

Racism Reflection October 19, 2020 NSMC Dan Graber

As promised, here is an article on Canada's justice system. I urge you to do your own research. There are a host of articles you can find. Many more recent. But I try to pick articles that convey a variety of angles and some simply in my opinion are better than others in helping us understand what racism feels like is we had different skin color and wealth and legal resources.

As always, if you have stories or articles you would like to me read and possibly pass on – please share. Especially for here in Sasketwchewan.

Analysis: Why we should worry about who we're jailing

By **Akwasi Owusu-Bempah** Special to the Star Fri., March 1, 2013

It may be of little surprise to some, but the over-incarceration of First Nations and African-Canadian people in Ontario should be of concern to everyone in this country.

The overrepresentation of these two groups in Ontario's correctional system signals that aboriginals and blacks are either disproportionately involved in crime or they face discrimination in the administration of justice; available research indicates both to be true.

Why should we work to remedy this?

As the situation in many American states has made apparent, using incarceration as a means of controlling populations that are viewed as problematic in an effort to reduce crime is a costly endeavour that further intensifies the problems facing these communities rather than making them better. A smarter approach would be to deal with the causes of crime rather than the consequences. This is particularly true in the face of Prime Minister Stephen Harper's tough-on-crime agenda.

If Canadians are concerned about daylight shootings in public places or the proliferation of gangs in urban centres and rural reserves, we need to rethink how we deal with one of the consequences of the social exclusion that many aboriginal and black Canadians experience.

What the data show

The statistics released by the province show there are more white Canadians under the supervision of the province's correctional system than members of any other racial group. This makes sense, as white Canadians make up the largest single racial group in the province. However, aboriginal groups are the most overrepresented in the system on almost all counts, followed by blacks. White Canadians and all other racial groups, on average, have been underrepresented in the correctional statistics compared to the general population.

Of particular importance are the statistics showing the disproportionate rates at which non-white people are held in detention before trial. Previous research has shown the discriminatory manner in which bail decisions are made. Research also indicates that those held for bail are more likely to accept a plea deal from the Crown (detention centres are not particularly nice places), are more likely to be found guilty at trial, and receive harsher punishments upon sentencing than those who are granted bail.

The youth statistics show also that the disproportionate incarceration of native and black youth is becoming more pronounced, while the representation of white youth in the correctional system is decreasing. This trend mirrors that of the federal system, where the proportion of black Canadians, for example, has increased by 40 per cent over the last 10 years.

What has caused this problem?

The over-incarceration of aboriginal and black Canadians has not occurred in a vacuum. There are, of course, historical factors that have contributed to the current situation, such as those highlighted by the Idle No More movement (broken treaty promises, residential schools and the system of reserves) and those often reserved for discussion during Black History Month (including often forgotten slavery in some of the territories that would become Canada and legalized segregation), for example.

The effects of the legacy of colonialism were further intensified by the tide of neo-liberalism that spread through Canada in the 1980s and 1990s, reducing social spending, eliminating many recreational and cultural programs, and increasing the use of the criminal justice system as a tool of social control.

This history impacts upon the lives of native and black Canadians, influences their opportunities and dictates their relationship with the state and with our society as a whole; a quick look at their educational and employment statistics provides evidence of this reality.

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Both groups are among the country's most marginalized populations. As aboriginal and black Canadians are overrepresented among the poor and working poor in Canada, it should be no surprise then that they are more involved in certain types of crime and thus come into conflict with the law.

What should we do?

Poverty is a major issue affecting aboriginal and black Canadians, and contributes to their involvement in crime. To help reduce poverty among these two groups we need to allow them to have a more full participation in Canadian society.

One approach to achieving this is through education. Making school more relevant and engaging for those who struggle, whatever their race, would help increase graduation rates and pave the way for success. New approaches that involve more co-operative learning programs that help build useful skills while students learn, rather than allowing them to become bored and troublesome in a traditional classroom setting, may be a start.

Keeping school buildings open after regular school hours and the re-establishment of after-school programs would provide young people with meaningful activities with which to occupy their time and keep them out of trouble. As all high school students in the province must fulfill a certain number of volunteer hours to graduate, perhaps they could help staff these programs and act as role models for younger youth. Adequate opportunities must be provided for meaningful employment after graduation.

Importantly, we must acknowledge and come to terms with the more difficult parts of our nation's history. Unlike our American neighbours, our national dialogue has not enabled us to engage in discussions about race and racism, and the way that they have shaped our nation. The fact is our country was founded on beliefs about racial superiority and inferiority. We must understand how the remnants of these ideas continue to influence our society.

Finally, aboriginal and black Canadian communities need to continue to take a leadership role in identifying and working toward solving the problems that face our communities. In addition to the work done by those in professional and volunteer capacities, private citizens can write letters to and speak with elected officials, organize public meetings on specific issues and help raise general awareness through information campaigns and demonstrations. Public action around the issue of racial profiling and police "carding" practices in Toronto is a good recent example of such mobilization. Without honest discussion and meaningful action, little will change for the better.

Many of these recommendations have been made previously, such as those put forth in the Review of the Roots of Youth Violence. It is time that some of the recommendations are put into action.

Akwasi Owusu-Bempah, who obtained the incarceration data, is a doctoral candidate at the University of Toronto's Centre of Criminology and a junior fellow at Massey College.