmet health needs (Kitching et al. 2019:8). These disparities, despite being under-researched, occur under the ongoing process of colonization, restricting these communities from adequate care specific to Indigenous communities and culture, and speaking to a larger issue within Canadian health care that systematically and racially places these communities at a disadvantage (Kitching et al. 2019:8; McCallum & Boyer 2018:190). Without extensive research into these inadequacies, change is impossible to make, and Indigenous communities will continue to suffer.

Conclusion

As a whole, Indigenous peoples do, in fact, experience racism in Canada through the victimization of European colonialism, the 1876 Indian Act, as well as the Canadian Residential Schools. However, these are few in a plethora of instances through which Canada's assertion of being multicultural, diverse, and colour-blind is in direct contestation with their actions. Despite this pretense, Indigenous peoples are a prime example of how racial discrimination continues to occur within Canada, despite the unfounded belief that said racism does not exist within Canadian borders. These issues persist, in the same manner that "Indigenous experience exists in spite of efforts to remove and destroy Indigenous peoples, or more casually, to ignore or singularly pathologize them" (McCallum & Perry 2018:7). Understanding how the Canadian government has allowed these disparities to occur over time, in the past and in the present, is fundamental to understanding how people of colour, and Indigenous peoples, in particular, continue to experience systemic racism within Canada.

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Colonialism and National Myth-Making in Canadian Museums

Grace Kwan

Abstract

Canadian national mythology promotes the widespread idea of a peaceful, tolerant, multicultural nation built by and composed of immigrants. This mythology functions to sustain the ongoing settler colonialism and genocide of Indigenous peoples in Canada. Using a case study of the Canadian Museum for Human Rights in Winnipeg, Manitoba, I demonstrate how such a national mythology denies Indigenous claims to the space, relegates Indigenous peoples to the pre-modern or already extinct, and erases their resistance to and struggles with colonization from the here and now. Institutions such as the Museum operate as part of a larger national and political context which nurtures and sustains nationalist mythologies establishing Canada's white settler society.

Canadian national mythology promotes the widespread idea of a peaceful, tolerant, multicultural nation built by and composed of immigrants. This mythology not only advances a false image of white settlers as the "original immigrants" to Canada or the rightful inhabitants of Canadian land, but also functions to sustain the ongoing settler colonialism and genocide of Indigenous peoples in Canada. This is achieved by denying Indigenous claims to the space, relegating Indigenous peoples to the pre-modern or already extinct, and erasing their resistance to and struggles with colonization from the here and now. In this essay, I begin with a discussion of spatial analyses in examining settler colonialism and Canadian nationalist myth-making, reflecting on Razack's (2002) theory.

I move on to an analysis of Canadian museums as a mode of national memory formation which sustains and upholds the colonization and genocide of Indigenous communities. I will delve into a case study of the Canadian Museum for Human Rights in Winnipeg, Manitoba and examine how collaborative efforts between the museum and local Indigenous groups shaped the development/ architecture of the building and content. I compare the CMHR's claims and values regarding representation of human rights with its treatment of Indigenous peoples and issues, drawing on accounts by Logan (2014) and Lehrer (2015). Finally, I draw connections from the *Canadian Museum for Human Rights* to other exhibits of Canadian nationalist myth-making which work together to uphold the white settler society.

Background

The white settler society is not only a racial phenomenon but also a spatial narrative (Razack 2002). Razack (2002) emphasizes the importance of spaces in sustaining unequal social relations and social relations in shaping spaces. Canadian nationalist mythology especially benefits from a spatial analysis. Nationalist mythologies are stories about a nation's origins and history which allow citizens to conceptualize themselves as part of a community (Razack 2002). National stories that establish the groups that belong in the space of "Canada," and subsequently the groups that do not belong, implicate a racial story as well as a spatial story (Razack 2002). Such stories, including multicultural narratives that attempt to unify racial and ethnic groups or claim reciprocity and equality in stories of European settlement in Canada, overlook the displacement and extermination of Indigenous populations (Razack 2002; Mackey 1998). The white settler society, established by Europeans on non-European land, originates from the dispossession and near extermination of Indigenous populations by colonizers who saw themselves as the rightful and entitled inhabitants of the land (Razack 2002). National mythologies in North America continue to deny this violent conquest and cultural genocide, selling in its place the fantasy of a peacefully settled North America whose settlers, white Europeans, are natural inhabitants of the land (Razack 2002; Mackey 1998).

Such mythologies not only promote ideologies of white settler belongingness in Canada as rightfully earned, but also relegate the existence of Indigenous peoples, societies, cultures, and issues to the past and the pre-modern (Razack 2002). The erasure of Indigenous peoples and the entitlement of European settlers to Canadian spaces are achieved through the imagining of "already inhabited nations" as "uninhabited if the people were not Christian, not agricultural, not commercial, not 'sufficiently evolved' or simply in the way" (Razack 2002:3) in the doctrines of discovery and *terra nullius*. The doctrine of discovery, the doctrine of *terra nullius*, and the "dying race" paradigm which situates Indigenous populations as already on their way toward extinction and therefore not a living, modern population (Logan 2014) work together. These doctrines push Indigenous peoples out of the temporal space of modernity, discursively and physically*. This exclusion of Indigenous cultures and populations from modernity then functions to justify and entitle white settlers occupying the Canadian space. "Space" includes properties and institutions such as schools. Schick (2000), for instance, writes about how white academics who claim liberal values of equity and tolerance reconfirm a university space as white and white-dominant even when the university population

is not composed of a white majority. Schick's (2000:71) research focuses on students of a teacher-education program at the University of Saskatchewan, where a multicultural course was mandated as part of the program to "produce teachers who can teach 'students from majority and minority backgrounds.'" Students had negative responses to the course and took up moral and ethical issues with it, stating that they felt alienated or saw it as "a form of reverse discrimination" (Shick 2000:74). Multicultural education challenges Canadian national narratives which establish and legitimize European settlers as "original inhabitants" of the land and silence the claims of Indigenous peoples (Schick 2000). But in the context of white-dominated institutions such as the university, such education also functions to legitimate white entitlement and dominance by centring white knowledge and rationality and establishing white students as credible, non-racist, liberal individuals (Schick 2000).

Canadian museums are another important institution where this spatial erasure takes place. Museums in Canada have historically relegated Indigenous peoples to the position of the marginalized "Other" (Logan 2014). Indigenous peoples have struggled to have their stories and histories represented in Canadian museums — most significantly, their narratives of settler colonial genocide committed against them (Logan 2014). Today, Canadian museums work more closely with Indigenous communities on exhibits involving Indigenous heritage than they did in the past (Logan 2014). As they come under scrutiny for their responsibility in public advocacy and civic engagement, museums and their contributions to national identity and social conscience have been charged with the imperative to build "positive action" and include more marginalized voices (Logan 2014:117). Canadian museums have moved forward from simply stealing and appropriating Indigenous artefacts as remembrance of a "dying race" and assisting in the neglect of Indigenous populations by promoting the logic that these populations were just going to perish anyways (Logan 2014:116). But although Canadian museums increasingly involve Indigenous communities in their institutions, museums still stand as barriers to proper representation of Indigenous narratives of their own heritages (Logan 2014). Museums regard Indigenous artefacts, and by extension, Indigenous cultures and struggles, as relics of the past (Logan 2014). This shapes the way in which museums represent Indigenous heritage and settler colonialism, working to uphold national mythologies that legitimize white entitlement to Canadian space while erasing Indigenous claims to land and relegating Indigenous peoples to the pre-modern.

Case Study: The Canadian Museum for Human Rights

Indigenous narratives of settler colonial genocide live on in Indigenous oral histories and stories, but Canadian museums fail to accurately portray settler colonial genocide in North America (Logan 2014). Unlike their framing of “official” genocides such as the Holocaust, museum representations of atrocities committed against Indigenous peoples depict single, discrete episodes that are not a part of a larger genocidal intention or pattern (Logan 2014; Lehrer 2015). According to Logan (2014), a curator at the *Canadian Museum for Human Rights* (CMHR), the CMHR matches every mention of state-perpetrated violence against Indigenous peoples in Canada with a statement indicating an act of reconciliation or apology by the government. This framing — or, lack of framing — is one of many ways that the state erases Indigenous voices and absolves itself of responsibility in cultural genocide. As Lehrer (2015:1197) remarks, the CMHR’s human rights discourse allows us “to cringe, sigh, and rebuke, but not be challenged on how our own cultural beliefs and political systems may be bound up in the suffering of others.” These framings do not only acquit Canada of ongoing colonization; they also work to naturalize past European colonization as peaceful settlement that did not involve the violent displacement of Indigenous populations and cultures. In the process, Indigenous narratives, land claims, and struggles are delegitimized and rendered invisible in the space that was stolen from them.

Even before the CMHR first opened its doors to the public, it became a site of controversy and multiple conflicts. The first national museum built from the ground up since 1967, the CMHR was modelled after other human rights projects such as the United States Holocaust Memorial Museum (Logan 2014). The museum sits at the Forks of the Red and Assiniboine Rivers, a position that comes at the cost of the archaeological excavation of a piece of Treaty 1 land that constitutes a sacred space and ancient meeting place for First Nations and Metis (Logan 2014; Lehrer 2015). The museum did not seem to make much effort to consult with First Nations and Metis communities regarding the archaeological digs, as the digs occurred from 2008 to 2012 but the museum only planned a meeting with First Nations and Metis experts in late 2013 (Logan 2014). The literal foundations of the CMHR’s building form the basis for the museum’s contentious treatment of Indigenous issues. The building of the CMHR is a concrete, vivid instance of the disregard for Indigenous claims to land that operates to push Indigenous communities out of spaces which are then constituted as rightfully Canadian land. In line with the Holocaust museum, which inspired its development, the CMHR conceptualizes an

understanding of human rights centred around the Holocaust and other officially recognized genocides (Lehrer 2015; Logan 2014). In contrast to the narratives and framings of these overseas genocides, the CMHR touts features such as the “Indigenous Perspectives” gallery, an “imposing circular theater in the shape of a woven wooden basket housing” in which films about Indigenous rights and stories as well as hanging Indigenous artworks can be viewed (Lehrer 2015:1199). Visitors in this gallery may also see a series of small photographs depicting “scenes of apparent Indigenous activism,” such as protesters calling for “water rights” (Lehrer 2015:1200). These features emerge from a context in which Logan (2014), as a curator at the CMHR, was asked to remove the label of “genocide” from different displays and to balance coverage of Indigenous suffering with the government’s reconciliatory gestures. The organization of the CMHR builds upon colonial and Westernized methods of memory and knowledge transfer, even when it is challenged to do otherwise by collaborators such as Logan (2014). Lehrer (2015:1200) critiques the gallery for its engagement with “predictable, palatable tropes of arts and crafts and spirituality rather than historical and ongoing marginalization by ... the Canadian government.” The gallery shrouds pressing issues that many Indigenous communities suffer from, such as the lack of access to clean water, in aestheticized modern-art renderings, effectively distancing Indigenous struggles from the here and now.

In addition to the “water rights” motif peppered throughout the “Indigenous Perspectives” gallery, the CMHR’s architecture itself “nods to Indigenous presence” with its “roots” embedded in the earth and “healing waters” which flow through the museum’s central installation, the Garden of Contemplation (Lehrer 2015:1201). When the Ojibway First Nations of Shoal Lake No. 40 found out before construction started that the CMHR would feature the theme of “healing waters,” they were excited about the opportunity afforded by the museum to bring attention to their plight (Lehrer 2015). A century ago in 1915, the government had sold a part of this First Nation terrain to the city of Winnipeg to build an aqueduct to supply urban residents with clean water (Lehrer 2015; Malone 2019). The aqueduct cut Shoal Lake No. 40 into an island, leaving the people there trapped with their own trash and sewage, with no access to clean water, and with no safe way or convenient way to traverse the lake (Lehrer 2015). Shoal Lake No. 40 residents were under a boil-water advisory for over twenty years (Malone 2019). Only in 2019 did Shoal Lake get Freedom Road, a year-round accessible connection from the community to the Trans-Canada Highway (Malone 2019). Yet even with its thoughtful, artistic

interpretations of the “healing waters” theme, the CMHR never references the plight of its neighbours, the Shoal Lake No. 40 community (Lehrer 2015). The Museum functions as it is meant to — as a space built to colonize Indigenous land and replace narratives of resistance to settler colonialism with narratives that both spatially and temporally distance Indigenous struggles. The Museum’s treatment of Indigenous issues, taken within the context of the Museum’s focus on genocides, situates Canada as an equitable and progressive nation where genocide and injustice does not happen on the same scale as other countries (Logan 2014), upholding the nationalist myth of a peacefully settled Canada. Lehrer (2015) sees the CMHR’s framing of Indigenous issues as part of a larger political climate in which Canada actively perpetuates a tolerant, post-colonial and post-racial image of itself that disregards the ongoing injustices occurring within its borders. Understanding the CMHR in this context allows us to make connections to similar happenings across the country, such as the settler homonationalism project of Pride House in Vancouver. Pride House, a space built for LGBT people to convene and view the 2010 Olympic Games, was made possible with military and police violence and the colonization of unceded Coast Salish territory (Dhoot 2015). It reflects the increasingly prevalent strategy of the Canadian government to position itself as a “gay-friendly” nation and as enlightened human rights leaders even as it perpetuates these injustices against Indigenous populations (Dhoot 2015). Like Pride House, the CMHR promotes a concern with human rights while it stands on effectively stolen land, without ample effort to acknowledge this or to bring attention to injustices occurring on Canada’s own soil.

In 2019, the CMHR stated that it recognizes Canada’s treatment of Indigenous peoples as genocide, changing from its labelling of “cultural genocide” to an identification of the “entire colonial system in Canada” as genocide (Monkman 2019). Although this long-awaited change was welcome, people such as Pam Palmater, a Mi’kmaq lawyer and advocate who also wrote about the CMHR’s non-framing of settler colonial genocide in Canada in 2015, want to see more substantial advancements: “To me, you shouldn’t be able to walk two feet into that museum without first seeing an exhibit on genocide ... They need to include it in all of their education materials, and they need to have a prominent and permanent exhibit on genocide in Canada” (Monkman 2019). Nationalist projects such as the Canadian Museum for Human Rights and Pride House work to embed the racial stories involved in the nationalist mythology into public consciousness by replacing histories of resistance against colonization with decontextualized exhibitions of

Canadian multiculturalism and tolerance. The nation also achieves this through educational processes and on other sites of intellect, sustaining an ignorance of settler colonialism and Indigenous issues in Canada (Villegas 2019). Even when cultural education is implemented, such education in white spaces tends to uphold white dominance. See, for example, how the compulsory multicultural course examined by Schick (2000:76) reaffirmed the whiteness of the university space by allowing the white students to rely on the constitution of the “not-Other” and racialized identity to produce themselves as dominant, elite, and legitimate intellectuals. The students used white liberal notions of rationalism to pronounce their displeasure with having issues of race and ethnicity “forced on them” (Schick 2000:78) and secured “white entitlement to the university ... by identifying themselves with physical space and the normative designation of who is likely to be found there” (Schick 2000:79).

Conclusion

The Canadian Museum for Human Rights has won multiple international awards for architecture, digital technologies, and accessibility (Lehrer 2015). The museum stands as a pinnacle of museum innovation and promotes progressive values of inclusion and philanthropy. But a closer look at the museum reveals tensions and conflicts which have sparked a great deal of controversy, and which speak to a larger political context that still functions to uphold the ongoing colonization of Indigenous peoples in Canada (Palmater 2017). This is illustrated by the CMHR’s difficulties with identifying settler colonialism in Canada, even as it comfortably condemns other “official” genocides outside of the country (Logan 2014). We see this function also in the museum’s almost pretentious renderings of Indigenous issues as art projects, even as an Indigenous community in the near vicinity (Shoal Lake No. 40) actively suffers from and protests the deadly effects of settler colonialism.

The Canadian Museum for Human Rights, whose name rings hollow in light of these situations, constitutes only one of many instances in which we see the way that apparent progressiveness can obscure ongoing projects of settler colonialism and stagnate actual progress in resisting these projects. Institutions such as the Museum operate as part of a larger national and political context which nurtures and sustains nationalist mythologies establishing Canada’s white settler society. These institutions contribute to a patchwork of narratives which invisibilize Indigenous peoples from Canada’s foundations and naturalize European settlement

of the land. They displace Indigenous peoples not only from the physical space of Canada but also from the temporal space of modern civilization, banishing Indigenous peoples to the pre-modern and thereby disregarding their resistances and their claims to the physical land. In doing so, such institutions and the mythologies they reinforce establish and fortify white dominance in their spaces as well as in Canada at large.

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The Overrepresentation of Indigenous Youth in the Criminal Justice System; Exposing a Problematic Reality of Imprisoned Marginalized Groups in Canada

Destiny Luo

Abstract

The historical assimilation policies linked to Canada's legacy of colonialism have held social, economic, and cultural repercussions for Indigenous communities. They are exacerbated within the criminal justice system, where Indigenous youth encounter discriminatory barriers that have contributed towards their drastic overrepresentation among incarcerated youth populations. This article draws on past research in youth justice to examine the social and systemic issues that have contributed towards the overrepresentation of Indigenous youth in the criminal justice system. In addition, it proposes a series of solutions drawn from existing government recommendations, programs, and policies designed to combat social, economic, and cultural inequalities on Indigenous reserves.

Although Indigenous youth make up just eight percent of Canada's youth population, they account for 46 percent of the youth in custody. Amidst the general decline in youth incarceration rates in Canada, the proportion of incarcerated Indigenous youth has only grown from 22 percent of all Canadian youth in 2006 to a staggering 47 percent of boys and 60 percent of girls in 2017 (Malakieh 2018). In a majority of cases, Indigenous youth receive sentences due petty offences such as theft under \$5000 and failure to appear in court, which stem from the living conditions on reserves where victimization, substance abuse, gang participation, and parental neglect are rampant (Hogeveen 2005). Further complicating these cases is the fact that Indigenous youth receive longer sentences than non-Indigenous youth on average, independent of the type of offence or their criminal history (Latimer and Foss 2005).

Taking these issues into account, this essay will examine how systemic problems in the Canadian government's approach contributes to the drastic overrepresentation of Indigenous youth in the Canadian criminal justice system. It will do so by examining the current state of the issue, before exploring the core reasons that have led to Indigenous overrepresentation, then finally proposing solutions to address these issues. Overall, this essay will argue that the overrepresentation of Indigenous youth in the criminal justice system is a result of the Canadian government's failure to address social issues stemming from colonialism as well as the lack of concrete sentencing measures to address systemic

racism against Indigenous youth. In light of these issues, it will identify solutions to these various issues rooted in existing measures that have been proposed and implemented by governmental agencies.

Literature Overview

The issue of Indigenous overrepresentation in the Canadian criminal justice system has received extensive attention in literature, primarily oriented towards identifying the root causes of the issue. As examined by Corrado, Kuehn, and Margaritescu (2014), one of the key culprits is found in Canadian settlers' legacy of colonialism, which has produced conditions of social and economic marginalization and institutional racism against Indigenous peoples. In connection with this, Cesaroni, Grol, and Fredericks (2019) assess how the colonization-based policies such as residential schools have culturally disconnected a generation of Indigenous children from their communities, stripping them of their Indigenous heritage and straining their social ties. These factors have ultimately produced conditions on reserves in which unemployment, low educational attainment, substance abuse, child abuse, and victimization are rampant, all of which contribute to increased rates of contact with the criminal justice system relative to non-Indigenous youth (Monchalin 2010).

Once Indigenous youth encounter the Canadian criminal justice system, they confront systemic biases which increase their likelihood of being incarcerated. When arrested, Indigenous youth are more likely to be charged on arrest, be denied bail, and spend more time in pre-trial custody than non-Indigenous youth (Hogeveen 2005). Further, research by Latimer and Foss (2005) uncovers that Indigenous youth are less likely to have legal representation and more likely to receive longer sentences than non-Indigenous youth, independent of aggravating factors such as offence severity and criminal history. Overall, these studies indicate that there are discriminatory barriers in sentencing that contribute towards the overrepresentation of Indigenous youth in the criminal justice system. However, while the literature surrounding this issue has examined its causes in detail, no author has specifically focused on the solutions available to address it. As such, this essay will not only detail the various reasons why the issue of overrepresentation exists, but also identify ways in which the Canadian government can amend them.

Issues Stemming from Colonialism

Canada's history of colonialism is the core cause of the overrepresentation of Indigenous youth in the criminal justice system. Through European settlers'

displacement of Indigenous peoples from their ancestral lands as well as settlers' institution of assimilation policies, Indigenous peoples have been cut off from their traditional cultures and ways of life. It is especially important to note the impact of residential schools, in which a generation of Indigenous children were taken from their families and forced to unlearn their culture's traditions and languages in hostile environments where abuse and neglect were rampant (Cesaroni, Grol, and Fredericks 2019). Such policies have led to intergenerational impacts on Indigenous peoples' traditional way of life. No longer can they live off the land and practice community traditions as they did historically; instead, Indigenous families must raise their children on reserves plagued by poverty, substance abuse, and neglect as a result of colonialism's impact (Monchalin 2010). These conditions, in turn, have created situations in which Indigenous youth are forced to turn to crime and gangs as means of sustaining themselves and repairing their lost sense of identity (Cesaroni, Grol, and Fredericks 2019).

Discrimination in the Criminal Justice System

When Indigenous youth come into contact with the criminal justice system, they are confronted with discriminatory assessments that increase their likelihood of being sentenced (Minaker and Hogeveen 2009). Although section 718.2(e) of the Criminal Code specifically mandates judges to consider the systemic issues surrounding Aboriginal offenders, avoiding imprisonment where possible (Government of Canada 2019), Indigenous youth are nevertheless more likely to be denied bail, sentenced, and receive longer sentences than non-Indigenous youth (Hogeveen 2005; Latimer and Foss 2005). This is reflective of an inherently greater assessment of their risk; since Indigenous youth lack the social network to support their community reintegration, they are seen as inherently more likely to re-offend (Minaker and Hogeveen 2009). In other words, when compared with non-Indigenous offenders who do possess strong social support systems, Indigenous youth do not receive the same leniency from the criminal justice system in its consideration of mitigating factors during sentencing (Lockwood, Peterson-Badali, and Schmidt 2019). This ultimately creates discriminatory risk-based assessments that lead to higher rates of incarceration among Indigenous youth.

Addressing the Social and Systemic Issues Contributing to Overrepresentation

Without a doubt, repairing the social and economic consequences of colonialization is a daunting task for the Canadian government. In assessing the

historical roots of this issue, we must consider that the Canadian government's approaches to crime are largely systemic responses as opposed to restorative responses; that is, they are more oriented towards adjusting the criminal justice system to address these issues rather than addressing the fundamental causes of youth crime by involving victims, engaging offenders, and consulting community leaders (Lockwood et al. 2019). In order to change the status quo surrounding the overrepresentation of Indigenous youth in the criminal justice system, this must change. The Canadian government must show a willingness to go beyond the criminal justice system and address the social and cultural issues that have plagued Indigenous communities for decades.

Given the complex and multifaceted nature of these issues, implementing solutions will be time- and resource-intensive. However, the Canadian government is not lacking in potential concrete solutions. In 2015, the Truth and Reconciliation Commission of Canada composed a set of 94 "Calls to Action" that offer guidelines to address the social issues caused by residential schools. These include addressing issues of child welfare by developing culturally appropriate parenting programs for Indigenous families, creating culturally appropriate education curricula, and creating traditional healing centres to address the physical and mental health concerns of Indigenous peoples in a culturally sensitive manner. By implementing many of the solutions proposed in this report, the Canadian government can make long strides in addressing the social issues that have long plagued Indigenous communities.

With specific regard to addressing the issue of overrepresentation in the criminal justice system, the Truth and Reconciliation Commission (2015) recommends that the Canadian government provide judges and lawyers with cultural training to ensure that they are aware of the conditions surrounding Indigenous people to better understand their needs and redirect them to extrajudicial measures where possible. This ensures that the systemic issues that have led to longer and harsher sentences for Indigenous youth are mitigated. Further, it also calls upon the government to develop community-based sanctions alongside Indigenous communities that respond to the underlying causes of offending in order to proactively prevent crime and reintegrate offenders post-incarceration. In supporting this measure, the Canadian government would address the specific social needs of Indigenous peoples with the insight of those who are most aware of them. Beyond these calls to action, it must also be acknowledged that the Canadian government has already implemented programs to address the social causes of crime within inner-city neighbourhoods. Programs

such as the *Youth Gang Prevention Fund* are designed to help address the risk factors that lead to gang involvement through evidence-based interventions (Public Safety Canada 2018). By using these successful programs as templates, the Canadian government can work alongside Indigenous leaders to address the very same social issues that persist on reserves. Inevitably, these programs come with questions over governmental funding. With this, it is important to consider the existing costs of controlling crime in Indigenous communities. With each incident comes the cost of policing, processing youth through courts, and incarcerating them for as long as they are sentenced. According to the most recent number from Public Safety Canada, this processing amounts to an average of \$1 million dollars per case (Malakieh 2018). It is important to consider that this number still excludes the intangible emotional and physical costs to victims of crimes. In light of this, by addressing crimes by Indigenous youth through alternative and proactive measures, the Canadian government will not only make strides in addressing the issue of overrepresentation, but also reduce the financial costs of crime.

Conclusion

Overall, the overrepresentation of Indigenous youth in the criminal justice system is a product of the social conditions of reserves as well as systemic biases that are present in the justice system. Canada's history of colonialism has left Indigenous communities in states of disrepair, wherein Indigenous youth are exposed to social conditions that are conducive to crime. Once they encounter the criminal justice system, they are then confronted with discriminatory assessments that increase their likelihood of arrest and incarceration, which then drive their overrepresentation in the criminal justice system. Despite the complexities of these issues, however, there are numerous restorative solutions that can address overrepresentation in a meaningful manner for Indigenous communities—solutions with the potential to cost significantly less than addressing crime after it has occurred. Ultimately, it is up to the Canadian government to end the status quo, work alongside Indigenous leaders, and take the necessary measures to repair the social issues that have plagued Indigenous communities for decades.

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Meet the Authors

Mohamed Afify is currently in his final year of University and completing the Sociology specialist and Political science minor undergraduate degree. Over the past three years, Mohamed has been a member of the *Refugee Integration Stress and Equity* team at the University of Toronto. Mohamed initially got involved with the program through a summer research opportunity program (ROP) where he was hired as a research assistant in 2018. In 2019, Mohamed received the UofT Excellence Award in the Social Sciences and Humanities department. This helped Mohamed nourish his passion for research and focus on his interests related to the field. After completing the final iteration of his research project, which he started in 2018, he developed a passion for independent research. Upon graduation in the spring, Mohamed hopes to take some time off and decide whether he would like to further his passion for research by pursuing a master's degree in public policy or attend law school.

Brittany Stout is in her senior year at the University of Toronto and is double majoring in Criminology, Law & Society as well as Political Science. In addition to her participation and involvement as a senior associate in the Sociology and Criminology Academic Society, Brittany volunteers with the University Accessibility department. While her research interests are quite extensive, she is most passionate about criminal justice, prison reform, human rights as well as forensics and forensic psychology. Following her participation in the summer session of the carceral seminar 'Walls to Bridges', which helps break down barriers between incarcerated students and outside individuals, Stout plans to continue to volunteer within the community and gain increased professional experience in the legal field before pursuing a graduate degree in law. After her graduation in 2020, Stout's goal is to utilize her degree to further pursue a career in human rights law in an effort to defend and advocate for the rights of the most vulnerable individuals.

Claudia Marszalek is a University of Toronto Mississauga (UTM) graduate. She has acquired an honours undergraduate degree in social sciences, specifically, a specialist in the Criminology, Law, and Society program, and a major in the Sociology program. Sociology and Criminology has fascinated Claudia since she was a little girl. Before entering university, her mental health positionality and life circumstances affected her severely. Claudia overcame her setbacks and pushed herself, and academic work, more than she ever believed she could. During Claudia's academic career, she developed exceptional knowledge on the discourse and field of criminology and has grown to become passionate about particular

topics in criminology such as policing, the correctional field, digital surveillance, and Indigenous socio-legal culture and history. The autonomy at UTM allowed her to showcase her knowledge and ambitions to bridge formal and informal research in the criminological field. To extend her interest in criminology, Claudia has enrolled in a Master of Criminology program in the United Kingdom. This will pave an opportunity for her to conduct her own research that will contribute to contemporary literature.

Sierra Fonseca is an undergraduate student in her third-year at the University of Toronto Mississauga. She is on the path of completing her Bachelor's degree with a double major in Sociology and Criminology. She has continuously strived to excel in her schooling with the goal of becoming a lawyer. Helping the community is one of her many goals. She is also a continuous volunteer with the Accessibility Note-Taker Program. She strives to excel in everything that she does and has been described as reliable, dedicated, motivated, and as having a strong work ethic. She hopes to continue learning as well as to educate others and to engage in more opportunities to share the knowledge that she has acquired throughout her schooling.

Grace Kwan is a graduating Sociology and Professional Writing & Communication student at the University of Toronto and incoming Sociology MA student at Simon Fraser University. She researches and writes about sociopolitical issues through the lenses of gender, race, and nationhood. Her graduate research undertakes precariousness in Canadian migrant labour with a feminist and antiracist focus. Grace's writing can be read on online publications such as Necessary Fiction and The Thirlby, where she is a regular contributor. Her collection of creative nonfiction stories, *Prelude (& Other Stories)*, is forthcoming from Life Rattle Press.

Destiny Luo is a fourth-year Criminology, Law, and Society major at the University of Toronto Mississauga, with a secondary major in Professional Writing and Communication. She has previously contributed to "The Society: Sociology and Criminology Undergraduate Review" as a part of the editorial board for the journal's second volume. Through her time as an undergraduate student, she has developed an interest in studying the inequitable ways that the Canadian criminal justice system handles members of marginalized communities. After graduating in June 2020, Destiny hopes to apply her skills in research and writing towards addressing racial and socioeconomic inequalities that are present within and exacerbated by the criminal justice system, whether as a journalist, lawyer, or in the field of policy making.

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