

NATIVE SPIRITUALITY BEHIND BARS: A POLICY PROPOSAL

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Abstract/Resume

This paper proposes and discusses a policy for Native spirituality in Canadian correctional institutions. The policy intent is to provide a structure to uphold the fundamental right to spiritual freedom for Native inmates. The paper begins with a brief overview of the history of Native policy, Native spirituality, and Corrections Canada. It concludes with a critical appraisal of the policy including expected barriers to and support for its implementation.

Cet article propose et discute une politique pour la spiritualité aborigène dans les institutions de corrections canadiennes. L'intention de cette politique est à pourvoir une structure à soutenir le droit à la liberté spirituelle pour les détenus aborigines. L'article commence par une vue générale de l'histoire de la politique aborigène, de la spiritualité et de Corrections Canada. Il conclut avec une apposition de la politique qui comprend les obstacles qu'on attend à sa réalisation.

This paper will discuss a policy proposal for Native spirituality in Canadian correctional institutions. The fundamental value which will guide discussion is the right of all human beings to religious and spiritual freedom. This right has been acknowledged in Canada as well as in the international arena (eg. *Canadian Charter of Rights and Freedoms; Universal Declaration of Human Rights; International Covenant on Civil and Political Rights*). The intent of the proposed policy is to provide a structure through which to uphold the right of spiritual freedom for Native inmates and to ensure that programs are provided to fulfil that right. To place the policy proposal in context, a brief overview of the history of Native policy, Native spirituality, and Corrections Canada is provided.

Native Policies: The Historical Context

[S]uccessive federal governments and religious organizations in Canada have tried to interfere with, and even destroy, the cultures of Aboriginal people and to supplant them with European cultures and values, again without much success. At best, this amounts to discrimination. At worst, it is cultural genocide (Hamilton and Sinclair, 1991:18).

Both before and after Confederation, the principles and goals of Canadian government policies regarding Native people always included protection, civilization and, most predominately, assimilation (Tobias, 1983). The *Indian Act of 1876* created the legal concept of "Indian" and then subsequently regulated and controlled the lives of those Native people given that label. The Reserve system was established as a social laboratory and the government remained committed "to make the Indians into imitation Europeans and to eradicate the old Indian values through education, religion, new economic and political systems, and a new concept of property" (*Ibid.*:44).

Protests and resistance resulted in increased coercion by the government. For example, the potlatch was outlawed in response to Native people in western Canada trying to keep their spiritual and cultural traditions (Cole and Chaikin, 1990). One of the most striking policies to illustrate the attempt to assimilate Natives through Christianization and civilization was the requirement that Native children attend residential schools (Haig-Brown, 1988). The impact of enforced, White Euro-Canadian education and some of the horrors that Native children endured is only now being exposed. What is important to remember is that policies, legislation, values and programs were imposed upon Native people and reflected the government's colonialist agenda, often with Christian foundations.

In the 1960s attention to Native issues surfaced as Indians acquired

the federal franchise, national Native political organizations were formed, Native-run programmes were developed and as, in 1969, the Trudeau government came out with the well known "White Paper" (Boldt and Long, 1985; Miller, 1989; Jefferson, nd).

The White Paper essentially proposed repealing the *Indian Act* and eliminating the special status of Indians. Once again, the government's agenda of assimilation was promoted. Tremendous opposition from Native people resulted in the withdrawal of the policy proposal in 1971.

The White Paper began the current political and constitutional struggles (Miller, 1989:230-248). Native peoples were angry, mistrustful of government, politicized and no longer willing to accept unilateral discussions. "[A] generation of young native people was awakened to the need to defend itself from the assimilationist tendencies of a white man's government" (Angus, 1990:66). More Native organizations formed and funding increased through the 1970s which provided a base from which they could campaign (Boldt and Long, 1985:8-9). Native interests on a variety of issues could be represented for "lobbying skills were refined to a point where these organizations became accepted players on the national political scene; youthful leaders became skilled and articulate advocates for the native cause" (Angus, 1990:67). Educational opportunities increased resulting in a better educated leadership; as well the process of cultural revitalization was strengthened. Furthermore, increased political activity expanded into the judicial system and into the international arena.

The rights of Natives as distinct groups with special status was recognized for the first time in the *Constitution Act of 1982* (Boldt and Long, 1985:10-14). Native people have had to fight hard for survival and recognition and, unfortunately, the fight is far from over. They have resisted assimilation and the challenge for government is to create policies which reflect its obligations to Native people and which recognize the inherent right of the First Nations peoples to self-determination. The lesson to be learned from history "is that new policies that benefit natives and non-natives alike can be developed only within a real partnership" (Miller, 1989:278).

Different World Views: The Spiritual Context

We are not dealing with "quaint customs," nor are we dealing with "religion" as many of us have defined it in our post-industrial, western world. It is not a sphere of activity or belief largely separable from the pragmatics of everyday life. It is instead a context from within which all aspects of life are viewed, defined and given significance (Ross, 1987).

In order for there to be true understanding it is vital, first of all, that the different world views held by Natives and non-Natives be acknowledged and respected. The assumption that Natives are “just `primitive versions of us’, a people who needed only to `catch up’” should be fully discarded (Ross, 1987:1). Rather than viewing White ways as superior and Native ways as primitive, pagan or child-like, Native cultures and spirituality must be recognized as inherently valid and worthy.

It is important at the onset to note that Native people do not form a homogeneous group. There are approximately 573 recognized Indian Bands, at least eleven language families, and seven delineated cultural areas (Griffiths and Yerbury, 1983). Of course, there is not one universal form of spirituality. Numerous ceremonies and rituals have been practised by Native peoples to, among others, honour the sacredness of the earth, to commemorate marriages or deaths, for initiations and for self-purification (Bopp *et al.*, 1984; Correctional Service Canada, 1990; Hamilton and Sinclair, 1991; personally received teachings).

It is possible, nonetheless, to discuss some common and fundamental aspects of Native spirituality. Spirituality is an integral part of Native culture so that spirituality and culture cannot ultimately be separated. Elders and medicine people are highly regarded and have a significant role in Native cultures for they have sacred knowledge. They can be turned to for teachings, healing and guidance. Medicine people are the keepers of special spiritual and medicinal information and, due to the oral tradition, elders are the keepers of history. An individual may be, but is not necessarily, both an Elder and medicine person.

Rather than having a “scientific” view of the world where humans dominate and control the environment, Native peoples see themselves as part of a whole web of life where all creation is equal. Everything is interconnected and both the physical and spiritual worlds must be honoured. The Sacred Circle or Medicine Wheel is an ancient symbol central to Native societies which can be used to understand ourselves and our world. For example, each of the four symbolic races has a place in the four directions of the wheel as brothers and sisters of the human family. Each individual has four parts to their nature (physical, mental, emotional, and spiritual) which also have a place on the wheel and which must all be developed.

Four major Native ethical principles have been identified: non-interference, non-competitiveness, emotional restraint and sharing (Hamilton and Sinclair, 1991:29-35; Brant, 1990; Ross, 1987). These ethical principles or culturally defined behaviours promote harmony in a community, positive interpersonal relationships, and individual autonomy and

freedom.

It is difficult to write about spirituality and it is important not to oversimplify or stereotype the many different cultures of Native peoples. Yet non-Natives must be sensitized to the general world view and ethics of Native peoples in order to combat ignorance and discrimination. Without understanding, behaviour can be negatively misinterpreted. "We explain [their behaviour] from within our own monotheistic, post-industrial ethics, and more often than not we come to conclusions of weakness or failure" (Ross, 1987).

The different world views and ethics held by Native and non-Native societies lead to fundamental differences in the philosophy, purpose and practice of justice systems. Native communities have always had their own codes of ethics, laws and means of resolving disputes (eg. Hamilton and Sinclair, 1991:17-45). Unfortunately, these and their cultural and spiritual foundations have not been understood and respected. This has typically led to systemic discrimination. Generally speaking, the philosophy in dealing with crime in Native society "was for all parties to acknowledge the crime, allow for some process of atonement, and install a system of reparation or compensation in order to restore harmony to the community" (*Ibid.*:26). Criminal activity is seen as a collective responsibility where atonement and restoration of harmony were the desired goals. Once this was accomplished, the matter was forgotten. There were no such notions as adversarial justice or guilt.

This contrasts with the dominant White justice system which, put very simply, seeks to punish offenders and protect society. Rather than atonement to the parties injured and a restoration of harmony, the end result is often the incarceration of offenders.

Corrections Canada: The Policy Environment

As institutions of formal social control, prisons should be viewed in light of the history of the assimilationist focus of policy and the lack of acceptance of Native spiritual and cultural ways discussed thus far. The assimilationist approach believes that the lack of societal order and stability are a result of the inadequate socialization and adaptation of minorities (Natives) to the dominant (White) values and practices (Reasons, 1975). Inmates are seen as part of a larger "Indian problem" (McCaskill, 1983:289). Institutional policies and practices have been determined by White culture with a focus on changing individual offenders into law abiding citizens of mainstream society.

In recent years, the assimilationist policies have been criticized by critical theorists and by Native groups who have been gaining a stronger

political voice. Critics and activists change the "Indian problem" into a "white problem" and a pluralist approach becomes an alternative (Reasons, 1975; Verdun-Jones and Muirhead, 1979/80). In this approach, the history of colonization and the subsequent racial and cultural conflicts are recognized. The criminal justice system is seen as an institution of formal social control used by the dominant society to enforce its own cultural values, social order and economic system. Increased attention is given to the fact that racial and ethnic minorities are disproportionately incarcerated. The focus shifts from the individual offender to one of decreasing the domination and exploitation by the dominant society and of supporting greater self-determination for Native peoples.

In the larger societal context, high rates of welfare dependency, unemployment, poverty, infant mortality, and suicide among Native people are being revealed (eg. Verdun-Jones and Muirhead, 1979/80; Griffiths and Yerbury, 1983; Solicitor General Canada, 1988). An increase in the awareness and concern about the conditions and treatment of Natives in society has stimulated reactions to issues surrounding Native offenders (Ekstedt and Griffiths, 1988:330). Attention has been drawn to Native inmates for "all studies have indicated that natives are disproportionately over-represented in Canada's penal institutions" (Verdun-Jones and Muirhead, 1979/80:10; Moyer *et al.*, 1985; Jackson, 1989). It is difficult to obtain reliable statistics and it is commonly held that those available are an underestimate. Ethnicity is determined by self-identification and there is the contentious issue of distinguishing between Status and non-Status Indians, Métis and Inuit offenders. Nevertheless, proportions are high and the numbers are growing.

Native inmates have special spiritual and cultural needs which are not currently being met in institutions (Solicitor General Canada, 1988; MacPhail, 1988; Hamilton and Sinclair, 1991). Funding for Native-specific programs is left to the discretion of institutional management so that there are variations in the quality and availability of programs between institutions and across jurisdictions (Solicitor General Canada, 1988:48). Chaplains are available in every institution and most religious programs have Christian foundations. Native spirituality, on the other hand, is inconsistently permitted and at times even discouraged (Hamilton and Sinclair, 1991:443-447).

As Native people became more politicized and cultural revitalization expanded, Native inmates also became more active and began a self-help movement. The 1960s and 1970s witnessed the formation of Native Brotherhoods and Sisterhoods in penitentiaries across Canada. They have provided support, cultural awareness, numerous activities, and the opportunity to gain skills (Jefferson, nd:252-258). The Commissioner of Peniten-

tiaries officially recognized the Brotherhoods and Sisterhoods as a self-help program in 1975. "The allowance of Native Brotherhood and Sisterhood organizations is a beginning in addressing the issues of natives in corrections within the larger societal context. The extent to which this commitment will be carried remains to be seen" (Reasons, 1975:38).

Corrections Canada has taken steps to help meet the needs of Native inmates. For example, at both the provincial and federal level, a program for hiring Native Liaison workers to work within prisons has been initiated (Cawsey, 1991:6/26; Solicitor General, 1988:59-61). Corrections Canada funds this service which is administered by Native organizations. Some cross-cultural training has been developed and an information package on Native spirituality has been created for British Columbia which is being distributed to correctional officers (Correctional Services Canada, 1990). Task Forces have been formed and Native organizations consulted (eg. Solicitor General Canada, 1988; MacPhail, 1988; Cawsey, 1991; Hamilton and Sinclair, 1991).

Current Policies Relating to Native Spirituality

Corrections Canada is guided by its Mission Statement in which the first core value is: "We respect the dignity of individuals, the rights of all members of society, and the potential for human growth and development" (p.8). The strategic objectives include: "To respect the social, cultural and religious differences of individual offenders" (#1.7, p.9) and "To ensure that the special needs of female and native offenders are addressed properly" (#2.2, p.11).

For policy regarding Native spirituality, institutions are to refer to the Commissioner's Directives (C.D.) #750, entitled "Religious Services and Programs", and #702, entitled "Native Offender Programs" (Correctional Service Canada, 1987). In 1985, C.D. #705 was created:

To ensure recognition of the spiritual dimension of life by actively encouraging inmates to express their spirituality and exercise their religion when this does not affect the good order of the institution; to provide ministry to inmates, staff and families.

In 1987, the C.D. #702 was expanded to state that the needs of Native offenders should be clarified and met (Solicitor General Canada, 1988:49).

The Problem

Contrary to the objectives stated above, the differences of Native offenders are not being fully respected nor are their spiritual needs being

properly addressed. One Alberta survey found that “81% of Aboriginal inmates reported they felt that Aboriginal spirituality was not respected in their institution” (Hamilton and Sinclair, 1991:443-444). Some institutions have no spiritual services, often the importance of Elders and Native spirituality is not acknowledged, and unreasonable limitations are imposed when programs are offered (*Ibid.*:444-445). Inmates have provided personal accounts of sacred objects being mishandled by staff, of sacred spaces being intruded upon during ceremonies, and of being disciplined for simply trying to follow traditional Native ways.

It is difficult to identify clear policy in Correctional Services, in part because the terminology used is often vague. It is noteworthy that C.D. #750 on religious practices states that personnel should be provided but then exclusively uses the word “chaplains.” Native Elders and Medicine persons are not “chaplains” nor should the same criteria for qualifications be applied. It is also one thing to state that programs should be provided and another thing to actually have programs implemented. While certain programs are available, these are not consistent across institutions, nor at times even within institutions. There is, however, very limited published information on Native spirituality within correctional institutions. An assessment of programs and services currently in place is required.

Unambiguous policy with clearly defined guidelines is clearly needed regarding Native spiritual practices. According to the Correctional Law Review, correctional legislation should be revised for it “is outdated, confusing, and often inadequately related to current realities” (quoted in their report of 1988:23; MacPhail, 1988).

Policy Options

In considering the various policy options which could be adopted, I argue that the following two do not appropriately address the immediate issue:

- a) Eliminate all religious programs and practices in prison.

Response: This option is not ethical, desirable or in accordance with the fundamental rights of individuals.

- b) Place all Native offenders in their own, separate institution.

Response: This option is currently being considered (eg. MacPhail, 1988:6). One important proposal is the Healing Lodge currently being developed for federally sentenced Native women (Diamond and Phelps, 1990). However, as a general policy option, this does raise issues of segregation and the possibility of creating correc-

tional “ghettos.” One task force on Alberta's justice system found that the Native inmates in every institution they visited said “they do not wish a separate institution or to be segregated within the institution from non-Aboriginals” (Cawsey, 1991:6-19). This option also does not take care of the immediate needs and rights of Native offenders currently incarcerated.

Proposed Policy

All human beings, including Native offenders, have the right to religious and spiritual freedom. The policy intent of the present proposal is to provide a structure within Corrections Canada to uphold the right of Native inmates to express and exercise their spirituality. Spiritual practices must be respected rather than interfered with or coerced. The objective and programmatic action associated with the policy is that each correctional institution must establish provisions for spiritual practices and programs that meet the needs of Native inmates. The long-term goal is to eliminate discrimination based upon spiritual and cultural differences.

Implementation Highlights

1. All inmates who identify themselves as Native fall within the policy framework. Use of the word Native should include Status and non-Status Indians, Métis, and Inuit persons. Native inmates held in protective custody and segregation are also entitled to participate in spiritual activities and should be given the option of joining the group. If such individuals are unable to attend, they should be offered one-to-one contact with an Elder or Medicine person. Individuals of other cultural or ethnic backgrounds who express interest in participating in Native spiritual activities may or may not be considered and accepted based upon the decision of the Native inmates involved in that activity.
2. Programs and services should be officially recognized by each institution. These will be *available* to all Native inmates but no one will be forced in any way to participate. Individuals who choose to attend Christian services are obviously free to do so.
3. Corrections Canada should allocate specific funds for each institution to carry out spiritual programs and purchase the necessary spiritual materials.
4. Due to the great diversity of Native traditions, Corrections Canada, Elders and/or Medicine persons and the inmates must accommodate the divergent methods of spiritual practice. Through the ongoing process of discussion, planning and implementation of activities, the inmates themselves should have direct input into the decisions of which

activities are offered by whom. This process should involve regular meetings of the Native inmates, Native Liaison Workers, Directors of Programs, and representatives of Native organizations.

5. Native inmates may express their spiritual and cultural traditions by wearing medicine pouches, head bands, and chosen hairstyles.
6. Native people themselves should have direct input into and control over the spiritual services and programs. These should be conducted by recognized Elders and Medicine persons. Councils of Elders, Native organizations, groups and communities should be consulted in order to obtain a list of such recognized persons. Elders and Medicine persons should meet with the Native Liaison Workers and Directors of Programs to discuss what the indeterminate position (as is the case with Chaplains) entails and the possibilities for fee-for-service contracts.
7. At least one Elder or Medicine person should be hired for each institution with a significant Native population. The fee-for-service approach should be utilized by all institutions. A female Elder or Medicine Woman must be available to provide services for female offenders.
8. Elders and Medicine persons should be given special status (as is the case with Chaplains). This will include access to all areas of the institution. They and all sacred materials must be respected. Thus, at no time are medicine bundles, pipes and other sacred items to be handled by anyone nor are they to be put through detection devices. A special locker or locked space should be provided for sacred items. If there develops reasonable cause for suspicion, the Elder, Medicine person or inmate will show the contents of the item in question to correctional security staff.
9. There should be a volunteer component in which individuals from the community are able to come into the institution to enhance or offer spiritual activities. This should be overseen by the Native Liaison Workers and Elders or Medicine persons, who will consider requests by inmates. Due to the large percentages of Native people who have come into the criminal justice system, volunteers with criminal records should not automatically be denied. The correctional institution may consider the type of offense when deciding if access will be granted.
10. A separate space should be provided for spiritual practices. The options for each institution are: to designate existing space in a building (the space must be sufficiently large and quiet) to be used exclusively by Native inmates; to construct a new space to accommodate the needs of Native inmates; or to renovate the existing church so it becomes a

sacred space without decor which refers to one religion, to be used equally by all religious/spiritual persuasions. When required, outdoor space should be provided for ceremonies.

11. Some spiritual practices may be carried out by inmates alone. Inmates should be able to utilize the sacred space at times pre-established by each institution.
12. All staff must be sensitive to and make allowances for cultural differences. For example, a particular time frame cannot be imposed on certain spiritual practices such as sweatlodge ceremonies. Following from the principle of least interference and control possible, such a ceremony should not be interrupted unless there is an emergency. Confidentiality of information shared in spiritual activities should be upheld.
13. Due to the lack of knowledge and understanding about Native culture and spirituality by institutional and managerial staff, they should be provided with information packages, orientation sessions and workshops. Those staff who have the most contact with and influence over Native inmates and programs should be required to undergo more extensive training. This training should include a number of activities and should predominately be conducted by Native people. Workshops should be provided on a regular basis and should include information not only on Native culture and spirituality but also on their history, socio-economic conditions and political situation.

Monitoring

The implementation of the policy and the subsequently developed programs must be monitored. The following are three suggestions to ensure that the policy is properly realized:

- a) It is proposed that a formal process to lodge complaints or initiate an investigation be developed to deal with the question of illicit behaviour by inmates as well as the question of discrimination or harassment by correctional staff. This process should be clearly described to inmates and staff. Due to cultural and linguistic differences, Native inmates should have access to an advisor, such as the Native Liaison Worker, when a complaint is lodged and action taken.
- b) Native Liaison Workers should keep a record of what services and programs are actually implemented and attended. These should turn into bi-annual reports.

- c) A meeting should be held every 2 months at each institution including the Administrator from Regional Office, Native Liaison Worker, Director of Programs and Native inmate representatives to discuss services and problems. Minutes should be taken.

Evaluation

Evaluation of policy and programs is necessary but in this case the commonly used cost-effectiveness approach is problematic. It has been argued that efforts to assess the effectiveness of correctional programs have been hindered by “the traditional reliance by evaluation researchers on recidivism rates as a measure of program success” (Ekstedt and Griffiths, 1988:217). To try to measure the effectiveness of the proposed policy through recidivism or notions of “rehabilitation” raises other issues which are not appropriate here. It would be possible, however, to include some accountability measures such as the number of disciplinary actions against inmates before and after program implementation. Therefore, although problematic, non-experimental research could be carried out by conducting before-after and cohort analysis studies (eg. Ekstedt and Griffiths, 1988:147-149), the main data for evaluation should come from:

1. The reports and minutes obtained through the monitoring process described above.
2. Questionnaires and surveys to be conducted at every correctional institution. These must include the opportunity for inmates, staff, Elders, and Medicine people to submit personal testimonials about the effectiveness of Native spirituality programs and services.

Interrelated Issues

In attempting to devise and implement a policy on Native spirituality in prison, numerous interrelated issues arise which must be simultaneously considered. The following is a list of the main areas which require further attention:

1. Education is a key component in fulfilling the proposed policy program and eliminating discrimination. It is recommended that a comprehensive program be developed concerning the orientation and workshops on Native culture and spirituality for all correctional staff across Canada. Such a program must consider the diversity of Native traditions and must allow Native people to have a central role. This program should be annually assessed.
2. There is a need for more Native personnel in all levels and areas of the criminal justice system. Of particular concern for this pro-

posed policy objective is that all institutions have Native Liaison workers. A clear mandate for their job must be provided in which their input is not unnecessarily restricted.

3. At all stages of the policy process, Native inmates must be able to have input and the opportunity for decision-making. Therefore, the perspectives and information they offer must be acknowledged concerning the assessment of needs, development and implementation of programs, and evaluation of services. All Native Brotherhood and Sisterhood organizations should be encouraged and officially recognized.
4. Gender is an important factor to remember. Native female offenders often face triple discrimination for being Native and women and offenders. Due to their relatively small numbers, their needs and enhanced experiences of inequalities are often overlooked. Therefore, the special needs of female Native inmates must be acknowledged and met. Equality concerning access to programs and services must be ensured.
5. To ensure consistency and equal opportunity across Canada, the proposed policy should be adopted at both federal and provincial levels. This will require cooperation and meetings between governments, as well as among governments, Native organizations and interest groups.
6. It is important to remember that Native peoples do have special status within Canada due to the fact that they are a distinct (and the first) peoples of this land who have greatly suffered from the process of colonization. This policy may, however, become one part under an umbrella policy for religious and spiritual freedom for all inmates. Other religious practices can be recognized within a broader policy framework.

Expected Barriers to Policy

The biggest barrier to the proposed policy will be fiscal concerns. "Since the mid-1970s, and especially since the Conservatives took office in 1984, the...quest for fiscal restraint has become—and will continue to be—the dominant factor shaping native policies in Canada" (Angus, 1990:2). For example, creating a position for an Elder or Medicine person will be questioned. Such a position is important, however, to ensure that programs and services are implemented. It gives the clear message that such programs are important and deserve the same status as Christian services offered by Chaplains. To help eliminate discrimination, Elders and Medicine persons should be given official recognition, job security and benefits.

There are conflicts in the different agendas and world views held by government, Corrections Canada, and Native nations. These must be recognized and compromises must be struck through consultation and cooperation. Lessons from history must be learned where clearly “attempts by Euro-Canadian society to define the role of natives and to impose that destiny on them have added up to miserable failure” (Miller, 1989:276). Paternalism, broken promises and neglect have created frustration and the pressing need for “a political commitment at the highest government levels that will convince native people that they are really going to have a new deal and it's going to be a fair game” (Yalden in Bergman, 1990:29). Meaningful consultation is required whereby Native peoples are given power and control within the policy process. For the proposed policy, the focus should be kept on the best interests of the inmates themselves.

At a pragmatic level, Corrections Canada has certain institutional demands and the focus has typically been placed on order and security. This may give rise to problems in certain aspects of the policy implementation, such as the requirement of flexible time for spiritual ceremonies. Native people have a different ethic concerning the concept of time. Rather than being ruled by a man-made watch, events reach completion when they are ready to be completed and all involved individuals have had their say (hence the expression “Indian time”). It is certainly difficult to accommodate everyone's needs. Compromises will have to be made based upon mutual respect. Workshops, which could be coordinated by Native Liaison Workers, should be held periodically in institutions in order to address problems and share information.

Support for Policy

The proposed policy should receive support from Corrections Canada and the government for a number of reasons. First of all, the policy does not conflict with the mandate of corrections, in fact it helps fulfil it. Second, correctional legislation and existing policies are not overridden and major structural changes are not called for. Third, there are currently some initiatives, such as workshops, which coincide with the policy proposal. The proposed policy will help maintain order within institutions by taking away the frustrations and inequalities felt by Native inmates when they are denied their spirituality. Interestingly, some observers attributed the nonparticipation of Native inmates in a disturbance at a major federal institution to the positive influence of spiritual practices (Solicitor General Canada, 1988:51). According to Cliff White from the Allied Indian and Métis Society of B.C., “there has never been a program that has so drastically changed the lives of our clients as has the native spirituality program... they have

had to take account for their actions; and they have had to take responsibility for their own lives" (quoted in Diamond and Phelps, 1990:34).

On the broader political level, this policy fulfils the moral and legal obligation of Corrections Canada and government to uphold the human right to religious and spiritual freedom. The prisoner's rights movement, the creation of the Charter of Rights and Freedoms, the reports of task forces investigating correctional institutions, and international pressure for recognition of human rights, have all created a climate where it would be hard to deny the legitimacy and importance of such a policy statement and intention. Recent years have brought a spotlight onto Native issues and it would be unwise for government to continue its historical direction of assimilationist policies. As one former Chief of the Assembly of First Nations Georges Erasmus warned: "We may be the last generation of leaders that are prepared to sit down and peacefully negotiate" (quoted in Angus, 1990:68).

Critical Appraisal and Conclusions

This policy is crucial if the fundamental right to religious and spiritual freedom of inmates is to be upheld and discrimination is to be fought. The policy takes a value-critical and pragmatic approach in order to accommodate traditional Native spiritual practices within the existing correctional structure. That is, the ethical and moral principles of rights and freedoms are utilized along with the recognition of past failures of assimilationist policies in order to reduce discrimination.

Overall, however, the proposed policy is contained within a correctional system which does not allow for fundamental changes. The policy does not call for structural changes, codification of Native laws and sanctions, or a separate Native criminal justice system run by a self-governing people. The proposed policy also does not address the larger issues of why so many Native people are brought into the system, nor does it alter the discrimination faced by Native peoples outside of prison. The deplorable conditions and cultural genocide which many Native persons still face must be stopped. The inherent right to self-government must not only be acknowledged but must be given the opportunity and resources to be realized.

In the face of the chilling statistics on school dropouts, unemployment, poverty, ill health, family breakdown, incarceration, and early deaths...no reason to refuse natives control over the development and administration of policies that affect them. They can hardly fail more abysmally than the thousands of Euro-Canadian politicians, bureaucratic planners, missionaries, and officials have during the past 150 years (Miller, 1989:279-280).

In Canada opportunities exist today to create a country where Native peoples have a place which is respected and valued. Pluralism is an option which can replace the destructive approach of assimilation into the dominant White society. Native leaders have said that "while they want to cooperate with and benefit from Canadian society, they do not want to be submerged in it. They want to participate, not assimilate. They want to remain one of the many distinct entities...that make Canada the unique human community that it has become" (*Ibid.*:285). It is not an "Indian problem" nor a "white problem" but rather "the future is our common problem" (Ross, 1987). One step forward is to recognize the inherent validity of Native spirituality.

Note

1. I would like to thank those representatives from Allied Indian and Métis Society (AIMS), Burnaby Correctional Centre for Women, Indian Homemakers Association, Matsqui Federal Penitentiary, and Regional Correctional Headquarters who took the time to speak with me. I would also like to extend a warm thank you to Dr. Margaret Jackson for her insight and support.

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