

Exploring Indigenous Youth Incarceration in Canada

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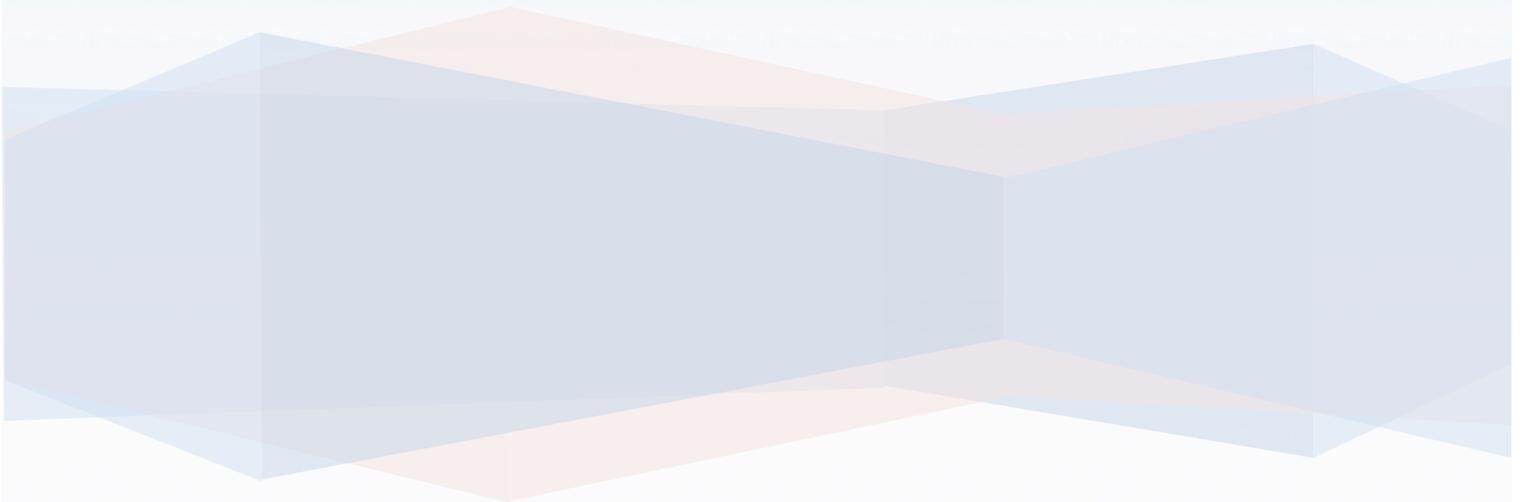


Table of Contents

Abstract	3
Acknowledgments	3
Introduction	4
Literature Review	7
Indigenous Issues in Canada	7
Environmental Factors	8
Institutional Racism	11
Gendered Approach	15
Potential Solutions.....	16
Research Questions	18
Indigenous Youth Incarceration	18
Theoretical Approaches	19
Flying Dust First Nation	19
Methodology	20
Findings	21
Themes of Inclusivity	21
Criminal Justice System.....	27
Youth.....	28
Localized Strengths	28
Flying Dust First Nation	29
Analysis	34
Themes of Inclusivity	34
Criminal Justice System.....	36
Youth.....	37
Localized Strengths	38
Conclusion	40

Table of Figures and Charts

<i>Table 1: Types of Sources</i> _____	21
<i>Table 2: Thematic Analysis</i> _____	22
<i>Table 3: Identity</i> _____	24
<i>Table 4: Unmarked Identity</i> _____	25
<i>Figure 1: Location</i> _____	26
<i>Table 5: Leadership</i> _____	29

Abstract

This project is focused on the issue of Indigenous youth incarceration in Canada. The primary goal of this study is to explore whether this prevalent problem is a product of social environment, such as poverty and reserve conditions, or if it is rooted in institutionalized racism in Canada. This study has centrally been a literature review of relevant statistical information and academic publications on this topic, as well as qualitative coding of selected sources. I have also utilized the case study of the Flying Dust First Nation in Saskatchewan in order to explore a microanalysis of an Indigenous community that contradicts prevailing negative social patterns in Canada. My central argument is that high rates of Indigenous youth incarceration in Canada are a product of the combined effect of complex social factors, as well as systemic racism in governmental structures. Through my qualitative research, I have found that some of the academic literature has further propagated stereotypical notions of Indigenous Canadians, as well as produced a distinct binary between Indigenous groups and the non-Indigenous, unmarked category of identity.

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Introduction

The problem of Indigenous youth incarceration is a central discussion in much of the criminological, sociological and anthropological literature. However, there is a lacuna of knowledge in what directly causes this issue. This study includes a literature review of relevant sources, as well as qualitative results from coding select sources in order to better understand the factors that contribute to the over-incarceration of Indigenous youth. To begin, I must acknowledge my own bias in writing about Indigenous issues from the perspective of a white female researcher. Hedican (2008) showcases the importance of the researcher's social position in studying Indigenous communities, in both acknowledging one's own bias in academic writing, as well as appreciating the unique experiences of Indigenous groups. I have tried to best mitigate my bias, particularly by incorporating authors of Indigenous background in order to emphasize their perspectives in relation to this issue. Jaclyn Ellis (2011) dichotomizes the Western and Indigenous models of justice to illustrate the struggle for Indigenous people overrepresented in a system that does not reflect their perceptions of justice. Additionally, Ellis (2011) introduces the concept of self-determination within the Indigenous context, which demonstrates the importance of highlighting Indigenous voices in addressing viable solutions for the way in which the Canadian justice system can accommodate and acknowledge difference. Moving forward, I will opt to use the term "Indigenous," rather than terms such as "Aboriginal," as this reflects the more recent shift in the anthropological discipline. The fundamental question that is to be answered throughout this thesis project is: Are incarceration rates for Indigenous young people a product of their social environment, such as poverty and reserve conditions, or a result of institutionalized racism within Canada? My hypothesis is that sociological and criminological literatures cite both environmental reasons and culminate in combination with historically racist governmental practices to produce the phenomenon of high Indigenous youth incarceration.

Indigenous youth between ages of 12 to 17 years old represent approximately 7% of the Canadian youth population; yet they comprise 39% of young offenders in custody nationally (Greenberg, Grekul, and Nelson 2016). There are hundreds of First Nations, Métis and Inuit communities across the nation, reflecting rich linguistic and cultural diversity. There is an extremely troubling legacy of colonial and state-level practices that have challenged these Indigenous communities in their pursuit of Indigenous rights and opportunities to practice their cultures and access their ancestral lands. Indigenous voices are not always recognized in public policy discussion about the social issues that affect them. In recent years, the fundamental issue of the over-incarceration rates of Indigenous people in Canada has been recognized in the criminological literature, while the Indigenous prison population has simultaneously continued to grow. Indigenous over-incarceration has been a persistent trend for decades, tracing back to 1977, in which Indigenous juvenile delinquency was cited as being three times higher than the Canadian youth average (Canada 1980). This trend affects inmates, as well as young offenders, that come into contact with the youth criminal justice system in Canada. Despite the underlying philosophy of the Youth Criminal Justice Act that promises to divert young offenders, Indigenous individuals continually experience high levels of incarceration and probation. This is especially problematic because of the detrimental effects incarceration has on later life outcomes, particularly for youth. These include lower employment results, difficulty reintegrating into society, substance abuse and pervasive social stigma from prior imprisonment (Visher and Travis 2003). Further, possessing a negative label within society makes it difficult to move past one's conviction. Pursuit of criminal charges against youth sets them on a dangerous life course path, as early initiation into the criminal justice system can condition an offender for life-long punishment. Indigenous peoples are also more likely to be the victims of violent crime, and 47%

of Indigenous victims are between the ages of 15 and 24 years old (Greenberg, Grekul, and Hirsch 2016). Therefore, victimization has a key influence over the criminalization of Indigenous youth, as factors like intergenerational trauma perpetuate cycles of abuse and criminal involvement.

The Canadian justice system has attempted to address the issue of Indigenous over-incarceration by indoctrinating Aboriginal status in the law as a factor that must be considered during sentencing. However, this has failed to lower rates at which Indigenous adults and youth are sentenced in Canadian correctional institutions. Recent movements towards risk management in the criminal justice system have universally applied standards cultivated from white male prison populations and used them to calculate risk in a supposedly unbiased algorithm (Martel, Brassard, and Jaccoud 2011). Consequently, Indigenous people are frequently deemed dangerous offenders worthy of being imprisoned longer. In addition, the philosophy of risk management practiced by the correctional system in Canada funnels Indigenous offenders into maximum-security facilities, where they are unable to get the help that they need (Martel, Brassard, and Jaccoud 2011). Moreover, the historical experiences of Indigenous people in Canada, such as victimization and challenges of substance abuse, mark these individuals as inherently criminogenic and unable to leave the correctional system. The justice system has enacted substantial progress in initiating more measures aimed at mitigating the use of custody for young offenders. However, discretion has not been applied universally. Indigenous youth have oftentimes faced less lenient measures, in contradiction to the aims of the legislation. Early entry into the criminal justice system for youth is often the beginning of a vicious cycle of trauma and imprisonment that is difficult to escape, particularly for Indigenous offenders. This issue is of central concern to sociology, criminology and anthropology, as it intertwines these three areas of

study in a pervasive phenomenon occurring within the landscape of modern Canadian society. The criminalization of Indigenous youth in Canada is an imperative challenge to address, particularly as we see an ever-growing young demographic among the Indigenous population. Therefore, we must cultivate a more prosperous future for upcoming generations of Indigenous people in Canada, while also addressing the current concerns and working towards integrating young offenders of Indigenous background back into society.

Literature Review

Indigenous Issues in Canada

The research I have conducted has culminated in sources from the relevant sociological, anthropological and criminological literature. It is important to recognize that a significant amount of progress has been made within policies, justice practices, and social programming to work towards mitigating the high numbers of Indigenous people in the justice system. For instance, the R v. Gladue ruling in 1999 altered the sentencing principles for Indigenous Canadians. This shift led to the legal enshrinement of special judicial rights for Indigenous peoples. Specifically, this legislative change encouraged judges to use more alternatives to traditional incarceration when sentencing Indigenous offenders (Ontario Federation of Indian Friendship Centres 2012). In addition, the correctional system has implemented more culturally responsive practices for Indigenous inmates, including healing lodges, which act as alternatives to prisons (Hyatt 2013). The shift towards the Youth Criminal Justice Act also exhibited promise for this issue, as it encouraged principles of diversion and rehabilitation for young offenders (Greenberg, Grekul, and Nelson 2016). Canadian society is moving forward in a positive direction towards preventing and reconciling the incarceration of Indigenous youth, but more action must be taken in order to fully address this pervasive issue.

Environmental Factors

The premise of the social environmental perspective in explaining the overrepresentation of Indigenous youth in the justice system focuses on attributing the criminal involvement of this demographic to problems affiliated with the conditions of their community. This perspective draws upon poverty, poor reserve conditions, physical and mental health issues, unemployment and inadequate educational attainment. The ecological approach traditionally examines the way in which neighbourhood factors, such as aesthetic appearance, housing and employment influence crime rates. Specifically, this approach will be employed in the context of how neighbourhood factors relate to policing of Indigenous residences in urban areas. Greenberg, Grekul, and Nelson (2016) emphasize the vicious cycle of victimization and criminalization for Indigenous people in Canada. This relationship extends beyond seeing Indigenous young offenders as deviants, and helps contextualize the past traumas these youth have experienced prior to their criminal involvement. Greenberg, Grekul, and Nelson (2016) also focus largely on the environmental factors for Indigenous youth crime, such as Fetal Alcohol Spectrum Disorder and psychological conditions.¹ The federal statistics on youth crime substantiate the fundamental problem of this thesis in recognizing the disproportionate representation of Indigenous youth within the Youth Criminal Justice System (Munch 2012). Munch (2012) analyzes the geographical trends of incarceration. Specifically, Munch (2012) illustrates that in areas of Western and Northern Canada, where rates of Indigenous communities are highly concentrated, there are more youth incarcerated and sentenced to probation than other regions of the nation.

Police-reported crime statistics demonstrate that within the broader Canadian context, the nation is experiencing a decrease in youth crime rates. However, this does not apply to the

¹ These are important theoretical considerations, but I must avoid applying these types of explanations in a universal manner.

regions of Nunavut, Saskatchewan and the Yukon, which all demonstrated a substantial increase in youth crime (Allen 2016). These trends reflect the high proportion of both the young demographic in these regions, as well as the higher percentage of Indigenous peoples residing within these areas. These trends influenced my decision to use the case study of the Flying Dust First Nation in Saskatchewan. I will use this example in order to demonstrate how Western Canadian Indigenous communities experience youth justice issues on a micro level. The average age of Flying Dust First Nation residents is 21.8 years old, in comparison with the provincial average in Saskatchewan of 37.8 years old (Indigenous and Northern Affairs Canada 2017). This is consistent with previous research that has indicated the increasing youth demographic amongst Indigenous Canadians. Approximately 37% of those surveyed in Flying Dust First Nation could speak an Indigenous language, with the majority speaking English as a primary language. The average annual income was \$20,463, representing about half of what typical Saskatchewan households make annually (Indigenous and Northern Affairs Canada 2017). In addition, close to half of the Flying Dust First Nation that was surveyed was currently employed, participating in labour forces related to services, government, trades and management. However, this research must also be considered with the acknowledgment that governmental statistics fail to take into consideration types of labour that Indigenous people may traditionally be employed in. For instance, seasonally based jobs, such as engagement in fishing or hunting may not be quantitatively acknowledged because of the contentious nature of this type of employment. Despite the fact that 145 of 520 community members surveyed did not possess a degree or diploma, a substantial number of the population had high school equivalent education or held a college or university diploma (Indigenous and Northern Affairs Canada 2017). Therefore, the

governmental statistics collected on the Flying Dust First Nation confirm and challenge the nationally collected data on the environmental conditions of Indigenous peoples in Canada.

The ecological model validates the effects of the social environment on Indigenous youth and their participation in crime. Fitzgerald and Carrington (2008) assert that social disorganization theory largely explains urban Indigenous crime rates. They found that Indigenous families in Census Metropolitan Areas are more likely to experience poverty, single-parent households, unemployment and low educational attainment (Fitzgerald and Carrington 2008). In addition, these authors found that there was some correlation between residence in a criminogenic environment and a larger proportion of Indigenous youth that were police-identified offenders (Fitzgerald and Carrington 2008). Schulenberg (2003) also employs a social environmental explanation. Her ecological analysis found some support for social disorganization theory, as rent rates and unemployment influenced policing in certain neighbourhoods. This author also found that the application of formal control depended upon the size of a community. Larger cities tended to have greater social disorganization, thus influencing the discretionary application of the law by police (Schulenberg 2003). However, Fitzgerald and Carrington (2011) did not find a relationship between neighbourhood and police contact. These authors did add that minority youth with high-risk backgrounds were the ones more likely to come into contact with the police, as they oftentimes had a lower household income. Indigenous families in particular were considered at an advanced level of risk, due to the lasting effects of residential schools on Indigenous parenting (Fitzgerald and Carrington 2011). The aforementioned sources demonstrate that environmental factors, such as poverty and social location influence Indigenous youth's entrance into the criminal justice system.

Institutional Racism

The institutional racism approach extends the explanation of Indigenous youth incarceration beyond community experiences and looks at the fractured relationship between Indigenous people and the Canadian federal government. The argument here is that correctional punishment serves as a mechanism of social control over Indigenous people, who have faced a long history of assimilation. Bedford (1994) illustrates the utility of Marxism in mobilizing Indigenous justice. Historically, Marxist theory has largely ignored the interests of Indigenous people in the past. However, by recognizing Indigenous rights to self-governance, this would mobilize their interests within the Marxist framework. By linking together class and ethnic struggles, this establishes greater applicability of Marxism in recognizing the historical struggles of the proletariat and Indigenous people (Bedford 1994). Andersen (1999) recognizes the challenges in neoliberalism with incorporating traditional Indigenous justice. Since modern capitalist society is centered on the individual, this has placed responsibility on Indigenous offenders to deal with their own issues of structural inequity (Andersen 1999). Fleras (2017) provides a comparative framework for contextualizing the historical relationship dynamic that has existed between the Canadian government and Indigenous groups, including assimilationism, autonomism and accommodationism. These three ideas help to better enhance the overall understanding of addressing and incorporating Indigenous interests on a national level. Hyatt (2013) highlights the facets of oppression against Indigenous peoples through cultural genocide, the residential school system and discriminatory federal policies. These trends have extended into present day, where Indigenous children are disproportionately filtered through the foster care system. Pulkingham, Fuller, and Kershaw (2010) illustrate that Indigenous children are 10 times as likely to enter into governmental care, representing 49% of all Canadian children in federal care. Although residential schools were completely shut down in 1996, it is evident from

these trends that the government continues to assert power over the lives of Indigenous families by removing children from their parents. Shantz (2010) connects the legacy of institutional racism to the context of the Canadian criminal justice system, particularly in terms of policing and sentencing of Indigenous youth. Additionally, Shantz (2010) contextualizes the struggle to assert Indigenous identity in Canada in a landscape of perpetual oppression against Indigenous peoples. Research related to the policing of Indigenous peoples in Canada is critical, as police officers symbolize gatekeepers into the criminal justice system for this at-risk population. Lithopoulos and Ruddell (2016) address this problem, by discussing the potential community-based solutions for improving the policing of Indigenous communities in Canada. These authors also apply this model in explaining the higher recidivism rates among young Indigenous offenders, as the increasing risks and needs for this demographic leave them vulnerable for early participation in crime, repeated offences, as well as gang involvement (Lithopoulos and Ruddell 2016). Bala, Carrington and Roberts (2016) reaffirm the existence of racial profiling within Canadian police forces. This is demonstrated by the story of Neil Stonechild, an Indigenous teenager who died of hypothermia after being released by police on a country road during the winter (Greenberg, Grekul, and Nelson 2016). In terms of applying legislation to enhance equitable treatment of Indigenous youth, Bala (2015) deconstructs aspects of the Youth Criminal Justice Act. He argues that in spite of additions for recognizing Indigenous heritage in public policies, there has been a fundamental lack of change for addressing Indigenous youth incarceration (Bala 2015).

Upon entrance into the criminal justice system in correctional facilities, risk management acts as a critical method of categorizing offenders to organize them into low, medium or high security institutions based on their perceived risk. In addition, the risk management model can

influence how long offenders remain imprisoned, as those deemed dangerous can remain institutionalized indefinitely as a means of protecting the public (Martel, Brassard, and Jaccoud 2011). As evidenced by Martel, Brassard, and Jaccoud (2011), there are fundamental issues in the application of risk assessment for Indigenous offenders in particular. They argue that this programming predisposes Indigenous people as high-risk. This then causes these inmates to be placed in facilities with higher levels of security and fails to provide them with the rehabilitative attention they need in order to avoid recidivism upon release (Martel, Brassard, and Jaccoud 2011). Although these authors did not study the youth correctional system, it is still valuable to acknowledge how Indigenous offenders of all ages can be classified as high-risk. This can be particularly damaging for youth, who may have a prolonged cycle of reentering correctional facilities if their unique needs of reintegration back into the outside community are not met initially. Owusu-Bempah et al. (2014) validate the increasing trend of Indigenous incarceration in Canada and illustrate that Indigenous offenders receive harsher sentences than their non-Indigenous counterparts. Although these authors extracted their findings from the adult prisoner population, they can be applied to the context of youth, such as the effects of early imprisonment and the high recidivism rates among Indigenous youth. In addition, Martel, Brassard, and Jaccoud (2011) define “hegemonic aboriginality.” This is a term instituted by federal corrections that, illustrates that the use of Indigenous practices in the justice system is oftentimes not incorporative of cultural differences, but rather has a pan-Indigenous view of what constitutes the appropriate Aboriginal offender (Martel, Brassard, and Jaccoud 2011). Macdonald (2016) also found that Indigenous inmates were less likely to be placed in minimum-security institutions. Amongst Indigenous inmates, 31% were kept in segregation, 45% attempted some form of self-harm, and 90% were kept in prison until the end of their sentence (Macdonald 2016). Though

these numbers come from federally sentenced adult prisoners, Macdonald (2016) demonstrates the pervasive influence Indigeneity has over the treatment of prisoners within Canadian correctional facilities.

In relation to Indigenous youth specifically, Dhillon (2017) conducted an ethnographic study of Saskatoon social programming for young people. He demonstrates precedents to be followed in enacting effective social programs for at-risk youth in Western Canada (Dhillon 2017). In addition, Dhillon (2017) highlights the specialized needs of Indigenous female youth by acknowledging the failure of programming to address their high rates of victimization and exploitation. In explaining the reasons for Indigenous youth incarceration, Hogeveen (2005) argues that colonialism is responsible for criminalizing Indigenous youth. He acknowledges the social conflict perspective on account of governmental policies and decision-making in incarcerating disproportionate numbers of Indigenous youth. Hogeveen (2005) also problematizes the community-based solutions for youth justice, as this shifts responsibility onto Indigenous peoples in particular to manage youth crime.

The Kino-nda-niimi Collective (2014) discusses the impact and social relations surrounding the Idle No More Movement. These anecdotal excerpts are useful in examining long-term solutions for the overrepresentation of Indigenous youth in the justice system. This model of mobilizing social justice can be useful in garnering the attention of the Canadian public on this issue and calling for political change for Indigenous rights (Kino-nda-niimi Collective 2014). Altamirano-Jiménez (2008) extends Indigenous issues from the Canadian context to the broader scope of the pursuit of Indigenous rights across North America. Thus, this author offers insight into the devastating impacts of colonization on a more global scale. Proulx (2003) discusses the high rates of Indigenous crime within the urban Canadian context. This author

distances himself from the environmental explanations by discussing the cross-generational effects of residential schools on parenting practices, and the way in which this constrains the future potential of their children and life outcomes. Therefore, Proulx (2003) offers evidence to suggest that Indigenous incarceration is not simply a product of poverty and reserve conditions, but derived in part by the long-standing effects of governmental assimilation. This literature contextualizes the lasting historical effects of colonization, particularly within the disproportionately high rates of incarceration amongst Indigenous youth.

Gendered Approach

Feminist theory is particularly useful in understanding Indigenous youth incarceration, largely due to the vulnerability of female Indigenous youth within the justice system. Although girls and women are consistently a small minority of offenders within correctional facilities, there is a substantial overrepresentation of Indigenous females within the Canadian criminal justice system. Nationally, the disproportionate representation of Indigenous girls when compared to their non-Indigenous counterparts is even higher than the over-representation of Indigenous males in the system (Greenberg, Grekul, and Nelson 2016). Razack (2016) establishes a valuable feminist analysis of Indigenous victimization and criminalization patterns, as she applies the frame of disposability to demonstrate the heinous treatment of Indigenous women and girls in Canadian society. This idea is crucial in understanding the problematic sexualization of Indigenous females in relation to their detrimental experiences in the criminal justice system when compared to their male counterparts. In *Understanding Aboriginal Issues*, Hedican (2008) deconstructs the implications of the Indian Act and its effect on the status of Indigenous women. Hedican (2008) sets the framework for understanding colonial influence over governmental policies in Canada, and examines the disparity amongst rights for Indigenous women specifically.

Similarly, Turpel (1991) unpacks gender relations within Indigenous communities. This author analyzes the way in which Western society has encouraged the application of a uniform equality model for women of all ethnic backgrounds. Turpel (1991) thus reaffirms the long-standing consequences that colonialism has had for Indigenous groups. She illustrates that Canadian society is applying white feminism in a context where gender relations amongst Indigenous people were hindered by European settlement in Canada (Turpel 1991). Freiburger and Burke (2011) demonstrate that minority girls frequently face harsher punishment than their male counterparts. These authors suggest that the combined effects of paternalist policies and embedded racism coalesce to produce this phenomenon with minority female youth (Freiburger and Burke 2011). These authors discuss, “This is largely attributable to a patriarchal justice system that devalues girls and women and demonizes them if they stray from the socially prescribed gender roles of passivity and femininity” (Freiburger and Burke 2011, 353-4). This intersectional perspective is also highlighted by Hannah-Moffatt (2010), who discusses failures in the correctional system to provide gender-responsive care to inmates. Specifically, Hannah-Moffatt (2010) points to the practice of labelling female inmates who are mentally ill or who have suffered from victimization as high-risk. Thus, this places Indigenous women in higher security units and reduces their ability to get one-on-one help (Hannah-Moffatt 2010). This can also be applied to the context of Indigenous young women, who are more overrepresented than Indigenous male youth. It is critical, therefore, to recognize the role of gender in understanding Indigenous youth incarceration, as these individuals face barriers of sexism and racism simultaneously within the criminal justice system.

Potential Solutions

Social programming has been enacted to help at-risk Indigenous youth, including using hip-hop and rap culture to help them vocalize their frustrations with social inequity and

colonialism, while acting as an alternative to participating in crime. Munzo and Potts (2003) interviewed Indigenous rap musicians in Alberta to better understand the influence and content of Indigenous rap. They concluded that this genre is beneficial in helping youth develop a positive sense of self through music. This form of music also helped motivate change through the social commentary on discrimination, cultural loss and poverty (Munzo and Potts 2003). Lashua and Fox (2006) similarly studied the Beat of Boyle Street program in Edmonton and the way in which it encourages Indigenous youth to create rap music as a form of self-expression. Brooks et al. (2015) use the framework of resilience to demonstrate how engaging in Indigenous rap and hip-hop helps youth establish positive group identity, pride in their Indigeneity and a support network of peers. There are clearly positive benefits to these culture-centered programs, as they can act as a creative outlet for frustration with social inequity and establishing pro-social bonds that keep at-risk youth out of crime.

In terms of restorative justice and alternative models of punishment, it is worth examining the practices used in other nations that are part of the Commonwealth and have substantial Indigenous populations. As illustrated by Maxwell and Morris (2006), New Zealand adopted restorative justice practices in 1989 and was the first country to enact such policy into their criminal justice system. The youth justice system in New Zealand aims to help victims, support youth and their families, get Maori involved in the decision making for their youth and reduce the number of young offenders in the system (Maxwell and Morris 2006). In particular, the idea of ensuring collective responsibility through the use of the family group conferencing model has been successful in New Zealand. However, there have not been significant achievements in terms of positive outcomes for youth after restorative justice in terms of finding employment and stability (Maxwell and Morris 2006). Similarly, Beaty Christie (2013)

conducted a cross-comparative analysis of New Zealand, Australia, Canada, United Kingdom and the United States to discuss differential applications of restorative justice programming. New Zealand has faced challenges with their youth justice system, as there are some elements of Maori and governmental ideals of punishment that oppose one another (Beaty Christe 2013). Overall, the international examples of restorative justice can better demonstrate future paths Canada can take in making these practices widely available to young offenders.

Canada has attempted to incorporate alternative justice measures through Gladue sentencing, which offers a progressive move forward in addressing the high incarceration rates of Indigenous people. However, Gladue sentencing has not been applied to its full potential, as a result of lacking financial investment and education of the legal system on the history of Indigenous people in Canada (Ontario Federation of Indian Friendship Centres). Healing lodges have shown substantial potential for offering culturally relevant justice for Indigenous offenders. Nielsen (2003) demonstrates that healing lodges can help reduce recidivism and enhance offender reintegration into the community upon release. Therefore, the literature demonstrates that there are a number of opportunities to critically address Indigenous youth incarceration.

Research Questions

Indigenous Youth Incarceration

A central component of the primary research question of this project is: Are incarceration rates for Indigenous young people a product of their social environment, such as poverty and reserve conditions, or a result of institutionalized racism within Canada? My conclusion is that sociological and criminological literatures cite both environmental reasons and culminate in combination with historically racist governmental practices to produce the phenomenon of high Indigenous youth incarceration. The theoretical basis for this argument comes from

criminological theory, such as the ecological model, as well as Marxist and feminist analysis, as explained within the next research question.

Theoretical Approaches

A question of disciplinary significance is asked in the following: What social theories can be used to explain criminalization of Indigenous youth? Here, I illustrate Marxist and feminist theory, as well as criminological theories, such the ecological model to elaborate on the root causes of this issue. My hypothesis in this case is that combination of sociological theories can legitimate both the social environment and the colonial discrimination approaches. The criminological perspectives, including labeling theory and the ecological approach are evidentiary of the social environment perspective. The Marxist and feminist theories substantiate the institutional racism hypothesis. Although Marxism is typically used to better understand socioeconomic inequality in society, it is used here in order to support the self-determination rights of Indigenous groups in the face of oppression (Bedford 1994). Feminist perspectives analyze the forms of gender inequality that persist in society, and are utilized to better understand the various facets of oppression faced by Indigenous women. A subset of my theoretical focus is the exploration of: Why are Indigenous girls more overrepresented in the youth correctional system than Indigenous males? I conclude here that Indigenous girls experience heightened levels of incarceration as a result of intersectional barriers of racism and sexism.

Flying Dust First Nation

My third and final research question is: How do the larger trends of the criminalization of Indigenous youth apply to the case study of the Flying Dust First Nation in Saskatchewan? My hypothesis in relation to this question is that although there are some similarities at the micro level, larger social processes within the criminal justice system will not be relevant to this specific First Nations community. Further, I conclude that although there needs to be significant

improvement in addressing the overrepresentation of Indigenous youth offenders on a national level, this does not detract from many examples of successful and thriving Indigenous communities in Canada.

Methodology

The primary methodological approach within this given thesis project is a qualitative review of the relevant academic literature in order to address the issue of the high concentration of Indigenous youth in Canadian corrections. This includes an analysis of publications made by authors of interdisciplinary backgrounds, with a particular focus on the disciplines of sociology, anthropology and criminology. Therefore, pertinent sources include but are not limited to: ethnographic studies, survey research amongst Canadian youth and qualitative analysis of social policies. I used NVivo software as a tool for data analysis. I inductively coded the chosen sources to examine the terminology within them, in order to deconstruct discursive frameworks surrounding Indigenous issues and to better understand the full extent of the connotation behind chosen words and phrases. Inductive coding was chosen, as the data collected shaped the development of codes, and thematic ideas derived from the coding process. Both descriptive and deductive codes were employed during the preliminary coding stage to extract themes based upon the literature review, as well as establish ideas that surround the attributes of Indigenous peoples within the data. Open coding was researcher-driven and used to generate terms from the data set during first-cycle coding. Focused coding was utilized as a research strategy during second-cycle coding in order to better conceptualize categories and patterns within the data set. Once the initial coding was completed, I organized nodes into parent and child nodes based upon thematic categories.

Given the cultural weight and contentious nature of Indigenous-Canadian issues, it is of significance to analyze the assumptions of the current literature to fully comprehend the intentions of word use. My hypothesis is that the language disseminated within the literature establishes differential power dynamics, meaning that the universalism present within some of the data serves to further invalidate, rather than recognize the interests of the Indigenous population. This served as an exercise for me in the importance of word choice, particularly in attempts to mitigate my own bias in discussing an Indigenous phenomenon and the historical roots of this issue. For example, some of the themes that arose from the research itself were community and identity. The three areas of literature that were coded within my research were research articles on the issue of Indigenous youth incarceration, governmental statistics, as well as ethnographic and education research focused on the case study of the Flying Dust First Nation in Saskatchewan. These sources are organized by type in Table 1.

Table 1: Types of Sources

Academic Literature	Government Documents	Flying Dust First Nation
1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011)	1. Munch (2012) 2. Allen (2016)	1. Schmidt, Derocher, McCallum and McCallum (2006) 2. Northwest School Division (2016)

Findings

Themes of Inclusivity

The twelve central themes derived from the literature were the following: identity, unmarked identity, Flying Dust, location, community, crime, police, correctional services, youth, responsibility, leadership and traditional. These themes are organized in Table 2. One of the central themes in my research was the concept of identity. The theme of “identity” and affiliated subcategories, such as “Aboriginal,” “First Nations” and “Indigenous” were found within all

seven documents. These are displayed within Table 3. “Aboriginal” was the most common subcategory within this theme, followed by “First Nations” and “Indigenous.” More specialized terms that referred to specific Indigenous subpopulations, such as “Cree” were much less common within the coded sources. “Aboriginal” was the most common subcategory for identity within the Hogeveen (2005) article as well as the source by Munch (2012). However, this term was much less popular within the sources focused on the Flying Dust First Nation.

Table 2: Thematic Analysis

Themes	Subthemes	Overall Frequency	Sources Appeared
1) Identity	<ul style="list-style-type: none"> • Universal • Specified Group • Cultural Subgroup • Treaty Reference 	265	1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011) 4. Munch (2012) 5. Allen (2016) 6. Schmidt et al. (2006) 7. Northwest School Division (2016)
2) Unmarked Identity	<ul style="list-style-type: none"> • Ethnic Origin • Unrecognized Other • Localized Community 	41	1. Hogeveen (2005) 2. Shantz (2010) 3. Schmidt et al. (2006) 4. Northwest School Division (2016)
3) Flying Dust	<ul style="list-style-type: none"> • Community • Leadership • Band • Culture • Strengths • People • Reserve 	200	1. Schmidt et al. (2006) 2. Northwest School Division (2016)
4) Location	<ul style="list-style-type: none"> • On-reserve • Off-reserve • Reserve 	65	1. Schmidt et al. (2006)
5) Community	<ul style="list-style-type: none"> • Unity • Success • Philosophy • Pride • Membership 	540	1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011) 4. Munch (2012) 5. Allen (2016)

	<ul style="list-style-type: none"> • Programs • Development • Events • Adversity 		6. Schmidt et al. (2006) 7. Northwest School Division (2016)
6) Crime	<ul style="list-style-type: none"> • Violence • Specific Offences • Crime Rate • Victimization 	338	1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011) 4. Munch (2012) 5. Allen (2016) 6. Schmidt et al. (2006)
7) Police	<ul style="list-style-type: none"> • Police Forces • Management • Police-reported 	126	1. Allen (2016) 2. Schmidt et al. (2006)
8) Correctional Services	<ul style="list-style-type: none"> • Probation • Security • Imprisonment • Sentences 	137	1. Ellis (2011) 2. Munch (2012) 3. Allen (2016) 4. Schmidt et al. (2006)
9) Youth	<ul style="list-style-type: none"> • Engagement • Justice • Roles • Activities 	323	1. Hogeveen (2005) 2. Ellis (2011) 3. Munch (2012) 4. Schmidt et al. (2006)
10) Responsibility	<ul style="list-style-type: none"> • Self-Sufficiency • Leaders • Self-Determinism • Self-Government • Self-Sustainability 	53	1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011) 4. Schmidt et al. (2006) 5. Northwest School Division (2016)
11) Traditional	<ul style="list-style-type: none"> • Culture • Activities • Education • Skills and Values 	29	1. Hogeveen (2005) 2. Shantz (2010) 3. Ellis (2011) 4. Schmidt et al. (2006)

12) Leadership	<ul style="list-style-type: none"> • Individuals • Community-based • Direction • Events 	44	<ol style="list-style-type: none"> 1. Schmidt et al. (2006) 2. Northwest School Division (2016)
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Table 3: Identity

Theme	Categories	Subcategories	Number of Times Coded
Identity	1) Universal	Aboriginal	74
		Indigenous	44
		Native	5
		North American Indian	1
	2) Specified Group	First Nations	66
		FNMI	36
		Inuit	10
		Métis	7
		First Nation	6
	3) Cultural Subgroup	Cree	2
	4) Treaty Reference	Indian	8
		Registered Indian	1

The theme of “Unmarked Identity” was also created in order to explore terms like, “non-Indigenous,” “non-First Nations” and “non-status Indian.” This theme is presented in Table 4. Although “Unmarked Identity” was not a theme I had planned within the initial coding process, it became evident once I began to organize my codes into themes that this was an important area of study. When I noted the variety of terms that were used to differentiate non-Indigenous

identity, I decided that it would be valuable to separate this theme from “Identity,” as it had different meaning than the terms used to discuss Indigenous populations. In addition, since this thematic category lacked substantial definition in terms of ethnic identity affiliation, I wanted to explore this category further, as there was no racialization of who constituted the non-Indigenous other. In relation to “Unmarked Identity,” the educational research oftentimes used the term “Non-FNMI” in the way that they differentiated people who were not from an Indigenous background. This represented the acronym for the non-First Nations, Métis and Inuit individuals within the Northwest School Division (2016) source. Oftentimes, this term was mobilized in order to establish the difference in educational outcomes between different subpopulations of students within this particular school board.

Table 4: Unmarked Identity

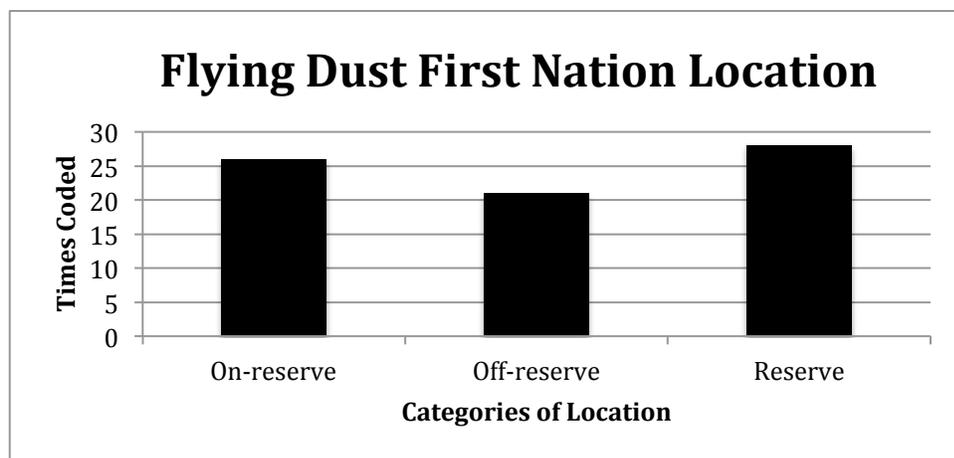
Theme	Categories	Subcategories	Number of Times Coded
Unmarked Identity	1) Ethnic Origin	Non-Indigenous	4
		Non-Aboriginal	2
		Nonnative	2
		Non-Native	1
	2) Unrecognized Other	Non-FNMI	18
		Non-Status Indian	6
	3) Localized Community	Non-band	3
		Non-member	1

In connection to identity, I utilized a separate theme of “Flying Dust” in order to better understand how this term was contextualized with other descriptive terms in the literature. In total, “Flying Dust” was coded predominantly within Schmidt, Derocher, McCallum and McCallum’s (2006) study, as well as in the Northwest School Division (2016) report. This term

was connected to a wide variety of words, most commonly being “First Nation.” Other words that followed “Flying Dust” included, “strengths,” “leadership,” “success” and “elders.”

Another valuable theme that connected to the Flying Dust First Nation research was the concept of “location,” which was a theme used to organize terms like “reserve,” “on-reserve” and “off-reserve.” This information is presented in Figure 1. Schmidt et al. (2006) used terms related to location exclusively in reference to the larger Flying Dust First Nation community that includes both on-reserve and off-reserve members. These ideas of who constitutes the reserve versus off-reserve populations did not appear within the governmental and academic literature.

Figure 1: Location



Guided by the research findings of Hogeveen (2005), I decided that coding for “community” and other related terms would be valuable within my research in order to better understand how this term is conceptualized in relation to Indigenous groups. In fact, “community,” the central theme, and related subcategories, including “communitarian” and “community members” represented the most frequent code category in all seven of the sources. Community-related terms were most popular with Schmidt et al.’s (2006) research, representing a key idea for this ethnographic source. This was also a dominant theme in Hogeveen’s (2005)

article, which demonstrates the relevance of community within the academic literature.

Therefore, community was a major theme due to its appearance across all types of literature.

Criminal Justice System

The theme of “crime” and other affiliated terminology, such as “offence,” “homicide,” “offenders,” “violence,” and “victimization” was the second most common theme within my study and appeared within 6 of the 7 sources coded. The only source where these terms were not found was the Northwest School Division (2016) educational report. The source where this terminology was most popular was within Allen’s (2015) research; whereby terms related to “crime” included “crime(s),” “homicide(s),” “victimization” and “offence(s).” Reference to crime within this study was often preceded by the term “police-reported,” “property,” “violent” or “non-violent.” The appearance of this terminology across different kinds of sources demonstrates the importance of the legalistic definitions of crime, as they reflect what violates the law. In relation to correctional terminology, the theme of “police” was utilized in order to organize vocabulary such as “RCMP” or “police-reported.” In total, these terms appeared only within the Allen (2015) and Schmidt et al. (2006) sources, but not in any academic literature. The majority of these references appeared in Allen’s (2015) publication. Most frequently, Allen (2015) used this term specifically in reference to “police-reported” while describing crime statistics in Canada. In relation to the theme of “correctional services,” this appeared within four of the chosen sources. Subcategories that connected to the theme of correctional services referred to terms such as “sentenced custody,” “corrections,” “custody,” and “secure.” Schmidt et al. (2006), Allen (2015) and Ellis (2011) rarely utilized this language, but it appeared predominantly by Munch (2012). The most common references within this source were “custody,” “correctional system,” “sentenced custody” and “probation.”

Youth

The third most prevalent theme was “youth,” which appeared in four of the seven references. The primary usage of the terms in relation to the theme of “youth” were relevant to the government documents by both Allen (2016) and Munch (2012), as well as the Flying Dust First Nation ethnography conducted by Schmidt et al. (2006). Terms related to youth appeared the most within the Munch (2012) study, covering 1.70% of this author’s coded terminology. The governmental studies and Schmidt et al.’s (2006) ethnographic work were the primary sources for this code, as there was only one reference to “youth” by Ellis (2011). Therefore, the academic literature coded largely neglected this particular theme.

Localized Strengths

“Responsibility” also acted as a predominant theme within my research. Subcategories of responsibility included terms like “self-determination,” “self-government” and “self-sufficiency.” Overall, words related to the parent node of “responsibility” were coded 51 times within five of the sources. These were only found within the research literature and documents relating to the Flying Dust First Nation, but not within the governmental crime statistics. Child nodes like “self-sufficiency” were most prominent with Schmidt et al. (2006) source. The theme of “traditional” and related categories, including “tradition” appeared within 4 of the sources and is presented in Table 4. “Traditional” was used most by Ellis (2011) in order to discuss Indigenous models of justice. In the context of Shantz’s (2010) article, this author used “traditional” and other related terms as a way of describing Indigenous governments, as well as rights for land access. Another valuable theme was “leadership,” which emerged within the first coding phase of the literature, rather than within the initial reading of the sources. Both Schmidt et al. (2006) and Northwest School Division (2016) made references to “leadership,” demonstrating the importance of this theme to the Flying Dust First Nation research. Schmidt et

al. (2006) oftentimes discussed leadership within the context of the band in general, or specifically in reference to role models within the community. This vocabulary regarding leadership was absent within the academic literature, as well as the government documents. Therefore, the twelve themes chosen from these sources reflect the differential approaches within the three types of literature coded. The implications of the thematic patterns will be discussed within my analysis section.

Table 5: Leadership

Theme	Categories	Subcategories	Number of Times Coded
Leadership	1) Direction	Leadership	37
		Leading	1
	2) Individuals	Band Leaders	1
		Role Models	1
	3) Events	Leadership seminars	1
	4) Community-Based	Leading community	1
Band leadership		1	

Flying Dust First Nation

Throughout data collection, I encountered a fundamental issue repeatedly in much of the research literature. Although many of these articles were detailed and informative on the issue of Indigenous youth incarceration and related issues, authors discussed this problem on a national level, rarely providing any case studies of Indigenous communities. Therefore, it became difficult to contextualize broader issues of crime on a micro level of localized Indigenous areas. In order to address this issue, I decided to supplement the previously collected literature with research on a case study to better understand whether these national trends are relevant to the

study of the Flying Dust First Nation. I chose this First Nations group, as the Prairies tend to report the highest provincial crime rates nationally, particularly for Indigenous people.

Saskatchewan has demonstrated exceptionally high rates of crime in Canada, with Saskatoon and Regina having the largest Central Metropolitan Area crime rates in the country (Eisler 2017). In addition, Indigenous individuals are 33 times more likely to be incarcerated within the province of Saskatchewan, representing a gross overrepresentation of Indigenous peoples within the criminal justice system (Eisler 2017). The Flying Dust First Nation is a Cree band located in Meadow Lake, Saskatchewan and consists of approximately 1500 people, 600 of which live on reserve (Flying Dust First Nation 2017). Due to the limited research conducted on the Flying Dust First Nation exclusively, additional research was extrapolated regarding statistics on Indigenous populations living in Saskatchewan.

Schmidt et al. (2006) conducted ethnographic work with focus groups from the Flying Dust First Nation to discuss community strengths. These authors discovered that many members of the band saw their community to be stronger than similar reserve areas within the province. In particular, the Flying Dust First Nation saw their primary strengths to be centered in areas such as their economy, elders, leadership, education and youth participation (Schmidt et al. 2006). In contrast to the rather negative trends posited by much of the research literature, the Flying Dust First Nation contradict many of these generalizations. Schmidt et al.'s (2006) research demonstrates that the Flying Dust First Nation is a successful, vibrant, healthy and connected Cree band. Many focus group participants within the Schmidt et al. (2006) research discussed the active involvement of their youth in sports and recreational activities, and stressed that this fostered a safer community. One participant mentions, "...that sports give kids something positive to do, thereby keeping them busy and out of trouble" (Schmidt et al. 2006, 19).

Participants also discussed the strength of families in the community, as they felt that parents maintained strong relationships in the lives of their children. This is an important reflection, given the damaging legacy the residential school system has had on the lives on Indigenous families, and parents in particular. Schmidt et al. (2006) also found that the Flying Dust First Nation had a relatively low crime rate, and that many band members felt that they were safe within their area. In addition, this region held a positive relationship with the RCMP, promoting a just and safe environment (Schmidt et al., 2006). Flying Dust First Nation also provided a number of job opportunities within economic sectors such as logging, forestry and agriculture. Many individuals interviewed also stressed the value of role models in the community as a crime prevention strategy. In addition, their band leaders demonstrated an exemplary sense of responsibility in finance management (Schmidt et al. 2006). As a result of their leadership, this prevented corruption from taking place in distributing band funding and ensured the success of the whole community. Cree culture was active within the Flying Dust First Nation, as members valued the teachings of elders and utilized spirituality as a mechanism of overall community strength (Schmidt et al., 2006).

The school board report published by Northwest School Division (2016) also served as a source that contextualizes the characteristics of the Flying Dust First Nation. The Northwest School Division represents 17 different communities within the Meadow Lake region and includes Flying Dust First Nation students (Northwest School Division 2016). This report outlines the educational attainment and strategies used within the board during the school year of 2015-2016. The curriculum within Northwest School Division fosters culturally relevant education, by initiating Cree language courses by Grade 4. This course material extends throughout elementary school, as the board recognizes that a number of Flying Dust First Nation

students enter the Northwest School Division by Grade 5 and a central goal of the school board is to ensure that these students transition as smoothly as possible into their new school (Northwest School Division 2016). The school board is also committed to fostering future job opportunities for students by establishing meaningful and longstanding community partnerships with local employers. The Northwest School Division has struggled with lower Indigenous graduation rates, and average grades are approximately 10% lower for First Nations, Métis and Inuit students (Northwest School Division 2016). As a result of these challenges, they have implemented the Following Their Voices Initiative, which invites the participation of the Meadow Lake Tribal Council and local community elders in order to support the achievements of Indigenous students. The school board also employs an Aboriginal Education Consultant and invests in cultural camps. On the whole, these initiatives appear to be moderately successful, as the enrolment and graduation rates have been increasing amongst Indigenous students within recent years (Northwest School Division 2016).

In consideration of other relevant research, La Prairie (2002) examines crime rates within Saskatchewan, finding that incidents of crime and victimization are doubled on reserves when compared to urban and town settings. However, there are major discrepancies between the way in which off-reserve and on-reserve communities are policed for crime, as many reserve areas have established community-policing strategies with local forces. This further demonstrates the ecological model in relation to Indigenous youth incarceration, as reserve populations vary in neighbourhood context, thus impacting engagement and policing of youth crime. In the urban context, however, La Prairie (2002) argues that Indigenous individuals are more easily criminalized than on-reserves. This is because over 50% of the incarcerated Indigenous population within Saskatchewan is from urban regions of the province. Quann and Thevethan

(2000) demonstrate that 76% of inmates within the province of Saskatchewan were Indigenous in heritage. In addition, Quann and Thevethan (2000) found that the reserve income within Saskatchewan was \$9,963, but this income was higher in Northern communities, averaging at \$11,930. Therefore, this indicates that the Flying Dust First Nation fares significantly better in terms of economic sustenance when compared to their regional reserve counterparts. However, Flying Dust First Nation did have a lower rate of Indigenous language knowledge than other reserve populations, as approximately 51% of Indigenous people living on reserves in northwestern Saskatchewan could speak an Indigenous language (Quann and Thevethan 2000). This linguistic erosion over time connects to the institutional racism approach, as loss of Indigenous cultures is directly related to historical oppression and assimilation of Indigenous peoples, particularly the residential school system. Quann and Thevethan (2000) demonstrate that youth crime is higher than adult crime, including for the on-reserve population. However, the reserve rates are less dramatically different than the adult rates of crime when compared to the provincial incidents of youth versus adult crime. Reserve populations fared much worse for overall violence, demonstrating a rate five times higher than anywhere else in the province (Quann and Thevethan 2000). This varies from the research on the Flying Dust First Nation, which has strong community stability and relatively low rates of crime.

The case study of the Flying Dust First Nation mostly contradicts the prevailing research regarding trends of Indigenous populations in Canada, especially the incarceration rates of Indigenous youth. Flying Dust First Nation exemplifies an Indigenous group with a tight knit community, strong parental bonds and a low crime rate (Schmidt et al. 2006). In addition, the Flying Dust First Nation had a variety of economic opportunities across different industries and exemplified cultural strength in an era of increasing globalization and erasure of Indigenous

cultures (Schmidt et al., 2006). Although First Nations, Métis and Inuit students within the Northwest School Division had lower rates of graduation and achievement scores, the school board is also strategic in promoting Cree culture in school curriculum and enacting meaningful change in order to improve these scores (Northwest School Division 2016). In addition, the Flying Dust First Nation had higher income levels when compared with average incomes in reserve communities in Saskatchewan (Quann and Thevethan 2000). When compared to research that shows Indigenous Canadians are more criminalized, victimized, less educated, more unemployed, and economically disadvantaged, the Flying Dust First Nation contradicts these widespread narratives by exemplifying a community of strength and prosperity.

Analysis

Themes of Inclusivity

In consideration of my thematic analysis, this research confirmed my hypothesis that the literature reflects distinct power dynamics and tends to universalize the experiences of Indigenous peoples. In regards to the results in relation to identity, the popularity of the term “Aboriginal” demonstrates a pattern of Indigenization within the literature, as it was found that these sources rarely referred to the specific heritage of Indigenous peoples. “Aboriginal” was also a more frequently utilized term than “Indigenous,” which may be a reflection of the preferred terminology when these articles were published during the years of 2005 to 2016. As more literature emerges within the upcoming years, it is possible that more authors will opt to use the term “Indigenous” rather than “Aboriginal.”

Another valuable conclusion was the category of unmarked identity. Within each of these terms, they oftentimes served as a comparison group for discussing results about Indigenous peoples. However, using terms such as “non-Aboriginal” without any description of who

constitutes this label further perpetuates racialization of Indigenous identity, while masking the non-Indigenous other. Rather than referring to this group as white or Black, for example, the ethnic identity of the non-Indigenous group is never specified. This was prevalent amongst the research literature, government reports, as well as Flying Dust First Nation documents. This further represents the challenge within the literature on Indigenous youth incarceration. Since these crimes are measured as being Aboriginal versus non-Aboriginal, this makes it difficult to establish whether other ethnic minorities also experience high rates of arrest and incarceration within the justice system. In addition, it equates the lack of Indigenous heritage to whiteness. This further connects Marxist and feminist theories to this issue, as the way in which Indigenous peoples have been historically constructed as the racialized other was used as a mechanism of power against Indigenous communities. By framing this as an “Aboriginal” versus “non-Aboriginal” issue, the literature further perpetuates harmful stereotypes about the Indigenous other that are deeply rooted in the history of colonization. In contrast, the term “Flying Dust” was oftentimes denoted as source of positivity within the literature. This term was connected to a number of optimistic successive words, which indicated the general success and triumphs of this particular community.

The theme of location was also important, as it reflected a distinctive mechanism of differentiating the experiences for on-reserve communities in comparison to off-reserve populations. This is relevant to the ecological analysis, as the theme of location was mobilized in order to demonstrate the differences, as well as collaboration between the reserve and non-reserve communities. Therefore, this reflects the way in which living conditions and rights may differ depending on location of Indigenous groups. Further, the differential experiences between

these two locales is directly relevant to youth incarceration, as presence on a reserve may foster or prevent a criminogenic environment for Indigenous youth crime.

The theme of “community” was particularly valuable in understanding Hogeveen’s (2005) research that explored how this term served as a mechanism of distancing responsibility of young offenders from the federal government onto the Indigenous families, reserves and regions that they came from. Community may have been utilized as a placeholder when generalizing for various kinds of Indigenous groups that exist nationally, since many of the sources used failed to incorporate case studies. However, due to the frequency of “community” in the research conducted by Schmidt et al. (2006), this indicates that it was a frequented term amongst the Flying Dust First Nation in reference to their own people. In this case, then, it appears that “community” may be a mechanism for referring to the larger area that fuses the reserve and non-reserve populations together. In addition, due to the strengths of the Flying Dust First Nation, community may have also held significance due to discussions regarding the social bonds and events that bring the locale together and prevent challenging social problems. Therefore, the theme of community also supports the ecological model by demonstrating the effectiveness of strong community presence in the prevention of crime.

Criminal Justice System

The dominant presence of theme “crime” was not surprising, considering the subject matter of this particular research study. This terminology oftentimes referred to official statistics of crime, whereby a charge was laid. This has significant implications, particularly due to the lack of victimization reports used in these studies. In addition, terms related to “crime” were usually related to the Canadian criminal justice system’s definition of what a crime is. As previously mentioned, the themes related to the criminal justice system, including “police” and “correctional services” were most commonly used within the governmental literature. This is

indicative of the legalistic perspective employed by government statistics, which are much more focused on defining issues of crime based upon what is in violation of criminal law and what comes to the attention of the police, courts and correctional departments. This is directly relevant to Marxist theory, as hegemonic power in Canada has defined the criminal justice system by Western standards. In contrast, some forms of Indigenous justice are less focused on blame, and instead promote healing for the offender and the victim (Greenberg, Grekul and Nelson 2016).

Youth

The term “youth” is important both in relation to the sources it appeared in, as well as the ones that it did not. It was particularly interesting to see the way in which this theme and other affiliated terms were frequently referenced within the statistical publications. It was not unexpected to see that particular articles frequently referred to youth, as this was the premise of my study. However, this was a relevant theme in Allen (2015)’s research, indicating that this term was a valuable component of governmental research. This is likely due to the characteristics of the criminal justice system, particularly the way in which the Youth Criminal Justice Act separates young offenders into a different justice system. With Schmidt et al.’s (2006) research, however, this was a mechanism for referring the way that youth positively contributed and acted as a source of strength for the Flying Dust First Nation community, rather than referencing their involvement within the criminal justice system. The absence of the term “youth” from the academic literature may have been a limitation of the chosen studies, since their content was not explicitly exploring Indigenous youth incarceration. This may also be reflective of the primary focus much of the literature has in analyzing these correctional statistics within the context of adult offenders, rather than youth.

Localized Strengths

The categories related to “responsibility” were similar to those connected to “community,” as both of these terms denoted the importance of governance amongst Indigenous societies in preventing social problems. The theme of “responsibility” demonstrated that both the Flying Dust First Nation and academic literature mobilized terms like “self-government” and “self-determination.” However, this vocabulary was not present with the governmental statistics, which reflects an important difference between these sources. I argue that the theme of “responsibility” represents the trend of empowering Indigenous individuals to shape the direction of their future. The lack of “responsibility” within the governmental documentation further represents the relationship of dependency fostered by the federal government towards Indigenous peoples. Due to the historic power dynamic between the Canadian federal government and the Indigenous populations, they are unlikely to discuss the independence and innovation towards creating a desirable future for Indigenous groups. This is related to social conflict theories, as capitalism impedes Indigenous interests by ignoring their sovereignty in the interest of hegemonic power and profit. This is also relevant to Marxist thought, as it is critical to encourage revolutionary change for social groups being oppressed by the dominant group in power. Furthermore, this is related to my central hypothesis regarding the causes of Indigenous youth over-incarceration. The way in which the government has failed to recognize and empower Indigenous rights demonstrates the reproduction of colonial power and institutional racism. However, it must also be considered that statistical studies published for the Canadian Centre for Justice Statistics are confined to a standardized format that inhibits the inclusion of valuable analysis, instead focusing on the broader trends of crime nationally.

“Traditional” was found to be the most popular amongst the academic literature, with no references in the government documentation and minimal appearance in the sources focused on

the Flying Dust First Nation. Although this terminology helped employ a better understanding of the differences between the Western justice system and models of Indigenous justice, this may also propagate hegemonic Aboriginality within the literature. By using sweeping terms of what constitutes “traditional” justice, this constrains Indigenous cultures into one standardized criteria of what should be considered their natural approaches to addressing crime in society. Therefore, it is evident that the academic literature participates in the reproduction of Indigenization in failing to recognize the unique differences amongst various First Nations, Métis and Inuit cultures.

Finally, the idea of “leadership” was important, especially since it only appeared within the Flying Dust First Nation literature. This represents an optimistic term that valued the governance strategies within this particular community. Rather than establishing a relationship of dependency with the federal government, the theme of leadership within these sources displays a sense of ownership and locally shaped future, similar to the Marxist drive for self-determination, as discussed by Bedford (1994). This was also relevant to the theme of youth, as participants in the Schmidt et al. (2006) study saw leadership as intrinsically related to their youth. This contradicts the prevailing literature and exhibits the way in which the Flying Dust First Nation exhibits positive steps forward in creating a healthier, safer and more progressive future.

The Flying Dust First Nation research demonstrates that Indigenous youth incarceration is a product of social environment, as well as institutional racism. The thematic analysis unveiled that the literature itself promotes a binary between Indigenous and non-Indigenous groups. In addition, the non-Indigenous group manifested an invisible marker of identity, as it was never attached to race or ethnicity. Therefore, the literature reproduces hegemonic power relations, as it fails to racialize the non-Indigenous identity. There was also a promotion of universalism in the

way the selected sources referred to Indigenous Canadians, oftentimes solely using the term Aboriginal universally, rather than acknowledging differences in First Nations, Métis and Inuit groups. In addition, the use of location demonstrated the dichotomy of reserve and non-reserve populations. This further illustrates the prevalent differences of social conditions, especially as a result of the variant experiences within reserve and non-reserve communities. Terms related to the criminal justice system demonstrated the way in which Indigenous youth incarceration is partially caused by institutional racism, which is also a product of the Canadian criminal justice system. In addition, this relates to the social control perspective, as these themes are inherently related to Westernized models of justice and the power of dominant perspectives within Canadian society.

Conclusion

The central research question that was to be answered throughout this project was: Are incarceration rates for Indigenous young people a product of their social environment, such as poverty and reserve conditions, or a result of institutionalized racism within Canada? My hypothesis states that both environmental reasons that are often cited within the sociological and criminological literature culminate in combination with historically racist governmental practices to produce this phenomenon of high Indigenous youth incarceration rates. This hypothesis was confirmed through the relevant research literature, as well as coding of select sources. My thematic analysis of seven key sources also illustrated the role literature has in reproducing problematic assumptions about Indigenous peoples, particularly in reference to the failure to racialize the non-Indigenous other. A subsequent research question that was asked was: What social theories can be used to explain criminalization of Indigenous youth? I conclude that a combination of sociological theories legitimates both the social environment and racism

approaches. The criminological perspectives, particularly the ecological model, were evidentiary of the social environment perspective. The research by Fitzgerald and Carrington (2008) indicates the relevance of social disorganization theory to explore how factors related to criminogenic environment partially explained the disproportionate rates of policing in Indigenous communities. In addition, the ecological analysis of Schulenberg (2003) demonstrates the way in which community factors impact policing strategies, including rates of unemployment within different neighbourhoods. The Marxist and feminist theories were utilized to substantiate the institutional racism hypothesis, as well as the question of: Why are Indigenous girls more overrepresented in the youth correctional system than Indigenous males? I conclude that Indigenous girls experience heightened levels of incarceration as a result of intersectional barriers of racism and sexism. Through removing discussions of historical progress, Bedford demonstrates that Marxism can be a useful tool to advance the interests of Indigenous issues globally. As highlighted by authors like Razack (2016), Indigenous women in particular have long been routinely sexualized and racialized in their minority status in capitalist society. Research conducted by Freiburger and Burke (2011) demonstrates the differential experiences of minority girls within judicial sentencing, as they navigate a system laden with gendered and racialized stereotypes. Therefore, the conflict theories substantiate the role of institutional racism in Indigenous youth incarceration, as Indigenous peoples, particularly women and girls, have long been disempowered in Canadian history, causing fundamentally racist policies and practices to be applied against Indigenous peoples.

My final research question was the following: How do the larger trends of the criminalization of Indigenous youth apply to the case study of the Flying Dust First Nation in Saskatchewan? My hypothesis that although there are some similarities at the micro level, larger

social processes within the criminal justice system will not be relevant to this specific First Nations community was confirmed. In contrast to the prevailing trends regarding the outcomes of Indigenous peoples on the national level, as well as within the provincial context of Saskatchewan, Schmidt et al. (2006) and Northwest School Division (2016) demonstrate that the Flying Dust First Nation is a successful Cree band with low crime rates and a strong community that supports the potential of their youth. Therefore, this is further evidence of the necessity for case studies to be employed, particularly within the academic literature. In failing to address the realities of Indigenous communities at the micro level, the literature has a tendency to further victimize Indigenous peoples by only discussing the wider national outcomes of all Indigenous groups. The incorporation of individual case studies is critical, particularly in creating strategies to address Indigenous youth incarceration. By recognizing the triumphs and successes of Indigenous communities, this can offer unique solutions, particularly when it comes to empowering Indigenous youth.

In terms of more widespread solutions, the Canadian Youth Criminal Justice System should mandate effective strategies based upon the principle of restorative justice. As Maxwell and Morris (2006) indicate, the youth justice system in New Zealand has effectively incorporated Maori values into youth justice system in order to foster a more community-based model. This system has diverted young offenders from traditional punishment by promoting collective responsibility and incorporating the voices of various members of the community in strategizing solutions (Maxwell and Morris 2006). As highlighted by Beaty Christie (2013), New Zealand's model has achieved positive strides for justice measures, particularly due to their avoidance of universalizing Indigenous customs. By honing in specific values of the Maori people, rather than standardizing Indigenous justice, this has addressed the needs of Maori youth while

simultaneously offering more effective justice practices for youth who do not have Indigenous heritage. Canada could benefit significantly by following New Zealand's model. Rather than continuing to perpetuate hegemonic Aboriginality, the Canadian youth justice system should instead adopt a restorative model for all youth that come into conflict with the law. In addition, this restorative justice model should offer flexibility in terms of incorporating culture-specific justice practices. The Ontario Federation of Indian Friendship Centres (2012, 19) proposes, "Changes that are needed must be restorative, taking into account the interests of the offender, the victim and the larger community in a way that promotes healing and rehabilitation." What works for certain Indigenous groups may not be effective for others, so it is critical to offer responsive justice practices within a more flexible and rehabilitative model, rather than traditional incarceration.

In terms of solutions, it is also valuable to look towards localized strategies that address the needs of Indigenous youth in order to achieve empowerment, rather than disenfranchisement for this marginalized group. Dhillon's (2017) ethnography with the Indigenous Peoples Collective in Saskatoon highlights important strategies in improving solutions with Indigenous youth. One central point emphasized by Dhillon (2017) is that the participation of youth themselves within these collaborative initiatives is imperative. Rather than solely looking to the future, Dhillon (2017) argues, there must be a continued recognition of the colonial past, as the government continues to benefit from imperialism over Indigenous peoples in the present. In addition, Dhillon (2017) demonstrates from his research with Indigenous girls that there must be a focus on the diverse experiences of Indigenous youth, as generalizing this group fails to highlight the gendered oppression against Indigenous girls specifically. In community-based strategies to support Indigenous youth, there must be a key focus on improving the lives of

Indigenous girls, particularly due to the salience of the Missing and Murdered Indigenous Women and Girls Inquiry in present day. In consideration of Dhillon's (2017) research, it is critical to adopt culturally responsive education programs in order to respond to the needs of Indigenous students. Rather than expecting these students to achieve higher graduation rates through the same trajectory and curriculum as their peers, educational initiatives should seek to emulate the strategies utilized by the Northwest School Division (2016). This school board demonstrates the importance of mobilizing linguistically and historically relevant learning outcomes, such as their Cree language program and the Following Their Voices Initiative (Northwest School Division 2016). By fostering diversity within the school boards that triumphs Indigeneity instead of suppressing cultural background, this can encourage an inclusive learning environment whereby Indigenous students feel motivated to learn and continue to be engaged with education.

One viable option for Indigenous youth programming moving forward is mobilizing this group through music. Similar to the Beat of Boyle Street program in Edmonton, more responsive programming must offer creative ways of engaging Indigenous youth in the community. As Lashua and Fox (2006) discuss, Indigenous youth are given the platform through music to discuss issues that are important to them and bond with others who share in their struggles. Therefore, through encouraging opportunities for Indigenous youth to communicate their challenges, this can enhance a sense of solidarity amongst program members and mitigate participation in criminal behaviour.

In consideration of research limitations, this was primarily a literature review of relevant academic, governmental and ethnographic research. There were a small number of documents coded as part of the qualitative research, so these are limited in terms of any large-scale generalizations. Due to time constraints of conducting an undergraduate thesis project, as well as

ethical limitations, I was unable to conduct research with Indigenous participants through qualitative interviews, which would have enhanced this type of research in better contextualizing the feelings and opinions of Indigenous youth on this topic. However, due to the limitations of this study, this prevented this project from being further extrapolated beyond a literature review and qualitative coding of sources.

In conclusion, there have been a number of positive strategies implemented in order to mitigate the problem of Indigenous youth incarceration. In particular, the implementation of Gladue courts offered a defining moment in the movement to provide more culturally responsive justice practices for Indigenous peoples in Canada (Ontario Federation of Indian Friendship Centres 2012). In addition, healing lodges have also provided a creative solution in addressing the problem of Indigenous recidivism after incarceration, by slowly reintroducing offenders back into the community (Nielsen 2003). The First Nations Policing Program also fostered greater opportunities for Indigenizing Canadian police services (Lithopoulos and Ruddell 2016). However, there must be more drastic measures implemented in order to truly address the problem of Indigenous youth incarceration. In particular, by changing the youth criminal justice system to directly reflect restorative justice principles, this could prevent initial detainment and entrance into the correctional system for Indigenous youth. There must also be continual attempts to decolonize governmental structures and address the intrinsic power dynamic that continuously silences Indigenous voices from coming forward. In synthesizing a more equal alliance between the Canadian government and Indigenous groups, there must be greater recognition of what Indigenous communities want to achieve. Future research should aim to incorporate the discussion of Indigenous case studies, rather than exclusively deconstructing this problem from a national perspective. This will enrich perspectives by contextualizing how

individual Indigenous communities contradict the prevailing narrative of hopelessness amongst Indigenous peoples in Canada. In addition, this will mobilize more effective solutions for Indigenous youth incarceration from the localized level. Although this is a social problem deeply engrained in environmental factors and institutional racism of Canada, the Flying Dust First Nation demonstrate that Indigenous communities are resilient leaders that continuously innovate opportunities for a better future. Ultimately, the pervasive challenge of Indigenous youth incarceration is not an issue that can be solved through quick fixes. However, through restorative justice strategies, enhancement of collaboration and recognition of Indigenous perspectives, there are many opportunities to help solve this problem and enhance the lives of Indigenous youth in Canada.

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