Confronting Power

Aboriginal Women and Justice Reform

PATRICIA A. MONTURE

Les femmes autochtones qui sont incarcérées au Canada subissent des oppressions en raison de leur ethnie, de leur sexe et peut-êre aussi parce qu'elles sont pauvres. Leurs histoires sont faites de luttes et de résistance. L'auteure raconte son histoire qui traite des femmes et de la justice, du militantisme et des réformes. Elle s'adresse au pouvoir, non seulement au pouvoir de l'ethnie, mais au pouvoir de la prison qui résiste aux réformes et qui continuellement se réinvente comme un lieu de coercition, de pouvoir et de punition.

In writing about stories LeAnne Howe (Choctaw) notes: "Native stories are power. They create people. They author tribes. America is a tribal creation story, a tribalography" (29). These stories are always interpretative (Howe 29). Each of us has our own story about who we are and how we fit in to creation. Indigenous[1] knowledge systems acknowledge this interpretative aspect rather than organizing knowledge in a binary theoretical system of verifiable or not.[2] Luana Ross (Salish) writes: "One way in which imprisoned women can resist oppression and facilitate social change is by telling their own stories" (17). Through this telling, all oppressed groups assert themselves as subjects (hooks cited in Ross 17). Aboriginal women who are imprisoned in Canada are oppressed because of their race as well as their gender and most likely their poverty. Their imprisonment, the loss of freedom, is thus a fourth condition of their oppression. Their stories are most often stories of struggle and resistance. Sometimes, the struggles of imprisoned women receive the support of advocates who live outside the walls.

This is my story about women and justice, about activism and reform. It is a story about speaking to power. Power not only of race but the power of the prison to resist reform and continually reinvent itself as a place of coercion, power and punishment (Rothman 1971). I share with imprisoned Aboriginal women many of the experiences of oppression on account of our race and gender. I hold privilege as a Haudenosaunee woman who is both free (not sentenced) and no longer living in poverty. I am not an expert on prison never having being sentenced or incarcerated. Such an assertion of expertise on my part would violate the tenets of the Haudenosaunee knowledge system, which requires lived experience and reflection to be the basis of knowing. I do have an idea or two about activism learned from my experiences working toward reform of the Canadian criminal justice system and the sometimes harsh impacts it has had on the lives of Aboriginal women who are imprisoned federally.[3]

Any story I tell must reflect on gender and be grounded by women as knowledge among my people, the Haudenosaunee, is gendered. Teachings, shared through story, create a complex structure of knowledge. There are men's teachings and women's teaching as well as teachings for all people. And I can only know being woman as it is what I experience. As an experience-based knowledge system, most often Aboriginal systems rely on reflection with self-interpretation at the core of the reflection as the grounding methodological practices. And as such, an experience-based knowledge system[4] is also necessarily about a gendered system of knowing because I can only live the experience of woman.

In the mid-1980s, while I was still a student, I started going to the prisons in the Kingston area as a volunteer. This was not a benevolent act to "help" those less fortunate than I. Rather, it was an act that was intended to create space for my own well being. I had not met First Nations people either at Queen's University where I had moved to study or seen them around town. There was no friendship centre in town and I missed the community of urban Aboriginal people I had grown up with in London, Ontario. Yet, I knew there was a Mohawk "reserve" only a half-hour drive away but as a poor student I did not have transportation. The absence of First Nation's people from town seemed very odd to me. And I knew that my survival depended on my connection to community, no matter how small or marginalized. Within a broader quest

for justice, my commitment to prison began as simply a need to make community for myself.

My involvement in the prison system in Canada began in 1983, a period of time when advocates were successful in forcing penal administrators to consider the distinct experiences of women who were incarcerated. In understanding my story, reform and advocacy are concepts that have driven both what I have dreamed and learned. But reform and advocacy are not new ideas. People have been advocating for justice reform I suspect since before the advent of the prison in North American in 1819.[5] Prison itself was a reform, a move away from harsh physical punishments often publicly displayed. Prison reform movements also resulted in the establishment of the probation system in the early 1900s. And in understanding this history of prisons, the sociological concept "net-widening" is an important consideration. As Curt Griffiths and Simon Verdun-Jones demonstrate in their discussion of youth justice reforms, reforms aimed at decarceration most often fail to diminish the numbers of people in custody but rather more often establish new populations subject to criminal sanction (559-615).

Criminalization of Indigenous populations, which results in the present rates of over-representation, is in fact a strategy of colonialism and it is therefore seen globally.

This pattern of net-widening is also seen in the years since the reporting of the Task Force on Federally Sentenced Women in 1990.[6] That Task Force was an effort aimed at addressing the impacts of discrimination carried by female federal prisoners.[7] And most obvious among this discrimination was the fact there was only one federal prison for women in such a vast country. Unlike men, women could not serve their sentence in the province where they lived unless they were from Ontario. This was a blatant denial of gender equality and a clear violation of section 15 of Canada's newly entrenched Charter of Rights and Freedoms. Since 1990, the year the Task Force reported, the situation of women who are prisoners has changed dramatically. Women are now housed in federal regional facilities in Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, and most recently British Columbia.

Despite the perception that there is increased equality in the circumstances of men and women serving sentences, maximum-security women are housed in more secure facilities than are most men or was possible at the Prison for Women. For Aboriginal women the picture is more disturbing as they are more likely to be classified as maximum-security. As a result, women are now isolated to a degree not possible under the old regime unless they were segregated. It is also important to note that Aboriginal women may be just as isolated in the new regional facilities because of the poverty they still endure and a half-day drive is just as cost prohibitive for a poor family as a cross country journey to Kingston. Women in prison have also lost the programs that compensated them for this distance from their homes (such as assistance with visiting and telephone calls as well as the family video program). When I reflect on the results of our advocacy, activism and reform efforts under the Task Force on Federally Sentenced Women, I have never been able to convince myself that our efforts to even ameliorate the geographic inequality were successful. For Aboriginal women particularly, the rates of over-representation continue to climb, more than doubling in number between 1981 and 2002 (Sinclair and Boe 17).[8]

Criminalization of Indigenous populations, which results in the present rates of over-representation, is in fact a strategy of colonialism and it is therefore seen globally. And as rates of Aboriginal over-representation continue to increase it perhaps reflects that the colonial trajectory continues to increase in impact as well. Participating in the Task Force on Federally Sentenced Women, the Aboriginal women confronted not only the power of prisons to control prisoners and to re-invent themselves as places of punishment, and the power of the bureaucracy to entrench itself, but also the ability of civil servants to locate themselves in that power[9] of bureaucracy. It was also understood that each of these powers is overlain with colonial impacts including the oppression of women. A number of scholars have noted this association between colonialism and the oppression of women, but no rigorous analysis of that connection to colonialism presently exists in the Canadian literature (Acoose; Jaimes; McCaskill; Monture-Angus 1999; Smith; TFFSW).

Confronting the power of colonialism is one of the central challenges the Aboriginal women brought to the Task Force discussions as lived experiences of the Aboriginal women who are federal prisoners. And the report that was produced did force correctional officials to confront those understandings of that lived experience. As it brought colonial history to the centre of the analysis of gender (Hayman), the report may in fact be the only government report to begin to speak inclusively to Aboriginal women's experiences in the way Aboriginal women see the issues.[10] Although the report is only 16 years old, the analysis of women, prison, and colonialism was at its best rudimentary. In those intervening years, the scholarship that considers Aboriginal women's experience of law, power, gender and legal force has been enriched significantly. Sherene Razack writes:

> Colonizers at first claim the land of the colonized as their own through a process of violent eviction, justified by notions that the land was empty or populated by peoples who had to be saved and civilized.

> In the colonial era, such overt racist ideologies and their accompanying spatial practices (confinement to reserves, for example) facilitate the nearly absolute geographical separation of the colonizer and the colonized. At the end of the colonial era, and particularly with urbanization in the 1950s and 1960s, the segregation of urban space replaces these earlier spatial practices: slum administration replaces colonial administration. (129)

Razack raised these concerns in her study of the trial transcripts of the two men who murdered Pamela George, a Saulteaux woman from the Sakimay First Nation. To this progression of control through spatial separations, the space of the prison must be added. The prison is a total institution that relies on various forms of isolation as the essential form of control over the prisoner in the same way that reserves isolated Aboriginal peoples.

To understand the transformative potential the energy of Aboriginal reformers put into the Task Force, the degree to which colonial impacts were overlooked for female prisoners requires consideration. To date, feminist scholars have not examined the work of the Task Force or the building of the new women's facilities from this position. In fact, much of the work is silent on race (see, for example, Hannah-Moffat) or fails to consider that the six Aboriginal women who worked on the two committees did not share a singular vision of the politics of the Task Force or the prison as a coercive institution (see, for example, Hayman). In particular, not all of the Aboriginal women who participated were abolitionists. The inability to recognize this fact vanishes the very real differences of Aboriginal women and places an additional pressure on Aboriginal women to be seen to agree with one another. It, as well, fosters stereotypes of Aboriginal women and pan-Indian understandings (which are often inaccurate).

What is unique about the work of the Task Force on Federally Sentenced Women, is the way in which the voices of Aboriginal women, both prisoners and advocates, were included in the report. Those voices spoke clearly to the power of colonialism that continues to this day to impact on the lives of Aboriginal women. The Task Force was not the first time that the state elected to study the situation of federally sentenced female prisoners. In fact, the Prison for Women was the subject of inquiries and commissions almost since the time the first prisoners were admitted (TFFSW 35-41). What is remarkable is that it is the first time that Aboriginal women were an integral part of the body doing the studying and this is the result of efforts of both the Canadian Association of Elizabeth Fry Societies and the Native Women's Association of Canada. There were two First Nations women on the working group of the Task Force.[11] On the steering committee, there were four Aboriginal women, two of whom were federally-sentenced prisoners on community release.

Fran Sugar (Cree) and Lana Fox (Saulteaux) were both members of the steering committee retained by the Task Force to study the situation of federally sentenced Aboriginal women.[12] As both these women were formerly federally-sentenced women, the Task Force believed that they would have greater access to the stories that other Aboriginal women held about their incarceration. A research report entitled *Breaking Chains,* was the result of their work. It is a work that "unmaps" (Razack) and demonstrates the degree to which colonialism is a factor in the lives of Aboriginal women who are prisoners:

The prison is a total institution that relies on various forms of isolation as the essential form of control over the prisoner in the same way that reserves isolated Aboriginal peoples.

> No amount of tinkering with prisons can heal the before prison lives of the Aboriginal women who live or have lived within their walls. Prison cannot remedy the problem of the poverty of reserves. It cannot deal with immediate or historical memories of the genocide that Europeans worked upon our people. It cannot remedy violence, alcohol abuse, sexual assault during childhood, rape, and other violence Aboriginal women experience at the hands of men. Prison cannot heal the past abuse of foster homes, or the indifference and racism of Canada's justice system in its dealings with Aboriginal people. *However, the treatment of Aboriginal women within prisons can begin to recognize that these things* are *the realities of the lives that Aboriginal women prisoners have led*. By understanding this point, we can begin to make changes that will promote healing instead of rage. (Sugar and Fox 489, emphasis added)

The point Sugar and Fox make based both on their own experiences and their research is quite simple: acknowledge the effects of colonial imposition. This conclusion is the same one found by the Aboriginal Justice Inquiry of Manitoba, just less directly expressed by the Manitoba Commissioners who acknowledged, "the causes of Aboriginal criminal behaviour are rooted in a long history of discrimination and social inequality…." This same history has "…consigned them to the margins of Manitoba society" (Hamilton and Sinclair 85). Criminal offending, by Aboriginal people, cannot be understood simply as an individual's malfeasance. This recognition is not intended to make victims of Aboriginal people or of all prisoners but rather its purpose is to provide a necessary and historic, contextual and structural analysis of the problem at the centre of the question being examined.

The innovative research completed by the Task Force at the insistence of Aboriginal women is one of the positive outcomes of the work reformers invested. It accomplished more than providing skills and income to two formerly federally sentenced women. It set a new standard, in my view, for other researchers conducting studies in this area by seeing colonialism as a central factor in the analysis of present day social problems. The members of the Task Force believed that this piece of work was necessary in our efforts to find answers to the complex policy questions before us. It is one of the lasting contributions and because truth and knowledge operate to thwart the continuation of colonialism it is an important contribution.

Until very recently in Canadian history, Aboriginal people but particularly Aboriginal women have not had the opportunity to read our truth and thereby have it affirmed. The total impact of this aspect of the Task Force has never been the focus of study. Nor has its impact on the lives of the Aboriginal women who were (and in too many cases, remain) the prisoners been studied. It is ironic that the analysis of the Task Force and the new women's facilities is critical of the outcomes of the Task Force's recommendations often concluding that it is the women prisoners who paid the price without both returning to speak to those women and without placing colonialism at the centre of the analysis. This is an ultimate irony in that the analysis of the "success" or "failure" as one of the goals of the Task Force, reflected in the structure of the report, which begins with the voices of the women who are prisoners, is discussed without the very voices that the Task Force tried to centre.

Prison is also a particular kind of place, which also serves a particular, albeit not always acknowledged, social function. It is equally an identity-making space, for the prisoners but not just for the prisoners. First, the fact that the prisoners also produce the prison should not be forgotten (Gaucher 43). Second, "we," those of us who are not labeled as in violation of the criminal law and are, therefore, not criminals have our identities as respectable citizens affirmed. Criminals are wrong-doers (that is, not respectable and civilized) and it is therefore right and just to punish them. Thus, the prison is about a particular social function in which respectability and the accompanying social power is distributed in Canadian society.

Recognizing the parallel between the social function of the prison and its impact on Aboriginal peoples and colonialism, provided lessons I would not have learned if I had not been directly involved with prisons and prisoners. Visiting prison, seeing the control and relations of power was an early step for me in understanding the complexity of colonialism. Power, control, and isolation are all visible in the prison. Uniforms distinguish prisoners from guards. The quality of the tailoring of the guards uniforms distinguish them from the prisoners as well as the keys on their belts clanking with their footsteps. Bars, control posts and looked doors make the message about who has power and who does not very clear. Power, control, and isolation are key components in not only maintaining the "good order" of the institutions but were key components of colonialism. But in this country, in this century, many of these colonial vestiges are no longer visible as the oppression of residential schools once was to Aboriginal eyes. They are now embedded.

The Task Force attempted to re-create the kind of physical space that women would serve their sentences in and as such it is an interesting study because it connects space to power, isolation and control.[13] Because many of us felt we could not "get to" the power of the prison and it's officials, we took a step back and tried to minimize the ability for exercises of power and control that result in coercion, resistance, violence and isolation. For the Aboriginal women involved, most of us had never had such an opportunity before and were willing to take risks with the hope that we could make positive changes in the experience of incarceration. The title of the report, *Creating Choices,* reflects the philosophical attempt to shift the gaze from a system that corrects to one that collectively empowers women. This was an attempt to move women's corrections to a place that constructed women's criminal offending as a mere reflection of gender oppression in Canadian society (TFFSW 16, 25). It was an attempt to relocate the power to make choices in their lives out of the hands of prison officials and back to the women themselves. As noted in the preface, the consensus process engaged by the Task Force was often a painful process but through this commitment we learned that "only if people are treated with respect, only when they are empowered, can they take responsibility for their actions and make meaningful choices" (2). The report did not contain a finished plan but rather the authors urged that it be seen "as only a beginning to a much longer process of change in our justice system, and in society as a whole" (2). To obtain these goals, the Task Force attempted to reconfigure a space known as the women's prison. Whether the reconfigured spaces change women's experiences generally, or specifically if the healing lodge does, remains an unexamined question. Perhaps, given the degree to which the implementation of the report reconfigured the vision, it may be a question that is unnecessary to examine.

It is precisely this re-focusing on empowerment as an individual responsibility that has interfered with the transformative[14] potential of the vision of "Creating Choices" and resulted in consequences often unforeseen by those of us involved with the preparation of that report. Kelly Hannah-Moffat notes that Corrections Canada has taken the feminist notion of empowerment and attached a notion of self-responsibility to it that transforms the idea of "empowering women" into something less than satisfactory (170). CSC's actions ignore the way empowerment was located at the very beginning of the report. Empowerment follows respect and only when both conditions are present can women make choices that they should be held

accountable to. Hannah-Moffat concludes:

> This strong emphasis on responsibility decontextualizes feminist/[A]boriginal constructions of women's oppression, it also disregards feminist/[A]boriginal analyses of the social economic; and political barriers experienced by women, in particular marginalized women. (176)

It is the individualization of the concept empowerment that is the problem as well as its detachment from both the other five principles the Task Force articulated as well as from the historical analysis that acknowledges systemic patterns of colonization, gender discrimination, and unequal wealth distribution. By ignoring systemic patterns the transformative potential of *Creating Choices* is impaired. As a tool to thwart colonialism, the Task Force's work at least partially and perhaps significantly was stripped of its power to offer opportunities to decolonize.

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The five "principles for change" are: empowerment; meaningful and responsible choices; respect and dignity; supportive environment; and shared responsibility (TFFSW 128-135). The principles were not drafted as a checklist but are complementary and must operate in an interlocking pattern of commitment to the women who are prisoners. One of the difficulties I often experience in justice reform efforts is that I forget to be mindful enough of the different cultural contexts—forgetting that non-Aboriginal peoples do not share the same view of the world or the same understanding of knowledge. It means never forgetting that you are different and think differently than non-Aboriginal people (and this is almost an impossible requirement to fulfill as it requires you to analyze each and every thought that passes through your mind or every word that crosses your lips). And who is doing the double thinking is a fact that should not escape our attention. Explaining Aboriginal traditions, worldviews and knowledge systems is insufficient to guarantee respect, understanding or reaching a shared meaning. This has been one of my hardest lessons and it indeed remains a conundrum. It is conundrum faced every time I work in a non-Aboriginal institution from the prison to the university.

More disturbingly, the result of what reformers intended to be a transformation of women's prison has instead been shifted to a recharacterization of women prisoners as dangerous. The shift can be seen in the enhanced security measures such as the "eye in the sky" surveillance camera, fences, and razor wire. This recharacterization is substantiated in some instances with stereotypes of Aboriginal peoples. It is important to acknowledge that in 1990, one of the cornerstones of the TFFSW (and one of its strategies) was the acknowledgement that women prisoners were not as dangerous as men in prison. Coupled with this was an agreement among the majority of the Task Force that the security rating scales were not valid and some of us thought we had secured a promise that these scales were not to be used any longer at least until they had been demonstrated to be valid. Women were to be treated as women and not as a particular kind of security risk. Nowhere in the 17 pages of discussion under the heading of "The Recommended Plan" is it made explicit that risk assessment would limit women's access to the new facilities including the healing lodge (TFFSW 138-154). This is because the Task Force rejected the idea of "risk management" and "risk assessment" for women prisoners (109-112). In the words of the Task Force, in response to the question, "is classification appropriate":

> Initially, Task Force members supported the concept of woman-based criteria for classification as suggested by previous studies but ultimately came to the conclusion that assessment to gain better understanding of a woman's needs and experiences *is more appropriate than classification.* This conclusion is based on the Task Force perception that classification maintains the focus on security and on assigning a security rating for the women. (112)

This, in my view, is why the Task Force did not focus on women who were "hard to manage"[15] because the idea of security rating scales was fully rejected.[16] The result that women who are prisoners are now seen as dangerous both by the Service and the general public is a deeply disturbing result of our reform efforts and more damaging to women than the more common response to attempted prison reform of net-widening.

This consequence born so heavily by women prisoners may be explained as a response to a report which demanded that female prisoners be treated with respect in the post-Charter era and indeed would result in the deprisoning of female corrections. As a government report on prisoners has never before attempted this challenge to the

construction of the assumed dangerousness of prisoners, a challenge that goes to the heart of the legitimacy of the prison to punish, coerce, and restrain human beings, the Task Force could not have known what the government's response would be. What is learned then, is to not challenge the legitimacy of the prison (no matter how much sense it makes) without the resources necessary to ensure that there is an opportunity for reforms to respond to the backlash as there indeed will be backlash from the prison bureaucracy.

It is important as an activist to consider why these things have happened. Kelly Hannah-Moffat describes some of the consequences of the reform efforts and the countervailing need of prison administrators and staff to have control:

> Enhanced security cells were expanded in each of the new regional prisons. This was in response to correctional and staff concerns about security and discipline in the new regional prisons, which up until this time had relied more heavily on dynamic (as opposed to static) security measures. "Enhanced security" cells in the new prisons have doubled in number from the original designs; they have also been modified to allow for double bunking…. *It provides housing for inmates who: exhibit violent behaviour and/or have special needs; and/or serve disciplinary sentences.* (182)

This criminalization of women and the increasing way that they are characterized as dangerous (a post-Task Force reality) was essential to re-entrenching the legitimacy of prisons to punish and coerce. In my view, this has again become, and with a vengeance, the guiding philosophy of women's incarceration in Canada.

Never before had the Correctional Service of Canada relinquished so much power to community to be involved in correctional decision-making and no mechanisms were in place to ensure that community members or organizations continued to hold some power. And this is the fatal flaw in our abilities to secure meaningful and long-term reform. Insufficient power over the long term sat and sits in the hands of the reformers. As Kim Pate notes:

> From that point forward, it has been an incredible struggle to have the voices of the women heard, much less incorporated, in the planning process. In addition, we have witnessed the appropriation of feminist language, ideas and principles. This has also happened in conjunction with the continuing decontextualizing of women's experiences and life situations. Furthermore, the CSC has developed a distressing trend toward the conversion of women's needs into criminogenic risk factors. For instance, they have commissioned researchers to study the women in prison for linkages between self-injury and violent offending. (Faith and Pate 140)

It was the advocates of women prisoners who so strongly asserted that the voices of the women had to come first. Failing to continue to include the community has jeopardized the continuity of that acknowledgement and the commitment to listen to the women who are imprisoned has continued to be lost over the years.

Reflecting on this silencing of the women prisoners' voices (and those in the community who advocate for them) is an important aspect of understanding what went wrong. It is important to recognize that during the life of the Task Force, the working environment was a women's, maybe even a feminist, environment. This made it easy to retain the feminist principles we agreed were foundational to our work. Once the Task Force's work was completed, many of the civil servants returned to the male-dominated bureaucracy of corrections where feminist values, principles and beliefs are not respected or well-regarded. This was another structural pressure well beyond the control of any individual Task Force member that diminished the reformist vision.

Despite the involvement of the Native Women's Association of Canada in the establishment of Aboriginal specific initiatives, the transformative potential here has also been contained. The report of the Task Force on Federally Sentenced Women contains a specific focus on Aboriginal women that is maintained throughout the report. The recommendations are both inclusive and separate as appropriate. The most transformative of the ideas resulted in the building of the Healing Lodge at the Nekaneet First Nation (ironically on land surrendered for the purpose of building the Lodge). This was an attempt to create Aboriginal space for women to serve their sentences in.[17]

On a visit to the Ochimaw Ochi Healing Lodge several years ago, I had occasion to sit with the Elders in the Spiritual Lodge. One of the Elders expressed to me that "there was not enough Aboriginal programming at the Lodge." This statement encapsulates the degree to which those involved with the Task Force and those charged with implementing it have been successful (or not) in creating Aboriginal space. The prison was to be in its entirety an Aboriginal "program" (or Aboriginal space). It was not to rely on discrete Aboriginal programs to supplement the core programs of CSC. Those few words from the Elder "unmapped" for me the success (or the lack thereof) of this endeavour. A word of caution is essential around this point. There is no doubt that the Healing Lodge is not all that I have imagined it to be. I, however, base my analysis on an "outsider" position, granted one who is vested in the building of the lodge. It is clear to me that individual women (both Aboriginal and non) who have served their sentences at the Lodge have benefited by being there as some of us originally envisioned.[18]

There are a number of questions I continue to ponder. The Task Force, it's implementation and the new women's facility will never be experienced as something that is either

a success or failure, however you define those terms. For me, I think it will always be both. And as a woman who is not serving time, I recognize the privilege in that statement. In prisons, physical space is an important organizational quality. Compare the visual image of a maximum-security facility (and often what we conjure up reflects the reality at male prisons)—rolls and rolls of razor wire, fences or limestone walls and highly controlled offender movement. A minimum-security facility may look more like a resort than a penal institution. Although institutional-looking, the new regional facilities for women did not look like prisons prior to the enhancement of security measures in the first year of their operations. This exposes an interesting research question: how does the look of the new facilities change the experience of doing time? Or does it? What is the transformative value in changing the physical space of prisons if indeed there is one?

The physical space of the Prison for Women left little doubt about the nature of the coercion of the institution to one's imagination. Sugar and Fox explain how Aboriginal women's experience of the space of Prison for Women (P4W) was identity making:

> To be a woman and to be *seen* as violent is to be especially marked in the eyes of the administrations of the prisons where women do time, and in the eyes of the staff who guard them. In a prison with a male population, our crimes would stand out much less. Among women we do not fit stereotypes, and we are automatically feared, and labeled as in need of special handling. The label "violent" begets a self-perpetuating and destructive cycle for Aboriginal women within prisons. In P4W, everything follows this label. But the prison regime that follows serves to re-enforce the violence that it is supposedly designed to manage. It creates of P4W a place in which it is impossible for us to heal. (470)

The relationship between the colonial legacy, the portrayal of women as violent and increasingly as dangerous, and the racialization of Aboriginal women are interwoven strategies used by correctional systems. This emphasizes how important the broader context of power, while recognizing the many forms power takes, is to understanding the experiences of women who are prisoners.

When we reflect on our experiences and not just react to them, we create our stories. And those stories "are power, create people and author tribes" (Howe 29). And the land we now call Canada supports layers and layers of these Indigenous stories. Our actions, our trickster lessons, and our stories have the power to turn colonialism over and our people will reclaim our power and our freedom. It is in this way that I offer my thoughts on reforming prisons and the lessons I have learned thus far. This is my small offering to that process of reclaiming just relations as prison is just one small part of a much larger problem for Aboriginal people around the world.

Patricia Monture is Mohawk from Grand River Territory. Her legal education was completed at Queen's University and Osgoode Hall Law School. She is also a graduate of the University of Western Ontario. Presently, she is a full professor in the Department of Sociology at the University of Saskatchewan. Patricia's academic interests are varied and include issues of constitutional law and Aboriginal Peoples, the rights of women, critical race theory and other issues of social justice including the rights of prisoners.

[1]None of the names that are commonly applied to Onkwehon:we peoples are the names we use ourselves. Indigenous is the name most often used when the global situation is the reference. In Canada, the constitution labels us as Aboriginal Peoples and more specifically the "Indian, Inuit and Métis." "Indian" people often prefer to be called First Nations.

[2]For Indigenous peoples, often our stories, which are the foundation of our knowledge systems have been relegated to mere myth. This is a form of intellectual colonialism.

[3]In Canada, the constitution establishes that there are both federally and provincially sentenced prisoners. Federal prisoners are distinguished from provincial because their sentences are longer than two years.

[4]I am not trying to diminish the learning that comes from books although I do want to note that my time spent learning in university based systems of knowledge are also lived experience. As such, then, it is for me always about balancing learning in two very differently structured systems of knowledge (for a fuller discussion of my experience in the university please see Patricia Monture in "On Being Homeless: One Aboriginal Woman's 'Conquest of Canadian Universities, 1989-1998").

[5]New York State established a state prison at Auburn based on the congregate system. The date in itself should be an indication that the establishment of the prison and colonialism are in fact inter-connected phenomenon. For a detailed discussion of the establishment of the first prisons in North America see Rothman at 79.

[6]This is not the first time I have offered my ponderings on the Task Force. Please also see Patricia Monture–Angus, "Aboriginal Women and Correctional Practice: Reflections on the Task Force on Federally Sentenced Women."

[7]In choosing the appropriate word to describe those labeled "Inmates" or "offenders," I am informed by Gayle Horii's (a lifer who served time at the Prison for Women) comments: "Prisoner is the only correct term to describe a person locked into a cage or cell within a facility not of one's choice and whose quality of existence therein depends upon the keepers" (108). In our activism we must take care to respect the expertise of those who have lived experiences.

[8]There are far fewer women incarcerated in Canada than men. In 1981, 35 federally sentenced women were Ab-

original and by 2002 they numbered 94. Sinclair and Boe report this is a relatively stable increase from 18 per cent to 20 per cent over the two decades (17). This contradicts the figure of 29 per cent reported by the Canadian Human Rights Commission in 2003 (15).

[9]This power takes several forms. At the time of the Task Force, many of the community members of the Task Force did not have access to email. Our long distance calls, facsimiles and other expenses came directly out of our pockets and were eventually reimbursed. The civil servants had unlimited resources at their immediate disposal. They had the ability to caucus on the government's dime and many worked in the same geographic area. Community members did not have this ability to caucus other than at meetings. This imbalance in resources and power impacts on the ability of the community sector to participate and results in a documentary record, such as the recording of minutes, that was really more firmly in the hands of the bureaucrats. These are significant issues that impact on the ability of reformers to see their views equally recorded.

[10]Compare this to the report of the Royal Commission on Aboriginal People where the discussion of gender is little more than the discussion of loss of status under former section 12(1)(b) of the *Indian Act* despite the fact the RCAP reported six years after the Task Force on Federally Sentenced Women.

[11]The author of this paper was one of those two women.

[12]These two women were also part of the Steering Committee of the Task Force on Federally Sentenced women.

[13]Many of these negotiations were not easy ones but ones made under the pressure of the consequences for prisoners if we did not agree as the civil servants often reminded us. I remember long, hard discussions about segregation units. I remember opining that locking me in a penthouse suite of the luxurious Royal York Hotel was still dehumanizing and a fancy place was still segregation (even if you called it something else). These are the kinds of heated discussions that were never reflected in the minutes.

[14]Laureen Snider writes: "Indeed, criminal justice systems are probably the least effective institutions to look for transformative change. Even the staunchest advocates of incarceration do not argue that prisons are successful institutions, only that they punish well" (11).

[15]Stephanie Hayman in her analysis of the work of the Task Force does not acknowledge this concession to not apply security-rating scales (see pages 231-238). This limits the results of her analysis.

[16]Both the most recent report of the Correctional Investigator (2005-2006) and the special report of the Canadian Human Rights Commission (2003) are critical that no work has been done to develop an assessment model for women.

[17]This was the first of the healing lodges built by government in Canada. There are now eight lodges that are federally funded including those that are still in the development phase with the Okimaw Ochi Healing lodge being the only female facility. These are Waseskun House in Quebec; Ochichakasipi (Crane River) in Manitoba; Willow Cree Healing Lodge in Saskatchewan, Wapatin in Saskatchewan; Stan Daniels Healing Centre in Alberta; Pe Sakawtew in Hobbema, Alberta and Kwe Kwe Kwelp in British Columbia.[18] The birth of the healing lodge was not a well-though out plan but more of a coincidence. It was a reaction to yet another suicide at the Prison for Women. It was a spur of the moment comment about not needing another prison to warehouse Aboriginal women as my sisters kept coming home to us in boxes. It was this abolition point I was making. But I followed it with a comment about Aboriginal women needing a place to heal, a lodge. The civil servants at the table immediately embraced this idea of a healing lodge. They started to question me what such a lodge would look like. It left us stunned and I felt like I had made a mistake sharing our dream about a healing place.

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