

MODERN DAY SLAVERY AND ASSIMILATION IN CANADA:
AN EXPLORATION OF THE ANALOGOUS NATURE OF THE PRISON
SYSTEM TO THE RESIDENTIAL SCHOOL SYSTEM

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Abstract:

While the idea of slavery seems to be a dreadful story from the past, colonization in Canada has resulted in a restriction of freedom and rights for Indigenous people to this day. Several colonizing principles and institutions were put in place in order to control and erase an already established people and culture. One of those colonizing institutions is the residential school system established as part of the Indian Act in the 1800s. In a modern context, the same idea of the residential school system seems to be perpetuated in today's capitalist society, by the Canadian prison system. This paper explores this seeming relationship by portraying the actions of the Canadian government to claim the land and create a new economy and government. This paper also explores this relationship by portraying how colonialism, capitalism and patriarchy are "three sides of the same coin."

Keywords: colonization, Indian Act, prisons, residential schools

Author Note:

This article was written for Sociology 370: Racism and Decolonization with Dr. Sourayan Mookerjea.

One of the most interesting facts I have learnt from Dr. Mookerjea's Fall 2019 Sociology 370 class is that there are different kinds and methods of slavery. I believe that slavery, in a broad sense, is directly linked to racism. I am also

inclined to further explain slavery as a by-product or a discursive object of racism due to how closely linked the two ideas seem to be throughout history. Slavery, as with racism, arises as a result of the notion that one "race" or group of people is inferior to another particular group. According to Michael Banton (1987), the term 'race' was initially used to differentiate between lineage and nationality around the 17th and 18th centuries in Europe (p. 30). This points to a recognition of the diversity within the human populations of the world. As opposed to a sense of appreciation and respect however, the knowledge of this diversity is used to establish a theory of hierarchy in human society by European colonizers (Mookerjea, 2019b). This theory although based on pseudo-biological and unethical claims, has led to drastic evolutions of racism through the centuries (Mookerjea, 2019b). In this paper, I will discuss the way in which racism has evolved in modern institutions to create a new kind of slavery. Particularly, I will analyze the Canadian prison system and explore the many ways in which it seems to perpetuate the intentions of the Residential School system. By doing so, I will explore some methods used by the Canadian government to force the Indigenous population to assimilate into settler culture, ideologies and principles.

Displacement and "Re-education"

It is almost impossible to talk about racism, colonization or assimilation in Canada without including the topic of Residential Schools in the discussion. The Residential School System (RSS- for the purpose of this paper-) "grew out of

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European settler population expansion and Indigenous population contraction during the nineteenth century” (MacDonald & Gillis, 2017, p. 40). In order to claim the land now known as Canada, the government needed to erase the already existing people and culture; and it may be fair to say that they aimed to do so by any means necessary. First, they displaced Indigenous peoples from their lands, into smaller settlements called Reserves, as part of the Indian Act (Ray, 2016). The reserves were often far away from the main cities and had limited access to essential resources. This displacement ultimately resulted in the limitation of rights and power that indigenous people held over their resources and land use (Ray, 2016, p. 192-193). This limitation of the Indigenous peoples’ rights was in itself a form of enslavement as it inherently restricted their freedom to live on and use the land they had always known to be theirs. The displacement of Indigenous peoples to reserves was one of the many steps that led to the gradual loss of culture and disenfranchisement of the Indigenous people as a whole. Dr. Rob Shields (2019) referred to this in a guest lecture, as “Spatial Genocide”. He and his colleagues suggest that “the logic of the reserves was never neutral but represented a spatial logic of domination, containment, and assimilation that would today be categorized as cultural genocide” (Shields, Moran & Gillespie, 2019, p. 9).

It should be noted that prior to these actions, “the federal government gave itself power to enact legislation for [Indigenous people, as well as the lands reserved for them]” (MacDonald & Gillis, 2017, p. 40). This was during the creation of the dominion of Canada, per the British North America Act of 1867. Through this legislation, the government could freely execute the process of demolishing Indigenous governments, illegalizing

their traditions and ways of life, and at the same time “stripping [them] of their political, legal and economic power[s]” (MacDonald & Gillis, 2017). After the government had created this power for itself, and succeeded in moving Indigenous peoples into smaller areas of land, they soon “sought to ‘re-educate’ [them]” (Ray, 2016, p. 222); to this effect, the RSS was established.

The RSS was a totalizing institution aimed at “killing the Indian” in a child (MacDonald & Gillis, 2017; CBC News, 2015). According to a documentary by CBC News (2015), there seemed to be an underlying notion by the Canadian government that the best way to “educate” and “civilize” the Indigenous children was to take them away from their families (2:10-2:24). This act of taking children away from the people and culture they were most familiar with to a totally new environment, under very foreign and harsh conditions is quite reminiscent of the trans-Atlantic slave trade of the 18th century. As with the 18th century slaves, the RSS ensured that familial and cultural ties as well as fundamental human rights of the Indigenous peoples were cut off, to fulfil the government’s aspiration for assimilation. Hence, the goal of assimilation was paired rather grievously with this unusual form of slavery, to produce the “civilized” Canadian citizens the government desired. The same documentary features a statement by Duncan Campbell Scott, then Deputy Superintendent of Indian Affairs, about the high death rates of children enrolled in residential schools (CBC News, 2015, 4:31-4:52). This suggests that the government was indeed well aware of the damaging effects of residential schools at the time, yet, and disturbingly so, they insisted on continuing with the deplorable school system.

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Several scholarly works and interviews similar to the aforementioned documentary, highlight similar experiences of abuse, neglect, among other things, that residential school survivors had to go through. The Truth and Reconciliation Commission (TRC, 2015a) reports the residential school experience as “decades of children feeling alone, silenced, too often hungry...afraid, abused, ashamed, angry... feeling forsaken, abandoned and unloved, all in the name of education”. It also makes note of the “thousands who did not survive [and] the anguish of parents left behind” (2015a). These effects of the RSS now seemingly regretted by the modern Canadian state, were initially ignored in an attempt to fully control a group of people, who had to be subalternized, in order to foster the dominant Euro-Canadian way of life. Thus, the idea of the RSS is a system of control, and not just control of the mind by ‘re-education’, but control of the body as well (MacDonald & Gillis, 2017; CBC News, 2015, 6:07-6:30).

Michel Foucault refers to this kind of external control of a person’s body, as “biopower” (MacDonald & Gillis, 2017). He situates this idea of power first in the historical context of the monarch, who had the ultimate power to seize things, time, bodies and life itself; and then in the context of the modern state where power doesn’t necessarily focus on suppressing life. Instead, this new power focuses on the “right to foster life or disallow it to the point of death” (MacDonald & Gillis, 2017, p. 37). Foucault explains this idea of power over the body by likening the body to a machine that needs to be controlled to work properly; that is, the idea that the body must be disciplined for the smooth functioning of the society (MacDonald & Gillis, 2017). It is this line of reasoning that fuelled the ideas of slavery and

the residential school system, and it is the same logic on which the prison system is founded.

Canada’s prison system

The prison system in Canada is characterized by an overrepresentation of the Indigenous population (Chartrand, 2019; MacDonald & Gillis, 2017). As of January 2016, even though they accounted for only 4.3 percent of the total Canadian population, Indigenous people made up 25 percent of the inmate population in federal prisons (MacDonald & Gillis, 2017, p. 47). This overrepresentation is especially evident for females who account for 35 percent of the “admissions into federal or provincial/territorial correctional facilities” (MacDonald & Gillis, 2017). It is even sadder to find that Indigenous youth are extremely affected by this as well, representing 30 percent of the youth in correctional institutions, despite accounting for a mere 6 percent of the total youth population (MacDonald & Gillis, 2017, p. 48). This kind of overrepresentation can have devastating, often cyclical, effects for Indigenous people. Due to the overwhelming restrictiveness of life after prison, previously incarcerated individuals end up reoffending, thus creating an inevitable cycle (Taifa & Beane, 2009).

This issue of overrepresentation stretches beyond the physical placement of high numbers of Indigenous people in prison. The consequences of overrepresentation often lead to more marginalization and discrimination for both the Indigenous population represented in prisons, and Indigenous people in general. Brayne (2014) points to the fact that people who have had contact with the criminal justice system, tend to interact much less with “surveilling institutions” such as banks, schools, medical institutions and work places. Therefore the inflated rates of Indigenous

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incarceration suggests that Indigenous people may struggle more with these institutions. It is important to note this struggle because apart from the opportunities that these institutions provide, they are also often instrumental in the reintegration of previously incarcerated individuals into society (Brayne, 2014, p. 287). So, for an already marginalized population, the continuous detachment from these major societal institutions further restricts the progress of Indigenous people in general Canadian society.

This combination of the effects of the RSS, and overrepresentation may lead to an increase in the intergenerational trauma faced by the Indigenous peoples of Canada. However, the issue of overrepresentation of Indigenous peoples is not strictly a Canadian phenomenon. MacDonald & Gillis (2017) suggest that this trend of overrepresentation is very common across settler colonial states, and this piqued my interest in exploring the possible reasons for this phenomenon.

The Effects of Racism on the Canadian Justice System

This trend of overrepresentation of Indigenous populations led me to ponder upon the concepts of the racial imaginary and the racial symbolic. The racial imaginary refers to our “mind’s eye;” the things we imagine when we hear or think about the word “race.” Racial symbolic, on the other hand, refers to the ways in which meaning, identities and narratives are formed and interpreted (Mookerjea, 2019c). The creation of meaning fundamentally relies on marking our differences and interpreting what those differences add or take away from the narrative of our existence (Mookerjea, 2019c). Therefore, when a group of people different from the hegemonic group are constantly described as potentially

dangerous, problematic, delinquent, uncivilized or less evolved, for decades and centuries on end, a dominant idea is formed and sustained in the minds of the hegemonic group. In turn, new ways of being and identifying are developed, and more importantly, new methods to control and maintain hegemonic power are born. In the context of Canada, although an apology for the appalling circumstances and consequences of the residential schools has been made, (TRC, 2015b) those stereotypical ideas from centuries ago still evidently lurk in the minds of the Euro-Canadian populace. These stereotypes are often mediated and preserved by the modern capitalist institutions and structures-prisons being one of such structures.

With the Criminal Justice System, I believe that the constant targeting and over-incarceration of Indigenous peoples is a way for the Canadian government to maintain its power. The prison system is therefore a means for the government to control the actions of the entire Canadian population, by ‘civilizing’ their bodies. According to MacDonald & Gillis

Canada as a political entity can then be seen as a historico-political field, marked by continuous efforts to protect whiteness from Indigeneity through biopower in an effort to defend society and make war in modern forms, from the residential school system onward to the prison system today. (MacDonald & Gillis, 2017, p. 40)

While a critical comparison between the RSS and prison systems in terms of the experiences of Indigenous people might be beneficial, I deem it equally valuable to consider the conjoint nature of both institutions.

The Connection between the Canadian Prison and Residential School Systems

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According to Chartrand (2019), some have referred to Canadian prisons as “the new Residential Schools” (p. 68). The damaging effects of land displacement and residential schools have resulted in intergenerational trauma, which in turn leads to adverse rates of poverty, social disadvantage, isolation and discrimination of Indigenous people (MacDonald & Gillis, 2017, p.45). Chartrand (2019) points to the fact that the “criminal justice system works against Indigenous people at every level, from police checks and arrests...to bail denial and detention... sentencing miscarriages and disparities...” (p. 68). Indigenous people in Canada are therefore often targeted and forced to be almost perfect in order to avoid conflict with the law. This is coupled with the intergenerational trauma that most Indigenous people have to navigate through on a daily basis; and for children and grandchildren of RSS survivors, it is even much harder to do so (CBC News, 2015).

In my point of view, it almost seems like the RSS was made to create lifelong damnation for the Indigenous population. The intergenerational suffering caused by residential schools led to a domino effect of negative outcomes that still exist for Indigenous people today. As an Indigenous individual in Canada, you either live in a constant state of an identity crisis-due to the cultural genocide by the government-, or with the fear of a target on your back. Through colonization, the power of the racial symbolic and the capitalist system, the modern world for an Indigenous person is a complex system of interlocking oppressions. Chartrand (2019) highlights that the modern colonial state comprises an “economic system of advanced capitalism” (p.71). This new “colonialism not only extracted tribute, goods, and wealth from the countries that it conquered but

also [restructured the] local economies, markets, and governance (Chartrand, 2019, p. 71). This economic hijack is perfectly suited to explain the colonial process in Canada, in that, Indigenous people are now forced to dwell in an economic system that is totally different from what they are traditionally used to. At the same time, they have to conquer the scars that the legacy of colonization has left in their cultures, identities, and lands.

Reconciliation versus Decolonization

The aspect of Canada’s colonial narrative that I find most jarring is this notion of healing and resolution of which the onus seemingly lies solely on the Indigenous peoples to fulfil. Snelgrove, Dhamoon and Corntassel highlight this concern by stating that

[drawing] on the etymological origins of “settle” as ‘to reconcile’, as well as in light of settler state apologies...settler colonialism may signal a nation-state that has moved “beyond its own tragically imperial and colonial history to be something else, still albeit colonial, but not quite entirely colonial.” (Snelgrove, Dhamoon, & Corntassel, 2014, p. 8)

They further speak to the idea that the language and nature of reconciliation is quite settler-centric, and in doing so, if care is not taken, the voice of the Indigenous is marginalized (Snelgrove et al., 2014, p. 8). To this effect, they move for a language of decolonization as opposed to reconciliation (Snelgrove et al., 2014). I agree that the idea of decolonization suggests a sense of power switching hands to where it belonged in the first place. This is not to totally dismiss the idea of reconciliation, as I believe reconciliation should still be part of the decolonization process. However, like Snelgrove et al. (2014) suggest, in order for solidarity to exist, and for proper allyship

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between the ‘settlers’ and Indigenous peoples, there must be a pure sense of accountability (p. 27)

Despite the fact that slavery in the form of residential schooling, has ended, there still seems to be a sense that true freedom for an Indigenous individual in Canada is far-fetched. History suggests attempts to reconcile this disparity, although, the end of the road to true reconciliation in Canada is still long ways ahead. In 1996, section 718.2(e) was added to the Criminal Code to direct sentencing by judges to consider alternative approaches to imprisonment of Indigenous people (Chartrand, 2019, p. 69). There have also been policies and adjustments to the criminal justice system that aims to cater to the specific needs of Indigenous people who come in contact with the system: “Indigenous-specific planning and programming”. While this may be comforting to hear, it must be noted that Canada is still a settler-colonial country and its laws in the broadest of senses is still rooted in settler ideology. This ideology is one based on patriarchy and capitalism which is seen evidently in the historical laws and structures of government. The 1876 Indian Act report reads: “The term “Indian” means: First. Any male person of Indian blood reputed to belong to a particular band” (TRC, 2015c, p.43). The language of this document is very patriarchal. It goes on to acknowledge the “Indian Woman” as one who is married to an “Indian Man”, as though she does not exist without him. This idea of men ruling the world and being in charge is seen through out colonial history and we must be careful to note that it still operates in our modern colonial world today.

Conclusion

Being from an African background, the dominant picture in my mind when I think about ‘slavery’ is characterized by large cotton plantations, with a white “master” and black slaves.

While plantation slavery remains one the most popular kinds of slavery from the 18th century because of how it fueled colonization and the trans-Atlantic capitalist economy, I am fascinated by the ‘subtle’ forms of slavery that exist today. Within the Canadian context, MacDonald & Gillis (2017) point to the fact that “Indigenous children were particularly targeted...: ‘throughout Canadian history it was only [Indigenous] children who over an extended period of time were required to live in institutions because of their race’”... (p. 41). In modern Canada, the appearance of slavery is mostly seen through structural institutions. In a way it may be fair to say that structural racism has become a new kind of institutional slavery, with colonizing institutions like the prison system, perpetuating that idea.

Drawing from the idea of decolonization posited by Snelgrove et al. (2014) and the principles of reconciliation discussed in class (Mookerjea, 2019a), I would add a principle that is solely aimed at restoring Indigenous culture through a decolonization process of all settler-colonial institutions that thrive on Indigenous land. According to the TRC reports, the government did not fully embrace the principles of the UN Declaration on rights of Indigenous Peoples (UNDRIP), saying that “it is a non-legally binding document that does not reflect customary international law nor change Canadian laws” (TRC, 2015b). Even if the first point in the principles of reconciliation states that UNDRIP is its framework, (Mookerjea, 2019a), such a loophole seems to undermine the entire purpose of the TRC. Hence, my belief in the idea and language of decolonization.

Apart from merely admitting to the ongoing harm caused to the Indigenous population through many of Canada’s institutions and social

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structures, the language of decolonization also implies the need for true agency. This means giving Indigenous peoples the agency and power required to reclaim what has been lost to hundreds of years of colonization. I therefore believe that decolonization is a very important concept that the government would be right in adopting. This is not to suggest that decolonization will be easy in practice, neither is it to pose the decolonization process as a “magic-type” solution to all the adverse effects of colonization. Rather, I propose the idea because of the seeming effectiveness of its language and the underlying empowerment it promises for the Indigenous Peoples of Canada.

References

- Banton, M. (1987). The classification of races in Europe and North America: 1700-1850. In T. D. Gupta, C. E. James, C. Anderson, G. Galabuzi & R. C. A Maaka, (Eds.), *Race and racialization: essential readings* (pp. 26-34). Toronto, ON: Canadian Scholars.
- Brayne, Sarah (2014). Surveillance and system avoidance: Criminal justice contact and institutional attachment. *American Sociological Review*, 79(3), 367–391. doi: <https://doi.org/10.1177/0003122414530398>
- CBC News: The National (2015, October June 2). *Stolen children | residential school survivors speak out* [Video file]. Retrieved from <https://youtu.be/vdR9HcmiXLA>
- Chartrand, V. (2019). Unsettled times: Indigenous incarceration and the links between colonialism and the penitentiary in Canada. *Canadian Journal of Criminology and Criminal Justice*, 61(3), 67-89. Retrieved from <https://muse.jhu.edu/article/730512>
- MacDonald, D., & Gillis, J. (2017). Sovereignty, indigeneity, and biopower: The carceral trajectories of Canada’s forced removals of indigenous children and the contemporary prison system. *Sites: A Journal of Social Anthropology and Cultural Studies*, 14(1), 35-55. doi: <http://dx.doi.org/10.11157/sites-vol14iss1id362>
- Mookerjea, S. (2019a). *Principles of reconciliation* [Google page]. Retrieved from eClass: <https://eclass.srv.ualberta.ca/mod/page/view.php?id=3718389>
- Mookerjea, S. (2019b). *Racial discourse: Changing uses of a political word* [Google website document]. Retrieved from <https://sites.google.com/a/ualberta.ca/racism-and-decolonization/home/lectures/1-12-race-matters-the-racialization-problematic>
- Mookerjea, S. (2019c). *Racism and cultural politics* [Google website document]. Retrieved from <https://sites.google.com/a/ualberta.ca/racism-and-decolonization/home/lectures/1-racism-and-cultural-politics>
- Ray, A. J. (2016). *Illustrated history of Canada's native people: I have lived here since the world began*. Retrieved from <https://ebookcentral.proquest.com/lib/ualberta/reader.action?ppg=267&docID=4556279&tm=1535387516957>
- Shields, R., Moran, K., & Gillespie D. (2019). *Edmonton, Amiskwaciy Wāskahikan, and a Papaschase suburb for settlers* [PDF document]. Retrieved from eClass: https://eclass.srv.ualberta.ca/pluginfile.php/5383759/mod_folder/content/0/shields-moran-gillespie-Amiskwaciy-Millwoods.pdf?forcedownload=1
- Snelgrove, C., Dhmoon, R. K., & Corntassel, J. (2014). Unsettling settler colonialism: The discourse and politics of settlers, and solidarity with Indigenous nations. *Decolonization: Indigeneity, Education & Society*, 3(2) 2014, 1-32. Retrieved from <http://www.corntassel.net/Unsettling.pdf>

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- Taifa, N., & Beane, C. (2009). Integrative solutions to interrelated issues: A multidisciplinary look behind the cycle of incarceration. *Harvard Law & Policy Review*, 3(2), 283. Retrieved from <https://login.ezproxy.library.ualberta.ca/login?url=https://search.ebscohost.com/login.aspx?direct=true&db=edsglt&AN=edsgcl.221227537&site=eds-live&scope=site>
- Truth and Reconciliation Commission of Canada. (2015a). Canada's residential schools: The history, part 1 origins to 1939 (The final report of the truth and reconciliation commission of Canada, volume 1) In *TRC reports and findings* Retrieved from http://nctr.ca/assets/reports/Final%20Reports/Volume_1_History_Part_1_English_Web.pdf
- Truth and Reconciliation Commission of Canada. (2015b). Honouring the truth, reconciling for the future: summary of the final report of the truth and reconciliation commission of Canada. In *TRC reports and findings* Retrieved from http://nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf
- Truth and Reconciliation Commission of Canada. (2015c). 1876 Indian act. In *TRC reports and findings (historical reports)* Retrieved from <http://nctr.ca/assets/reports/Historical%20Reports/1876%20Indian%20Act.pdf>