The Journal
of Prisoners on Prisons

Volume 2,
Number 2,
Spring, 1990

$7.00
Rehabilitation: Contrasting Cultural Perspectives and The Imposition of Church and State*

Little Rock Reed

As observed by Dr. White, Administrator of Psychology Services for the North Central Region of the United States Federal Bureau of Prisons, In the Beginning, and indeed throughout Judeo-Christian history, the desire for retribution has characterized society’s response to criminal behavior. The imposition of mutilation, torture, or even death was universally accepted as appropriate punishment for a wide range of social transgressions. The roots of this philosophy were inextricably entwined in our Judeo-Christian tradition and reinforced by years of biblical teaching which stressed the notion of an eye for an eye and a tooth for a tooth. However, by the beginning of the 18th century the more humane practice of imprisonment slowly began to replace branding, corporal punishment, and execution as the preferred method of dealing with lawbreakers. Under this new doctrine punishment actually served two purposes: to exact society’s retribution and to deter the offender as well as others who may consider committing future crimes. Finally, the early 19th century saw the forerunner of the modern day prison system with the development of the Walnut Street Jail, a uniquely American creation designed to not only punish and deter, but to rehabilitate offenders by making them penitent (the penitentiary) for their actions by forced solitude and biblical reflection ...

(White, 1989:31).

As I shall demonstrate in the forthcoming discussion, this forced biblical reflection continues as a matter of American correctional policy, though the force is employed in very subtle forms so that the policy-makers and “rehabilitators” may, as they steadfastly do, contend that their rules and procedures do not violate the establishment of religion clause of the First Amendment to the United States Constitution by forcing Judeo-Christianity upon the prisoners of America. This forced Judeo-Christianity comes under the guise of ‘rehabilitative’ programs which prisoners are required to participate in. Thus, in examining the contrasting cultural perspectives on rehabilitation from a Native American standpoint — which is the

*This paper will appear in a book being prepared to advance the Rights of Native prisoners, a collective effort of far more people than space will allow me to name here. You know who you are; thank you for your encouragement and support. And a special thanks goes to each member of the Ohio Parole Board whose inhumanity inspired this work. For more information, write: NAPRRP, 1242 First Ave., Cincinatti, OH 45205
primary aim of this paper — the imposition of Church and State inherent in the government-sanctioned ‘rehabilitative’ programs quite inevitably becomes a fundamental aspect of the discussion.

Many of the existing policies and practices relating to the rehabilitation of prisoners in the various prison systems of North America are in fact producing results which are the opposite of the rehabilitative objectives which purportedly underlie the implementation and maintenance of those policies and practices. This can be attributed, in great part, to the administrators’, counselors’, and treatment personnel’s general lack of knowledge and understanding of the contrasting values, attitudes, customs, and life experiences of a great many of those for whom the existing ‘rehabilitation’ programs have been established.

The implementation and maintenance of Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) programs in most prisons, and the unequivocal sanction placed in them by the legislatures, prison administrators, and parole authorities are a case in point. In most states and in the Federal Bureau of Prisons, for example, prisoners are given a reduction in the time required for parole eligibility or discharge dates and/or are given special privileges or lower security status for their faithful participation in AA and/or NA.¹ These types of policies serve to corrupt the incentive of many prisoners to participate in the programs, effectually transforming the nature of the programs from rehabilitative to mere shortcuts to freedom. Indeed, at least one prisoner in this prison has disclosed to the author that he has never been involved with alcohol or drugs, but he is a faithful participant in both AA and NA because of the good-time credit he receives. It is common knowledge among most prisoners that these programs — due to their high standing with the parole authorities — are, as so adequately stated by one prisoner who is a veteran of these programs,

*a complete farce, man. They’re a joke, because the majority of the men who are there, including myself, are only there because we were told by the parole board or the classification committee that we should get into the programs. You’ve got a few guys in there who are sincere, but this just makes it hard for them ‘cause they’re intimidated by the fact that the majority of us think the whole thing is a crock .... This causes the sincere ones to clam up and not really get anything out of the programs because they’re uncomfortable around [those of] us who are only there for parole or good-time reasons, or so we won’t have to wait as long to be transferred to a minimum-security joint ....*

In many prison systems, the parole boards have such confidence in the AA and NA programs that they require prisoners to participate in them as a prerequisite to parole consideration even when there is nothing in the prisoner’s record to indicate any involvement with alcohol or drugs other than the prisoner’s own admission upon entering the prison system (when filling out questionnaires) that s/he has
experimented with drugs or alcohol at some point in her or his life. Once such an admission is made, it is, as standard procedure, used against the prisoner so long as the prisoner refuses to participate in the AA and/or NA programs after having been directed to participate in them.\(^2\) In the view of the parole board in Ohio, for example, all evidence the prisoner might submit which indicates that s/he has no affiliation with alcohol or drugs is deemed irrelevant and is given absolutely no consideration by the parole board.\(^3\) The prisoner’s failure to participate in AA or NA after having been recommended by the parole board or prison classification committee to get involved is automatically taken to indicate that the prisoner is uncooperative and incorrigible.

It is worth noting that AA has had a great rate of failure on a global scale. According to Carson, Butcher and Coleman:

> AA ... does not keep records or case histories .... The generally acknowledged success of [AA] is based primarily on anecdotal information rather than objective study of treatment outcomes. One recent study, ... however, included an AA treatment in their extensive comparative study of treatments of alcoholics. The [AA] treatment method had very high dropout rates compared to other therapies. Apparently many alcoholics are unable to accept the “quasi-religious” quality of the sessions and the group testimonial format that is so much a part of the AA program. The individuals who were assigned to the AA program subsequently encountered more life difficulties and drank more than the other treatment groups (Carson et al., 1988:383).

Assuming that AA isn’t the failure it appears to be, let’s take a look at this program from an Indian point of view to see if one needs to be “incorrigible” to reject it. This author certainly cannot speak for all Indians, but I think the voice of the great majority of the Native population will ring through in this discussion of how and why AA concepts, philosophies, and principles are inapplicable to Indians in general. This presentation is in no way intended to offend those individuals who agree with the concepts of AA or to attack the program itself. Indeed, the concepts are excellent for people from many different walks of life. I simply intend to show that AA is not the “universal” therapeutic program it is claimed to be, and that coerced participation in the program as a prerequisite to having one’s liberty restored is morally, ethically, and legally wrong.

A passage from *Alcoholics Anonymous*:

> Selfishness — self-centeredness! That, we think, is the root of our troubles. Driven by a hundred forms of fear, self-delusion, self-seeking and self-pity, we step on the toes of our fellows and they retaliate. Sometimes they hurt us, seemingly without provocation, but we invariably find that at some time in the past we have made decisions based on self which later placed us in a position to be hurt.

> So our troubles, we think, are basically of our own making ... (1976:62).
Anyone with even the slightest knowledge of the historical and contemporary realities facing Native Americans will agree that this particular point does not reflect those realities.

Step Two of the Twelve Steps of AA requires the belief that a Power greater than ourselves, and only a power greater than ourselves, may restore us to sanity. To adopt this belief is to make an admission of insanity, which is pretty hard for most Indians to accept and understandably so. Assuming that we are willing to accept it, this Step contradicts the concept (cited above) that “our troubles ... are basically of our own making.” If we and we alone are capable of bringing about our own troubles without any external influences, how does it logically follow that we are absolutely incapable of restoring our alleged lost sanity — i.e. correcting the sum of our troubles — without a complete dependence upon an external power? This idea is ludicrous to most Indians; not because we lack a dependence upon or belief in external powers, but simply because there are such gross inconsistencies between these two concepts, concepts that must be adopted in order to fit into the AA program. Are non-Indians not also aware of these inconsistencies?

I would like to illustrate the totally unrealistic nature of this proposal for Indian people. As part of the AA program we list persons, institutions, and principles that we are angry at or consider enemies. We go to our enemies

in a helpful and forgiving spirit, confessing our former ill feeling and expressing our regret. Under no circumstances do we criticize ... or argue. Simply we tell them that we can never get over our drinking until we have done our utmost to straighten out the past. We are there to sweep off our side of the street, realizing that nothing worthwhile can be accomplished until we do so, never trying to tell him what he should do. His faults are not discussed. We stick to our own. If our manner is calm, frank and open, we will be gratified with the results. In nine cases out of ten the unexpected happens. Sometimes [our enemy] admits his own fault, so feuds of years’ standing melt away in an hour ... (ibid.:77-78).

When shown this passage from the AA book, one of my Choctaw friends exclaimed “Oh good! Finally a solution to the ‘Indian problem’! But where do you think we should all go first, to the Bureau of Indian Affairs (BIA) headquarters or to the White House?!” But before I could respond, another brother broke in: “Do you really think that if we go to them in a helpful and forgiving spirit and take the blame for everything and say we’re sorry they will begin to honor perhaps nine treaties out of ten?” No response was necessary.

It is a rule of AA that the individual must remain free of anger. Under no circumstances is anger to be expressed, and if ever anyone offends the individual, he or she is simply to say, “This man [or government or agency or mineral company?] is sick. How can I be
helpful to him [it]? God save me from being angry. Thy will be done" (ibid.:67). If we do not have the "strength" and "courage" to do this, and if instead we express any anger, according to the philosophy of AA it is because we are selfish and dishonest. On the contrary, some people (including Indians) feel that the expression of anger can be pretty healthy at times, not to mention it being consistent with human nature. On the other hand, to uncompromisingly suppress one's anger as a matter of rule — regardless of the justification for the anger or the circumstances from which it arises — can lead to an accumulation of frustrations that can prove to be quite unhealthy; especially in light of 1) the discriminatory actions that Indians are faced with day after day in the course of non-Indian custom, and 2) the stressful situations that are so commonplace in the prison environment where the potential for violence is magnified, and often encouraged by the administrators and guards.4 One must also wonder if such strict adherence to this rule may not enhance the probability of one's development of a passive-aggressive personality disorder.5

According to the concepts of AA,

Resentment is the "number one" offender. It destroys more alcoholics than anything else. From it stem all forms of spiritual disease, for we have not only been mentally and physically ill, we have been spiritually sick ... (ibid.:64).

When hearing such language, one cannot help but wonder if it has ever occurred to the founders and proponents of AA that some people drink not because they are 'insane', 'mentally ill', or 'spiritually sick', but because they are trying to numb the pain caused by the fact that they are religiously, politically, socially, culturally and economically oppressed by an alien government and people who are imposing their religious, political, social, cultural and economic values and laws on them without their willful consent and in direct violation of the majority of the human rights and fundamental freedoms that appear in the various international human rights instruments. To this end, it is the view of many prisoners (regardless of race or ethnicity) that the AA and NA programs are no more than social control mechanisms — that is, mediums through which the ruling class effectively subdues the discontent of the lower classes and underprivileged by having their attention diverted from the true sources of their problems (poverty, unemployment, despair, etc.). "What other reasons can there be," poses one black prisoner from the Cleveland slums,

for them to force us into programs that are known to be failures in the treatment of substance abuse? Not only are we being forced into these programs here, but every day the under-privileged are being ordered by the courts to participate in the same programs in the free world if they wish to stay out of prison. The programs are failures, so why? I believe the answer is because the programs aren't really failures at all — they are highly effective at controlling the lower classes. That must be why the government sanctions them as they do ....
I want to examine another aspect of the AA/NA format, the very principle of anonymity itself from which these programs have taken their names. Anonymity denies to an individual the social and cultural identity which research has indicated is essential to the successful treatment of Native Americans with substance-abuse problems. As was stated by Grobsmith:

... Indian people for the last century have been lost. When their religion and languages and cultures were taken away from them in the period of forced assimilation on the part of the U.S. government, Indian people's knowledge of their own ways was largely disappearing.

Because of the introduction of alcohol, the lack of a strong economic base [and] tremendous unemployment, the situation has become very, very drastic and very depressing; drug use at an early age and so on. Indian people have, I believe, lost themselves.

The return to Native religion — and there are other sources that document this, and I'm not the only person who's observed this — indicate that this return to [their traditional native] spirituality helps them in ways that other kinds of programs do not, by giving them something strong to identify with that is Indian, giving them pride ....

Indian people are not comfortable in AA. They're not comfortable in a large rehabilitation program that's not basically Indian, because many of them are embarrassed or ashamed to admit their problems and their dependence on alcohol with people who are not going to understand them, and who may have prejudice against them.

And AA is an approach that requires an attitude of an admission of guilt. You get up, and you give self confessions. You admit guilt and shame. It is not suitable to the Indian culture. It is not effective. AA is notorious ... [for its] great rate of failure with Native Americans; and this is nationwide (Grobsmith, 1987:281-84).

In wrapping up the discussion on AA and NA, it is also worth noting that these programs unquestionably qualify as "associations" (see Black's Law Dictionary), and that Article 20(2) of the Universal Declaration of Human Rights states that "no one may be compelled to belong to an association." It appears, therefore, that all policies and practices that demand the participation of prisoners in these programs as a prerequisite to the restoration of their liberty or as a stipulation in their parole programs are in need of an overhaul. Not only do such policies and practices violate the above-cited right, when the individual who is coerced into the programs holds cultural, social, political or religious values or beliefs that are in conflict with those propounded by the programs, such policies and practices may violate most, if not all, of the rights guaranteed by the following:

From the Universal Declaration of Human Rights of the United Nations:

Article 18: Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom ... either alone or in community with others
and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. [The freedom of manifestation is impaired when conflicting beliefs are imposed on the individual.]

**Article 22:** Everyone is entitled to realization ... of the ... social and cultural rights indispensable for his dignity and the free development of his personality.

From the United Nations' *International Covenant on Civil and Political Rights,*

**Article 26:** All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status.

And the First Amendment to the United States Constitution declares that no law shall be made which respects an establishment of religion or which prohibits the free exercise thereof. As used in constitutional provisions forbidding the establishment of religion, the term "religion" means a particular system of faith and belief in the existence of a superior being or beings exercising power over human beings by volition; man’s submission to mandates, precepts, rules of conduct, etc., imposed by supernatural or superior beings; these concepts shared, recognized and practiced by a particular church, denomination, association, group or sect. According to the legal definitions of "religion" as promulgated by the United States Supreme Court in numerous decisions, AA and NA are in fact religions. When I suggested this to a social worker here in the Southern Ohio Correctional Facility and emphasized that these programs are "Christian-oriented", he and his fellows became very perturbed and summoned me into an office where I suppose they expected to intimidate me. They confronted me with my 'accusations' that these programs are Christian-oriented, and what followed only served to illustrate that they indeed are. They insisted that these programs have absolutely no connection with religion and are suitable for everyone regardless of ethnic or religious affiliation, including atheists. This is absurd since an atheist rejects all religious belief and denies the existence of any god. When I stated this to these social workers, they told me that I was being unreasonable and "copping out" for not wanting to participate in the programs. They insisted that the AA program doesn’t really have anything to do with religion because the individual participant is to consider this "god" to be in whatever form or manifestation with which the individual is comfortable, i.e., "God as you understand Him." This "God", they assured me, can take the form of a tree, a group of friends, the Great Spirit, or anything at all — "as we understand Him". Regardless of what image this "God" takes, however, the fact remains that it is a religious symbol; a superior being
with supernatural powers; a superior being that sets standards of conduct for us to live by and believe in, and which happen to be standards of conduct which clash with the standards of conduct my god has set for me to live by and believe in. These social workers, or anyone, may conjure up all the abstract theories they wish in an attempt to make someone believe that the “God” in these programs is not really the religious kind. The abstractions do not and cannot eliminate the supernatural quality that makes it religious. According to the dominant society’s own standards and rationalizations that we Native Americans are so familiar with, the AA and NA programs are either religious in nature or are superstitious in nature — take your pick. And it should also be noted that the AA meetings here, as well as in other prisons, which these social workers and prison officials insist are in no way related to religion, conclude with the Lord’s Prayer. Amen.

And in returning to some additional Rights guaranteed by the United States Constitution, we must not overlook the Fifth or the Thirteenth Amendments:

Amendment Five: No one shall be ... deprived of ... liberty ... without due process of law .... [Please see my note following Amendment Thirteen below.]

Amendment Thirteen: [N]o ... involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist in the United States .... 6

In addition to the laws listed above, many other similar laws and administrative regulations are violated when programs such as AA and NA are imposed on prisoners against their will. Such practices and policies are a direct offense against the inherent dignity of the human being and are clearly demonstrative of the policy-makers’ and enforcers’ intolerance of and contempt for the pluralism and self-determination that are claimed to be held in such high regard in those societies that are allegedly ‘democratic’.

It should also be noted that this imposition of AA and NA is discriminatory. Black’s Law Dictionary (1979) defines discrimination as such:

In constitutional law, the effect of a statute or established practice which confers particular privileges on a class arbitrarily selected from a large number of persons, all of whom stand in the same relation to the privileges granted and between whom and those not favored no reasonable distinction can be found. Unfair treatment or denial of normal privileges to persons because of their race, age, nationality or religion. A failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored.

It logically follows that the effect of a statute or established practice which gives “good time” credits or any privileges (e.g. trustee status or the option to transfer to less security) only to those prisoners whose
beliefs correlate with the AA/NA programs — or to those who are willing to sit through the programs in violation of their beliefs — is discrimination and constitutes a violation of the equal protection of the law. In order to adhere to the International Bill of Human Rights and corresponding American constitutional law, it is necessary to neutralize such statutes and practices so that the privileges presently granted by participating in these programs will become available to all prisoners. For example, if a state statute or regulation credits good-time to prisoners who participate in AA or NA, then such good-time must also be credited to Indian prisoners who participate in programs such as the Red Road Approach to Recovery, or the United Native Alcohol Program, which I will discuss in greater depth in a moment.

I am emphasizing substance abuse treatment because it is time for some concrete measures to be taken to alleviate the problem. Alcohol-abuse has long been recognized by social scientists as "the foremost medical and social problem" among contemporary Indian populations (see Beauvais and La Boueff, 1985; Grobsmith, 1989a; Hall, 1986; Mail and McDonald, 1981; Pedigo, 1983; Price, 1975; Snake et al., 1977; Task Force Eleven, 1976; Weibel-Orlando, 1984; Weibel-Orlando, 1987). It has been well-documented that Indian youth suicide, which is double that of the national population, is alcohol-related (French, 1982; Grobsmith, 1989a; Rosenstiel, 1989; Shore et al., 1972; Weibel-Orlando, 1984); that the leading causes of death among the American Indian population are attributed to alcohol use (Grobsmith, 1989a; Indian Health Service, 1989); and that almost all arrests of Indians are alcohol-related, including juvenile arrests (Grobsmith, 1989a; Grobsmith, 1989b; Lex, 1985; Mail and McDonald, 1981; Weibel-Orlando, 1984). According to Grobsmith's studies, 91 to 100 percent of Indian crimes are alcohol or drug related (1989b). As stated by Dale Smith, a former spokesman for the Tribe of Five Feathers, the Indian cultural/spiritual group at the Lompoc Federal Prison in California, "if we have, say 50 guys, 49 of them are here because of alcohol problems" (Thornton, 1984). And as observed by an Idaho/Montana prisoner who expresses the general feeling among Indian people: "I feel that [with regard to] our Native people, the percent[age] who are in prison on alcohol and drug related crimes [is] 99 ... if not 100 [percent]. Alcohol has been the most destructive factor to our people since the day we were introduced to it." And a former president of the Native American Council at the Southern New Mexico Correctional Facility, Harvey Snow, has stated that "of our twenty members, 19 of us are [in for] alcohol or drug related [offenses]."

And the problem is not going to be alleviated through the use of 'rehabilitation' programs that fail to take cultural factors into account,
as observations and research have clearly shown. The failure of non-Indian programs to successfully treat Indian substance-abuse problems has been well-documented (Grobsmith, 1987; Heath et al., 1981; Kline and Roberts, 1973; Native American Rights Fund, 1978; Pedigo, 1983; Stevens; 1981, Weibel-Orlando, 1989). Despite these observations, most substance-abuse intervention programs offered to Indians (including those on the reservations) are generally designed by non-Indians and are “based on Western schools of thought that have little to do with Indian values and beliefs” (Beauvais and La Boueff, 1985; Butterfield, 1989; Stevens, 1981). “Increasingly, evaluators, treatment personnel, and potential clients deplore the Anglo cultural bias of existing alcoholism intervention programs and call for the integration of more traditional [Indian] forms of healing practices into programs with ... Native American clients” (Weibel-Orlando, 1987:264).

Over a five-year period, the Alcohol and Drug Study Group of the American Anthropological Association visited and observed over 40 Indian alcoholism recovery homes as well as traditional Indian healers in California, South Dakota, New Mexico, Arizona and Oklahoma. The alcoholism treatment programs were categorized across a range of six different types running on a continuum from what can be described as culture-sensitive to assimilative. They had found that “Indian alcoholism programs with the highest rates of sustained client sobriety are those that integrate a variety of [traditional Indian] spiritual elements and activities into their treatment strategies” and suggested further that “involving the concept of sacred separation as a viable ethnic stance and abstinence as one of its demonstrable forms may be a culturally appropriate intervention strategy and the effective first step toward sustained sobriety for contemporary American Indians ... ”(Weibel-Orlando, 1985:219-23, my emphasis).

Harvey Snow sent me the Twelve Steps in the Native Way which were given to the brothers in the Southern New Mexico Correctional Facility by a medicine man who spends some time with them. The distinctions between these steps and those of AA are very pronounced. Table 1 compares five of the twelve AA steps with five of the twelve steps the Native Way, “Sobriety Through the Sacred Pipe.”

In studies conducted by Westermeyer and Neider, they found that “those [Indians] ... engaging in more traditional Indian activities ... tended to have better outcomes a decade later. It appears that more intense contact with one’s own culture ... favors a better outcome among Indian alcoholics” (1984:183).

The importance of cultural differences must be recognized in any program that is to be successful with Native Americans (Bowechop, 1970; Guajardo, n.d.; Jilek and Jilek-Aall, 1972; Jilek-Aall, 1974; Miller
### Table 1: Comparison of Anglo and Native AA Steps

<table>
<thead>
<tr>
<th>Anglo AA Step</th>
<th>The Native Step</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Step 2</strong> We come to believe that a Power greater than ourselves can restore us to sanity.</td>
<td>We come to believe that the Power of the Pipe is greater than ourselves and can restore us to our Culture and Heritage.</td>
</tr>
<tr>
<td><strong>Step 5</strong> We admit to God, to Ourselves, and to another human being, the exact nature of our wrongs.</td>
<td>We acknowledge to the Great Spirit, to ourselves, and to the Native American Brotherhood, our struggles against the tide and its manifest destiny.</td>
</tr>
<tr>
<td><strong>Step 6</strong> We are entirely ready to have God remove all these defects of character.</td>
<td>Be entirely ready for the Great Spirit to remove all the defects of an alien culture.</td>
</tr>
<tr>
<td><strong>Step 8</strong> Make a list of all persons we have harmed and become willing to make amends to them all.</td>
<td>Make a list of all the harm that has come to our people from Demon Alcohol, and become willing to make amends to them all.</td>
</tr>
</tbody>
</table>
| **Step 11** Seek through prayer and meditation to improve our conscious contact with God as we understand Him, praying only for knowledge of His will for us and the power to carry that out. | Seek through prayer and meditation to improve our conscious contact with the Equality and Brotherhood of all Mother Earth's children and the Great Balancing Harmony of the Total Universe.

### Table 2: Comparison of Anglo and Native American Values

<table>
<thead>
<tr>
<th>Native American</th>
<th>Anglo American</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncritical attitude</td>
<td>Critical attitude</td>
</tr>
<tr>
<td>Cooperation</td>
<td>Competition</td>
</tr>
<tr>
<td>Sharing</td>
<td>Ownership</td>
</tr>
<tr>
<td>Humble</td>
<td>Outgoing if not arrogant</td>
</tr>
<tr>
<td>Happiness</td>
<td>Success</td>
</tr>
<tr>
<td>Honor elders</td>
<td>No respect for elders</td>
</tr>
<tr>
<td>Silence</td>
<td>Verbalism</td>
</tr>
<tr>
<td>Tribal values</td>
<td>Individualism</td>
</tr>
<tr>
<td>Simplicity</td>
<td>Complexity and sophistication</td>
</tr>
<tr>
<td>Tradition</td>
<td>Innovation</td>
</tr>
<tr>
<td>Spiritual values</td>
<td>Material values</td>
</tr>
<tr>
<td>Learning from elders</td>
<td>Learning in schools</td>
</tr>
<tr>
<td>Few rules</td>
<td>Multiplicity of laws</td>
</tr>
<tr>
<td>Mysticism</td>
<td>Empiricism</td>
</tr>
<tr>
<td>Smallness</td>
<td>Bigness</td>
</tr>
<tr>
<td>Natural medicine</td>
<td>Synthetic medicine</td>
</tr>
<tr>
<td>Unity of animal kingdom with humanity</td>
<td>Separateness of animal kingdom from Humanity</td>
</tr>
<tr>
<td>Accept others as they are</td>
<td>Change or proselytize others</td>
</tr>
</tbody>
</table>
n.d.; Pedigo, 1983; Task Force Eleven, 1976; Topper, 1976; Weibel-Orlando, 1987). The programs must be based on Native values (Alday, 1971; Grobsmith, 1987; Jilek and Jilek-Aall, 1972; Jilek, 1974; Reed, 1989; Topper, 1976; Underhill, 1951). Native American involvement and staffing are essential to the success of substance-abuse treatment programs for Indians (Ferguson, 1976; Leon, 1968; Native American Rights Fund, 1978; Pedigo, 1983; Provincial Native Action Committee, 1974; Shore, 1974; Task Force Eleven, 1976; Turner, 1977). Where such involvement and staffing are not feasible, it is imperative that any non-Indian attempting to counsel effectively (whether or not such counselling is related to substance-abuse), should have some knowledge of the historical and contemporary realities facing Native Americans and the differences in Indian and Anglo values (Guajardo, n.d.). As Guajardo pointed out, “what is a positive value for the Anglo (e.g., being outgoing, competitive) can be a negative value for the American Indian. Calling values ‘positive’ or ‘negative’ is always relative to those who espouse [them],” and to approach any type of counselling or therapy from the “‘Textbook’ ... [which] emphasizes white middle-class values, is both improper for, and antagonistic to, the Native American client”(ibid.:3). Guajardo, in citing Richardson (1973), listed examples of the contrast between Indian and Anglo values as shown in Table 2.

In returning to the discussion of substance abuse, the most effective approach to the problems among Native Americans is simply that of refamiliarizing them with the traditional values of their culture, and strengthening those cultural values and norms (Albaugh and Anderson, 1974; Pedigo, 1983), for as was observed by Lex (1987:298), “the erosion of traditional behaviors [and values of Indians] accompanies drinking problems.” As stated by Dale Smith, founder of the United Native Alcohol Program (UNAP) at Lompoc, “we try to say to them, ‘Hey, the pipe is good, and the pipe is strong’ ... The difference [between our philosophy and that of Alcoholics Anonymous] is that they dwell on the negative aspects of alcohol, while we prefer to accentuate the strength of our traditional ways” (Thornton, 1984). We asked Dale if he would share some additional insights about UNAP. His response follows:

**What is UNAP?**

**Dale:** UNAP is a substance abuse rehabilitation and prevention program. It is designed specifically for Native Americans. UNAP employs traditional Indian spiritualism and culture as well as up-to-date behavior modification techniques applied in a traditional Indian context.

UNAP breaks with conventional rehabilitation programs in many areas. For instance, UNAP does not treat alcohol or substances as problems. Those are simply symptoms of the real problems which are deeper underlying turmoils.
Additionally, the program focus of UNAP differs from the conventional in that it chooses to focus on the positive nature and spiritual strengths of mankind rather than on negative case histories. Focusing on guilt complexes and personal shortcomings is not a practice of UNAP.

The ultimate goal of the UNAP project is to repair and rebuild the damage of substance abuse, prevent abuse from occurring, and to provide a lasting sense of direction through encouragement, support and instruction in the Native spiritual practices of regional tribes. Suggestions on uses of work and leisure time, an important aspect of program aftercare, are also provided in the UNAP program.

**When and how did UNAP start?**

**Dale:** The UNAP concept was conceived in 1978. Research and development, as well as a large degree of self-education on my part, continued for five more years until in 1984 the first draft of the UNAP program was completed.

I participated in AA back in those days, but somehow could not bring myself to say the standard AA greeting, which is, "Hello, my name is ______ and I am an alcoholic." I always felt that in the context of that greeting, the phrase was unnecessarily demeaning and demoralizing. It was like being asked to slap myself in the face then follow that with a few psychological kicks in the butt for my past indiscretions. I said, "no way, buddy!" Besides, what was AA giving me?

I still had difficulty understanding how the AA concept applied to me. And it didn't help that I didn't believe in the Christian concept of God. Eventually it became a real problem for me to sit and listen to other people's testimonials about their loss of things I never had, like big brick homes and high society girlfriends, and to hear of their salvation through religious concepts which were alien to me.

Finally, I listed the problems conventional rehabilitation programs failed to address for Native people. I spoke to many different Indians about substance abuse and listened with an Indian ear for the deeper meanings within the stories I heard. And after more than four years of studying the problems, I put together UNAP and offered it as an alternative solution.

**Where is/was UNAP developed?**

**Dale:** UNAP was first introduced at the federal prison at Lompoc, California. The very first sessions were conducted for the Tribe of Five Feathers, the Indian prisoners group there.

Like an underground movement UNAP traveled through the federal system. It surfaced at facilities in Phoenix, Arizona, Lewisburg, Pennsylvania, Terre Haute, Indiana, and it remains active at Lompoc.

It's unfortunate, but for the most part, federal administrators uniformly resisted the development of UNAP. Their spoken reasons ultimately revert to security concerns. However, even a streamlined UNAP proposal which addresses every conceivable security consideration meets with resistance. So, one must presume that other motives for the resistance exist.
Outside the institutional setting, UNAP has been made available to several organizations and tribes. The Sho-Ban tribes in Idaho and Fort Peck tribes in Montana are among the list. Additionally, the Indian Center in Kansas City and a clinical psychologist of Indian descent at Berkeley use concepts taken from the UNAP program.

Your vision for UNAP?

Dale: The UNAP concept is such that it projects its own future. The Medicine Wheel which is an integral part of UNAP tells the story. As the outer circle of the wheel is symbolic of the cycle of life in our universe, I see UNAP as having limitless potential. It has the potential of reaching people from all age groups and all nationalities, if not directly then by proximity to those it does touch. And as the cross intersects within the wheel, UNAP has the potential to draw people together. I see Indian people one day looking at each other as one nation, regardless of tribal or political affiliation and regardless of historical animosities, because it is my belief that we Indian people, and all indigenous people of the world, will see a day in the future when our unity will be the only thing that stands between us and the final holocaust.

My vision for UNAP? In a word, it is HOPE.

And Dale certainly isn’t alone. Other people with the same vision have been pushing to see the implementation of similar programs throughout North America. The Red Road Approach to Sobriety, another culturally specific program developed by Gene Thin Elk, another Sioux, is an example. The Red Road Approach program is now being used in prisons in several states, as well as by various Indian tribes and centers. It is unfortunate, however, that these programs are being met with resistance not only by most prison administrators but by funding agencies upon whom the Indian people must rely for assistance in keeping the programs alive in Indian communities.

On the discussion of substance abuse in the first volume of the *Operations Guide Manual for the Cheyenne River Swift Bird Project*, the Native American Rights Fund clarified what is probably the most important distinction between Native American and Anglo attitudes and approaches toward the problem:

... [We] have made a special effort not to compartmentalize substance abuse problems. The problems of alcohol and drug abuse are not singular problems that can be identified and isolated out of the total life context of the [individual]. Other social, medical, spiritual and personal problems have not been adequately addressed in non-Indian correctional facilities. [We must be] careful not to disassociate these problems from the total context of the [individual’s] life. Indian culture and tradition are not a distinct aspect of Indian life but form an integral set of qualities which pervade daily life. In the same way, the problems that exist for Indians cannot be addressed as isolated problems, but must be viewed in the cultural context as an integral part of the larger whole.
Substance abuse programming [must be] developed from this integrated cultural perspective ... (Native American Rights Fund, 1978:31).

To this end, all approaches to counselling at the Swift Bird Project, whether substance-abuse related or not, were designed from this integrated cultural perspective and within the framework of traditional Indian concepts and methods of handling antisocial behavior:

... The project integrates acceptable concepts from the field of counselling with the use of traditional Indian values and practices.

The primary goal of the counselling program is to meet the personal needs of the individual resident at Swift Bird and upon release and re-entry to his home community. Traditional Indian approaches combined with [acceptable] non-Indian approaches form the basis for a successful program. In conjunction with basic counselling techniques this approach has the potential for an effective and comprehensive counselling program for [Indians].

Counselling is conducted on both an individual and group basis. The total approach to counselling allows cultural flexibility and adaptability to accommodate the cultural beliefs and experiences of residents.

Important objectives of the program include:

1. Assisting the resident in developing and maintaining a positive self-image and sense of self-worth.
2. Assisting the resident in developing his psychological functioning, aptitude, interests, interactions, and personal goals.
3. Enabling the resident to identify his immediate and long-term goals.
4. Identifying and affirming strengths, achievements, and successes for building fulfillment of self and fulfillment of significant others.

The traditional Indian approach to counselling [differs from] current non-Indian counselling practices ... in the way ... services are delivered. Traditional Indian counselling is an ongoing process which is not characterized by sessions or meetings. Traditional counselling services are delivered informally, by providing positive models and examples, and by integrating supports and models into all aspects of daily life. Native American practitioners (medicine men) are essential to the counselling program... (ibid.:28-9).

It becomes evident, then, that the development of traditional Indian components to the greatest extent possible within the prison setting would (and has) served to enhance the rehabilitation of individuals.

As Larry McCook, Associate Director of the Native American Prisoners Rehabilitation Project, has pointed out with respect to the white man’s theft of Indian things and labelling them white man’s ‘discoveries’, the principles of Gestalt psychology and other types of contemporary psychology have been employed by Native American tribes since time immemorial (McCook, 1989). The ideas underlying Gestalt psychology have been absorbed and continue to have a significant impact on psychology (Saccuzzo, 1987:15). Carson et al. (1988) have pointed out that various comparative sociocultural studies of the incidence of psychological disorders have indicated significant
contrasts between those in the United States and those in native tribal populations. For example, while major depression is rampant in the mainstream United States, it is almost non-existent among native tribal peoples until their cultures are disrupted by Anglo influence (ibid.: 303-4). It seems probable that this is as it is, at least in great part, because the same ideas that are the core of Gestalt psychology are in fact integral concepts held within the religions and cultures of tribal peoples; whereas, in the mainstream USA these holistic concepts are generally ignored if not intentionally rejected.10

For example, while such things as the interpretation of dreams are often thought to be ridiculous, this Gestalt technique used to increase self-awareness and self-acceptance has been practiced by Native people for thousands of years. As a matter of fact, fundamental aspects of Gestalt therapy can be found in all the major individual and organizational functions of Native American cultures and religions. The vision quest, the sun dance, the pipe ceremony, the medicine wheel, the sweat bath — all are essentially Gestalt. And the definition of Gestalt Psychology is merely one way of defining the fabric of traditional Native American philosophy.11

The purification ceremony of the sweat lodge and its associated practices is a critical ritual that is virtually universal among Native American tribes throughout North America. To Indian people, the sweat lodge has long been a center for spiritual, physical and psychological healing and strength, and is seen as a fundamental rehabilitative tool:

... It has become a major means of spiritual support for many young people. Its rehabilitative effects on troubled young men is particularly evident .... It is frequently used to combat the effects of alienation, such as alcoholism and other destructive, anti-social behavior ... (Walker, 1985:32-2).

The positive rehabilitative effects of the sweat lodge have been well documented (Hall, 1986; Hanson, 1983; Johnson, 1988; Navajo Nation, 1989; Nebraska Parole Board member, personal correspondence, 1989; Reed, 1989; Seven, 1988; Specktor, 1983; Spotted Eagle, 1983). Prior to the March 1989 decision by the federal court in Utah, Lee Bergen, staff attorney with the Navajo Department of Justice, pointed out that “Utah’s ban on the sweat lodge ... effectively destroys the only successful rehabilitative tool available to [Indian] inmates” (Sisco, 1989). Statistics compiled by the Navajo Corrections Project, which serves the rehabilitative and religious needs of prisoners in at least 36 state and federal institutions, indicate recidivism rates of 7% for prisoners involved in sweat ceremonies as opposed to a national average of 30-to-50 percent.

The Native American Church and its associated practices have been described as the most successful Indian alcoholism program of all

(Bergman, 1971; Pascara, 1976; Roy et al., 1970; Underhill, 1951; Wagner, 1975; Weibel-Orlando, 1989). "Most Indian people working in alcoholism programs say, usually away from the funding agency, that the most successful Indian alcoholism program is the Native American Church" (Stevens, 1981:141).

In the mid-70’s, when the people involved in the Seattle Indian Alcoholism Program recognized that over 90 percent of the Indians in jails and prisons are there for alcohol-related offenses, they set up culture-specific programs in Washington’s four major prisons. Within four years after these programs were established, the proportion of Indian prisoners in the state’s prisons had dropped from 5% to 3.5% (Walker, 1981). While this decline in the Indian population (of nearly 1/3) cannot be claimed as the direct result of the implementation of the programs in Washington’s prisons, that possibility must not be ruled out, especially when these statistics correlate with other research cited in this paper. And as observed by Seven:

For prison officials, the [purification ceremony of the sweat] lodge and other religious programs are ways to reduce the high rate at which released inmates commit crimes.

Robert Lynn, religious program manager for the Department of Corrections, says inmates in Oregon’s prisons who were actively involved in religious programs over several years in the late seventies had a recidivism rate of 5%, compared with the national rate of close to 75% at the time ... (1988).

With statistics like these, the relevance of and need for spiritual/cultural programs for Indian prisoners can hardly be refuted. In fact, it would seem that such statistics would encourage prison officials and administrators to actively seek the development of such programs with the tax dollars they are currently wasting in their attempts to defend the suppression of the religious practices which would be accommodated through the programs. As was stated by Hoffstetter in Scott:

It has been my experience based on twenty years of juvenile and adult correctional work, both as a clinical psychologist and program administrator, that ... the more an inmate is involved in his own rehabilitation process the more effective will be the outcome (1973:140).

We Indians think that’s pretty sound logic. How can a prison official or administrator know what rehabilitation process will be effective for any prisoner when the values and beliefs held within the cultural context of the prisoner are contrary to those of the culture to which the prison official belongs? It is impossible unless the official is willing to sit down with the prisoner in an attempt to bridge that cultural gap. Repeated displays of insensitivity and indifference to the laws and to the basic human needs of the prisoners by prison officials such as those who force Indians into programs that propagate philosophies,
values, principles and beliefs that clash with those of the Indians serve only to enhance the alienation of the Indians and make them more bitter and resentful toward the society those prison officials represent. In other words, such practices not only fail to rehabilitate, but to the contrary, they serve to increase conflict (and undoubtedly the criminal recidivism rates). Consider what must run through the minds of many prisoners who are continually faced with these ethnocentric displays and attitudes. Better yet, consider what would reasonably run through your own mind under the same circumstances. Perhaps something to the effect of, “the officials themselves have no regard for my human dignity or for the laws they have made — so why should I?”

CONCLUSION

It is worth noting that while we are focusing primarily on the contrasting cultural perspectives on rehabilitation of Native Americans, the fundamental concept involved — the concept of giving consideration to historical, ethnic, cultural, socioeconomic factors, etc., in approaching rehabilitation techniques, rather than taking the textbook approach which emphasizes middle-class Anglo values — is also applicable to substance-abusers and prisoners of other cultural and ethnic minorities. If prison administrators throughout the country were to apply this concept to their approaches in the treatment of prisoners, there would undoubtedly be an overwhelming reduction in recidivism since the majority of prisoners in the country are members of cultural and ethnic minorities rather than the Judeo-Christian group upon whose ethos the contemporary American prison systems are admittedly based. Grobsmith (1989b:17) has summed it up well:

... [Many] correctional system[s] make no pretense of offering real therapeutic rehabilitation. Overcrowded and underfunded, they do not consider themselves ... rehabilitation center[s] but ... place[s] to house inmates and secure their isolation from society and protect the public for a time. One cannot help but wonder, however, whether investment in better therapy and the prospect of reduced recidivism rates might be more cost effective by paying for therapy now and helping the inmate NOT to return again....

In conclusion, I want to point out that all of this has tremendous significance not only to Indian prisoners, but to the entire Native American population, and as Dale Smith would say, “all age groups and all nationalities, if not directly then by proximity to those it does touch.”

According to the Indian Health Service (IHS), “75% of all Indian families have at least one alcoholic member, and ... nearly 100% have been affected in some way by alcoholism” (Butterfield, 1989). Meanwhile, the IHS has primary responsibility for funding tribal substance abuse programs, yet the IHS doesn’t seem to want to provide funds for programs that are culturally sensitive. In light of the
evidence I have presented here that our own programs are the answer to our problems, and that the non-Indian programs are not, we wonder why that is?

* * * *

Hey Dale. A lot of social scientists have wasted billions of dollars over the years trying to answer the question, 'Why do Indians drink?' I personally know a lot of Indians who drink because of the poverty conditions imposed on our people while these social scientists waste all that money that could be used for real solutions rather than abstract contemplations and rhetoric. But of course, I'm not an expert (I don't tote a Ph.D.) so my opinion doesn't count for much. Also, some folks think I'm just too hostile to be listened to. So let me ask you, Brother. You've talked with thousands of Indians and listened with an Indian ear for the real causes. Why do you think Indians drink?

Dale: This is a good question. Why do Indians drink? Try to follow me.

Indians of modern times are born with a 'soul wound.' From the first moment of life we begin learning to understand Tunkasila's purpose for us. Indians are the guardians of Ena — Mother Earth. Tunkasila gave us logic and separated us from our animal relations. With logic we are capable of helping to regulate corporal activities on earth as a means of protecting the natural balances.

Look around. We have failed our mission. Moreover, as we grow toward adulthood we consciously and sub-consciously assume the suffering of all our ancestors.

The Trail of Tears, Sand Creek and Wounded Knee, the Nez Perce run for Canada. These events. The thought of them brings tears to my eyes, for the pain of our people, and for the shame mankind deserves for committing such atrocities.

Those are the cause aspects of the Indian soul wound. The soul wound is the cause of spiritual imbalance. Spiritual imbalance is the cause of substance abuse.

Those are the problems. The solution is to achieve spiritual balance and a clear understanding of our unique Indian psychological patterns. Indians have got to be damn smart to survive in this world today! Some assimilate, and if they find peace in that, I say that's great. But the ones who either don't want to assimilate or who have tried and found no spiritual peace in it, those are the people I am here to help find their way home.

Thank you, Dale.
ENDNOTES

1. ‘Good-time’ is a term used to indicate a reduction in actual time that must be served by the prisoner. For example, many states automatically give good-time credit to prisoners when they enter the prison system, and this good-time will only be taken away if the prisoner violates prison rules. For instance, in some states, if a prisoner is sentenced to five years, he will only have to serve an actual three years because he is automatically given two years good-time credit. On the other hand, in some states (such as Indiana) when good-time credit is taken away for rules infractions, it can be regained for faithful participation in AA or NA. Other states have different kinds of good-time laws and regulations. Ohio’s House-Bill 261 is a good example. It offers good-time to prisoners for their faithful participation in ‘programs’ — AA and NA are the only programs this good-time law is applied to in the Southern Ohio Correctional Facility (SOCF), and it is probably the same way at the other Ohio prisons. When this law was passed and the prisoners found out it would become effective, it was a mad race to the sign-up line! Coincidentally, because of the limited capacity for participants in these programs, there are far more people on the waiting lists than there are in the programs, and the wait runs into the years (unless the policies and practices have changed since the turn of the year when I last checked).

2. For example, this morning one of my friends saw the parole board for the first time in sixteen years. He hasn’t had a drink in sixteen years and claims that he’s never been an alcoholic. His work evaluations have been above average the whole time he’s been in prison, but the parole board has taken it upon itself to evaluate him as needing treatment because he has a “serious disruption of functioning” as a result of an alleged “frequent abuse” of alcohol.

3. My own parole was denied on the sole basis of my refusal to get into AA or NA. It was denied despite the fact that a substantial portion of this paper was submitted to the parole board verifying that the AA and NA programs propagate values and beliefs that clash with my own, that I do not use alcohol or drugs, and that those programs as they are implemented in this prison are almost completely without rehabilitative value. The members of the parole board decided that despite the evidence, they believe I have a “severe” drug and alcohol problem which renders me unable to function in my daily affairs. When you finish reading this paper, you decide who’s functioning properly and who isn’t.

4. Many prison officials tend to deal with isolated incidents of misconduct of prisoners by establishing policies or practices that inflict punishment on the whole prisoner population. There may be a stabbing one day; for the rest of the week the warden might let the prisoners know he is upset about it by locking down the whole prisoner population. If the stabbing involves possible racial conflict (i.e., white stabs black, or vice versa), tensions are going to rise between the races involved. Regardless of whether there are racial undertones or overtones, this collective type of punishment creates tension between prisoners and staff, and between the prisoners who have not ‘caused’ the collective punishment and those who have. What leads to violence if not tension?

There are many other ways the prison administrators and guards encourage violence. The prison guards here at SOCF wear coats (and often gloves and ear muffs) in the hallways, the cell blocks, and the chow hall in the winters. They do this to keep warm while the prisoners are cold and miserable. They open the windows in the chow hall to ‘encourage’ us to eat fast and to discourage us from sneaking through the line for a second helping of food. They often pile us into the chow hall by the hundreds, so that if we want to eat we must pay for our meals by standing in the literally freezing chow hall food line for up to forty-five minutes. We have no long-sleeved shirts. We have no jackets or coats. This is a form of corporal punishment for simply being in prison. Our complaints about this type of
treatment fall on deaf ears. Some guards laugh in our faces (is this not encouraging violence?). Some guards express sympathy but say there is nothing they can do about it.

In many prisons, "white power", very racist anti-color publications that promote violence against minorities (all non-whites) are permitted into the prisons without any screening, while in those same prisons, pro-black, non-violent publications are prohibited as a blanket policy regardless of content (Abu-Jamal, 1989). Is this not the encouragement of violence? These are only a few examples of how prison administrators and guards encourage violence. Any prisoner who isn't scared to speak out about the encouragement of violence on the part of the administrators and guards can give you examples all day long. It is unfortunate that the great majority of prisoners are scared to speak out until after they are released from prison and, of course, off parole. It is also unfortunate that by that time the ex-convict would rather just forget the whole ordeal, so the conditions persist.

5. A passive-aggressive personality disorder is characterized by never confronting a problem situation directly. Individuals with this disorder "typically express hostility in indirect and non-violent ways, such as procrastination, pouting, "forgetting", or being obstructionistic, stubborn or intentionally inefficient" (Carson, 1988:233), such as the janitor who is angry at his boss and expresses it by smiling and saying "yes sir" when ordered to sweep the floor a second time, and then sneakily "putting one over" on the boss by intentionally leaving dirt on the floor where the boss won't see it. Before having ever made my acquaintance, the psychologist in this prison diagnosed me (for the parole board) as having this disorder on the basis of my responses to the 550-item Minnesota Multiphasic Personality Inventory (MMPI), an examination which is absolutely inapplicable to Native Americans (I am prepared to meet any scholar's challenge to this claim), and which all Ohio prisoners are required to take if they wish to see the parole board. After having become acquainted with me, the psychologist admitted (but only to me) that had he known anything of my background he would never have diagnosed me as he did. Nevertheless, because he is a blind conformist, I remain officially classified as a "passive-aggressive personality disorder." Ha ha. Who knows, maybe if I'm lucky I can advance to paranoid schizophrenia for my next parole hearing. "Alcoholic", "drug addict." I'm doing pretty well!

6. The refusal of a prisoner either to participate in AA or NA or similar programs, or to agree to accept a stipulation requiring such participation upon release in order to secure his/her liberty, is not a crime. If his or her liberty is delayed or denied on the basis of such refusal, the delay or denial constitutes involuntary servitude without due process of the law since the question of his or her original crime is no longer at issue.

7. This was relayed to the author in personal correspondence from Jim Spurlock, who at that time (mid-August, 1989) was in Orofino, Idaho state prison. At that time he had a petition for a writ of habeas corpus pending in the Idaho State Court for the Second District because he was being required to obtain "treatment for chemical dependency" as a prerequisite to being considered for parole while there was absolutely no type of chemical dependency treatment available at the Orofino prison and none of the Idaho officials or parole board were responsive to his repeated pleas to either have such programming established or to have him transferred to a facility that could provide the treatment that was being demanded of him by the parole board. Jim has since been transferred to the Montana Department of Corrections where he can obtain the treatment demanded of him, but it is worth noting that it took the Idaho Department officials two years to finally heed his cries (which were joined by concerned supporters on the outside), and those two years alone cost the tax payers from $50 to $80 thousand. Jim's situation was not unique. He is just another Indian in prison. Oh, and what for? Not for a crime, by the way. He is there for drinking in violation of parole
stipulations after having served time for any crime he may have committed in the past. No new offense. No new crime — only for drinking. They are your tax dollars.

8. It should be noted that these Twelve Steps in the Native Way were contrived strictly as an alternative for Indians in prisons where AA is “encouraged” by prison officials who at the same time resist the development of substance abuse programs that are suitable for Indians.

9. Gestalt Psychology is defined as “the school of thought that emphasize[s] the importance of studying the whole — that the properties of the parts depend on their relation to the whole” (Saccuzzo, 1987:14).

10. This failure of the mainstream USA to acknowledge holistic concepts (realities) can be seen by turning to the medical model’s view of criminality as a “‘sickness’ which could be treated, and the offender as a person who, once treated, could be returned to the community cured of his social disease” (White, 1989:31) (emphasis added). To face the holistic reality of the situation, one must begin by acknowledging the possibility that social diseases are manifested by the societies in which they manifest, rather than isolating the “sickness” from that society in an attempt to examine it. As noted by Pedigo (1983:274), “the holistic [Gestalt] value system necessary for tribal existence cannot regulate behavior where daily life is controlled by a society with an isolationistic value system.” And I note that prior to the disruption of our tribal cultures by Anglo influence, we had no need of prisons.

11. It should be understood that I am not suggesting that Gestalt Psychology as applied in the contemporary field is suitable for Indians, because it is not. Definitionally (see footnote 9 above) and theoretically, Gestalt Psychology suggests a holistic approach to analysis; however, the application of Gestalt therapeutic techniques can hardly be said to exemplify holism. For example, the Gestalt therapist places emphasis on the immediate present — the here and now — while consciously rejecting both past and future. This cannot be done in the application of a truly holistic-oriented theory or philosophy, for “the properties of the part [which is the present] depend on their relation to the whole [which includes both past and future].” If we ignore the past or neglect the future in our present, then we ultimately neglect our present responsibility for recognizing our relationship with the past and the future. It is this very negligence inherent in the dominant society’s value system which causes much distress to Indian people. For example, consider the rejection of the future consequences of raping and poisoning the earth for a present dollar bill. When our grandchildren have been robbed of their inheritance of a healthy environment to live in as a result of our present negligence and irresponsibility, and when they go to seek help for their distress, will the Gestalt therapist have an adequate solution in striving to have our grandchildren block out their past (our present), upon which their well-being (our future) depends?
REFERENCES


Grobsmith, E.S. (1989a) "The Relationship Between Substance Abuse and Crime Among Native Americans in the Nebraska Department of Corrections." *Human Organization*.


Hall, R. (1986) "Alcohol Treatment in American Indian Populations: An Indigenous Treatment Modality Compared with Traditional Approaches." *Alcohol and Culture: Comparative Perspectives from Europe and America*.

Hanson, A.V. (1983) "Film Documents Indian Religious Ceremonies in Prisons." *Minnesota Daily — University of Minnesota*, Friday, August 5.


If There is no Justice There will be no Peace

Art Solomon

If there is no Justice
There will be no Peace.

Today, the world has motion, but no direction.
Passion, but no compassion.
Production, but no equitable distribution.
Religion, but no faith.
Laws, but no justice.
Goods, but no God.

Each new economic advance
Gives birth to a new moral pain,
Each new technological discovery to new fears
From the seas as much as from the skies.
(Allen Boesak, 1983)*

Our people were given many prophecies.
Before the Strangers came across the oceans
to this sacred land with their strange ways,
There were none of our people in prison,
There simply were no prisons
Because we had a better way.

We were called savages and pagans,
And, like all people everywhere,
We were less than perfect, but we had no prisons then,
And we have no need of them now.

We know how the history books were written to make us out
As less than humans, and we know that even today
in the prisons our people are called wagon burners
and every despicable name that can be used.

It is hatred in its vilest form.

Our people were told long ago
that a strange people would come to this sacred land,
The first ones would have hair like fire (Norsemen),
but they wouldn’t stay long.
Then later would come other people with white faces and white skins.
They would have two faces:
One would be the face of brotherhood
And one would be the face of anger.

*Allen Boesak's poem from his address before the World Council of Churches, Vancouver, 1983
If they came with the face of brotherhood everything would be okay;
If they came with the face of anger,
It would be very hard for us.
It's very clear to us which face they were wearing when they came.
It was also told that these white skinned strangers
would have no eyes and no ears,
And it has become very clear what that meant for us
because of the desecration of the earth and the people.

Somewhere back in history those strangers had dispensed with
the fundamental laws of creation and made their own laws,
out of which came the chaos of prisons and wars and
oppression of all life on this planet.

The fundamental laws of creation were established by the Creator
God
So that all things would work in harmony and balance for all time.
Having dispensed with the natural laws of creation,
The God of Worship became the God of Materialism
And to the God of Creation, lip service only was given.

How long can we laugh in the face of God, while we mindlessly
And deliberately destroy what God has created?

What differentiates Native people in North America
From the strangers who came to this sacred land is
a difference in philosophy.
One philosophy is based on a false principle and
that principle is materialism.
The principle that our people lived by was based on the power
and the beauty and the sacredness and
the harmony of creation.

Our people always understood very clearly that we could not own
What belongs to the Creator of all things in the Universe.
Our purpose was to live in harmony with the rest of Creation
Not to possess what belongs to God.
For that we were called savages and pagans and
We are still seen that way
Today by the vast majority of people in this society.

In contrast to the principle on which our philosophy was based
There came a people with a philosophy based on ownership,
They could own anything regardless of how they got it,
Whether by violence or by deception.
Both methods were used to the fullest extent possible,
Along with those methods were two other principles, and they were
Self deception and rationalization so that it was possible
To rationalize the most evil deeds right out of existence,
Such as wiping out whole nations of people in the western hemisphere.
And all this was done by people who insisted that they were Christian and civilized.

These people who came to this land, came in violence,
They have lived in violence, and they will go in violence
But it will be the violence of the one who will re-establish
The right order of creation again, as it once was.

After more than seventy-five years, I have finally come to understand
What was meant by the Bible saying that
“The meek shall inherit the earth.”

We have never claimed to be the owners of this land
Because we can not own what belongs to God.

We claim to be the caretakers of this land because
Our bond is with
The Creator and the ones who lived here before us
And those who will come after us.

It is a sacred trust that we hold for all time.

We are totally dependent on creation for life and health
and well being,
But creation is not dependent on us.

We are responsible to leave this earth in a good way
For those who will come after us,
not to contaminate or make it uninhabitable.

We have lived on this sacred land for a hundred thousand years,
Our teachings tell us that we were put here by the
One who gave us life.
We did not cross the Bering Strait as the anthropologists say.
We have lived here since long before there was written history
And we had no prisons, we had no police, we had no prison guards,
We had no lawyers and no judges, but
That does not mean that we had no laws to live by.
We had strict codes to live by and they still exist today.

The laws of the people were written in the hearts and minds and the souls of the people.
When Justice had to be done it was tempered with mercy,
Something I have never seen in a court of law in Canada or the U.S.A.
Where it seems that the law is more important than the people.
Especially if the people are Native or black or dispossessed,
For then the law comes down with full force.

Courts of law are fearsome places to go into
Where it is always the state against the individual
and if the individual has no money then God help him or her
Because the state has no mercy as it is represented by the courts.
We live in a society that blames the victim for being victimized
Where money and possessions are
vastly more important than justice.

There was one case last summer where a young man was convicted
The judge gave him four or six months in prison, which he could serve
on weekends, on the basis that, as the judge said, “He
came from a good family (rich, white people) and they had
suffered enough already.”

In contrast to that, two Native women at Kenora broke five
hundred dollars worth of windows, according to a newspaper
report, at a school at White Dog Reserve. One of the women was
given nine years and the other seven to be served at the Prison
for Women in Kingston, Ontario.

Only a massive intervention by Native organizations in Canada
modified their sentences.

What is Justice?

In another case, a young Native man at Kingston penitentiary was shot
dead at short range by a prison guard.
The prisoner had let go of his hostage and was asking for my
help as a Native spiritual helper.

It is an eight hour drive from where I live on the French
River. A float plane might have come to pick me up. The
authorities chose to murder that young man instead. I could
have prevented that murder with their help.

“Thou Shalt not kill”

Does the state not have to live by the same law of God as others?

He could have been wounded or quickly overpowered. He had no
gun. He had let go of his hostage. Why murder him in cold
blood?

Was he killed to put terror in the hearts of other prisoners?

There was an enquiry sometimes after that official murder at
K.P. The guard was exonerated.

It was so incredibly absurd and so evil that one friend who was there
at the time of the enquiry said,
“I have to go outside and puke.
This is too much for me to stomach.”

One commits murder and in an official court it is covered up.

Is that Canadian justice?

Prisons are an abomination.
They are a blasphemy in the face of God.

The criminal Just Us Cystem is obscene,
It has nothing to do with Justice.
It has only to do with vengeance and control.
The poor people have to obey the laws
But its the rich people who make the laws.
They said that piracy on the high seas was abolished
a long time ago,
When all they really did was to
bring it ashore and make it legal.

Mark Twain once said,
"I don't know which is the bigger crime,
whether to rob a bank or to start a bank."

I can not come to believe that God ever intended
For any of her children — his children to be locked up
in iron cages behind stone walls.
And it is incredibly strange to me that only those
Who call themselves Christian and civilized
Are the ones who need prisons.
Perhaps it is because a violent people
need a violent means of control
And that is what prisons are all about.

Prisons in Canada are simply a white racist institution
with a track record of eighty per cent failure.

If the healing professions had an eighty per cent failure rate
they would soon be abandoned
So why do we persist in trying to heal social ills with a system
that is an eighty per cent failure?

The truth is that prisons are a growth industry,
a vestige of empire
run on military lines
Where people choose to become robots for the state,
which is nothing other than criminal,
captive state governments
Who take orders from the robber barons,
the invisible government,
the real government in Canada.

To claim that Canada is a democracy is simply
another self delusion.
In order to serve the god of materialism,
that great negative power,
It is essential for the individual to dispense
with his or her humanity.
Otherwise, it simply can not work.
A rabbi was heard to say, long ago,
"If these Christians lived by only one of their ten
commandments, everything would be all right."
That commandment was,
"Love thy neighbour as thyself."

What we have, instead, is a racist greed,
an arrogance beyond comprehension
with which the whole society is infected.

There is nothing so much in need of correction
as the Corrections System of Canada.
It has been in chaos from the beginning
and is now coming into its total dissolution.

If it was truly based on justice
It would have been very different than it is.

We are coming into a time when what is evil will be removed
from before the face of God.

Mahatma Ghandi once said,
"There's enough in this world for every one's need
but not enough for everyone's greed."

When the rich stop stealing from the poor
there will be very little need for prisons.
As it is now, prisons serve to multiply the evil.

Two wrongs never made a right in the past
Nor will they in the present or in the future.

At no time in the history of the human family
Has the earth and the people
of the earth been so desecrated,
To believe that it can continue
is to believe that God is going to let this creation
Be destroyed by the hands of fools.

It is guaranteed that this planet will not be destroyed
by nuclear holocaust or by human devastation.
To believe otherwise is to believe that there is no God,
No divine Creator
Who made it all and keeps it all together.

There are those of us who believe that there must be
Peace and tranquility on the earth
And who are willing to work to make it happen.

We are called terrorists and communists;
We are a threat to the evil designs of the state.

We are aware of the racism whipped up by the governments,
By Hollywood, and by the big business dominated media
Which provides a cover for the corporate plunder
Of native lands and Native people.

We are aware of the deliberate genocidal policies
practiced by all governments of North America
over the last five hundred years
against the aboriginal people of this land
And that the main line churches of North America
very willingly participated in that genocide.

We remember the infested blankets that were given to our people
to wipe them out.

We do not seek revenge,
instead we endure the continuing atrocities
practiced against us.

We are much aware of the wanton killing of our people
not only in the past but in the present
by police and prison guards
in the name of the law.

We can not forget and we know that
God has not forgotten either.

But we know also that the way it is now
is not the way it is going to be for very much longer.

We have not forgotten our people who suffer
in the prisons of K.K.K. KANADA:
   Donald Marshall Jr., Cameron Kerley,
   Flying Eagle, Leonard Peltier and countless others...

We know that most of our people in prisons have been ripped off
from their families by the Children's Aid Societies
who operate without control
out of an unbelievable arrogance
that can not be fathomed.

They are totally involved with
the genocidal policies of this nation.

Where can we turn for mercy or justice?

We have been under attack for five hundred years,
but we will endure.

If this earth will survive, we will survive.

God did not put us on this earth to disappear
from the greed and the wrath of those
who could never comprehend the purpose
and the meaning of life for all living things.

Like the prisons, the National Parole Board is out of control.

It is my experience that the Parole Board is interested only in
keeping the prisons full.

There is no mercy there either,
only another part of the evil empire.

There was an investigation of the Criminal Just Us Cystem
in Nova Scotia
about the false imprisonment of Donald Marshall Jr.

There is presently an inquiry in Manitoba
And an inquiry in Toronto.

There is also an enquiry into the many killings by the R.C.M.P.
of the people of the Blood Nation in Alberta.
We believe that all this is only the tip of the iceberg:
    One day the whole truth will be revealed
    in its stark nakedness.

There has been an open season on Native people
    And Black people
All the way through the years.
We are hated simply because we are different
    But the law of God is
    "Thou shalt love thy neighbour as thyself."
There are alternatives to prisons,
    in fact there need be no prisons at all.
But it means right living.
It means sharing the gifts of God
    Equally with all of God's children.
That is what all faith traditions teach,
But between the teaching and the living
    There appears to be no connecting link.

It seems pointless to propose the abolition of prisons
    to a society that does not want to look at working models
That existed in the past and would still work today
    if they were not prevented by the rich and powerful
    and their captive state governments.

The whole criminal justice system
    serves as an excellent camouflage
For the robber barons who impoverish the whole world
Stealing even the inheritance of their own children.

Long ago, Pope Gregory said,
    "Those who steal the inheritance of the poor
    are the murderers of those who die every day
    for the want of it."

Stokely Carmichael once said,
    "The more money you got
    the less they gonna ask you
    how you got it."

Yes, the rich get richer
    And the poor go to jail.

For us, the Native people of this country
    with its genocidal policies
Recognize three faces of the beast:
    The Department of Indian Affairs;
    The Children's Aid Societies; and,
    The Criminal Just Us Cystem.

It is of more than passing interest
    that racist South Africa sent representatives to Canada
    to learn how this country
did it for “their Indians”,
Then went back and did the same thing
to the indigenous black people in their own homeland.

Two years ago, when Pieter Botha said,
“There has to be law and order”
We who cared asked aloud,
“Whose law and whose order?”

It is no different here in Canada.
We have survived the onslaught of Christianity
and civilization.
When the earth is made clean again
we will be here to take care of it,
to make sure that it stays clean
For the ones who come after we are gone.

This document does not speak to my sense of outrage
against the Children’s Aid Societies of Canada
who have worked so diligently and deliberately
To destroy Native families
in their superior and arrogant belief that they knew best.

It does not speak to the reality that most of our people
in the prisons
Started out by being ripped off
from their families by Children’s Aid,
becoming lost people without roots as a result.

It does not speak to the unutterable lack of humanity
and sense of common decency
That exists within the National Parole Board of Canada.
Racism is alive and well in Canada
and there is no justice
for the Aboriginal people of Canada
in the law courts of Canada.

The reality for the Aboriginal people of Australia
is precisely the same except that the churches of Australia
have picked up their responsibility
and expressed their outrage
Against a system that is out of control.

CONCLUSION
I do not propose to talk about alternatives to prison
because a question so serious must be dealt with
at another place and another time
Where we can access
the sincerity of those who propose alternatives.

We have always had alternatives
But those whom we tried to talk to
were such that they could not hear us.
Dr. Gilliam Baker was asked by the United Nations to write a document from her studies of previous empires from the Sumerian Empire eight thousand years before Christ. She described in words and graphs how each empire rose "to their highest point of arrogance and from there fell to their total dissolution." She said of the United States that their highest point of arrogance was when they dropped those two bombs on Hiroshima and Nagasaki. She said that the U.S. empire would come apart by 1982. Well, that has not happened but it is obvious that the disintegration is well along. I said at the beginning that we were given many teachings or prophecies about what was going to be and one of those teachings was about "When the money will die." When that happens there will be total chaos. And according to some of the Native shamans, that will happen before the year 2000. Another is that the Thunder People will take back their power, electricity and all those satellites in the sky on which so much now depends will be like the pebbles dropped by a little boy into the ocean. The Mayan teachings said we would live through nine descending hells, each would be worse than the last. But that time would end at sunrise on August 17, 1987. From there would begin a new time, the time we are in now, the time when the positive is transcending the negative. At some point there will be peace and tranquillity on the earth again. But it will not come until after the purification has happened when peace and justice and good order will be the way of things again. This document is only a thumb nail sketch of what is and what will be.
A chronological history of Native spirituality is nothing more than an exercise in futility. Unlike Christianity which has well defined roots that can be traced, native spirituality has been in existence from time immemorial, or so legends say. This spirituality exists today and will continue to flourish as time goes by. What is new is the emergence of Native spirituality in federal and provincial prisons.

Because prison officials have not seen or heard of Native spirituality before, they feel threatened and in many cases attempt to suppress its practice. This is not at all foreign to the Indians. Modern history has shown time and time again that the government of Canada has not completely accepted Native people. In fact, it was not until the 1950s that Natives have had the right to practice their religion freely in open society.

The white man knows little about Native religion because Indians cherish unto themselves the gifts that the Creator has given to them. Many believe that their spiritual beliefs are just that ... theirs alone. For example:

our traditional teachings are ours and can never be shared with other races and nationalities. This is what was given to us by Sonkaitison, our Creator, for the Onkwehonwe (North American Indian Travelling College, 1984: iv).

But just because the beliefs are not widely known is no reason for repression. All it comes down to is the Indian people are attempting to regain a strong hold on part of their culture.

A systematic shattering of Indian identity has occurred in the past. But, as prophesied through legend and stories, when the situation looked the bleakest the Indian people would come together. There are numerous methods used to accomplish the splitting of a people and the most effective continue to be used today.

Many Natives, after being separated from their people, end up in prisons with little or no knowledge of their culture. Thus, some elders have brought the culture to the prisons in an attempt to reclaim their people. It is interesting to note that their efforts have ignited debates among Natives. Some have argued that these prisoners have left the people (i.e., the reserves, bands, etc.) by choice, so why give them anything? It is also argued that spirituality cannot flourish in prison because jails are representative of evil forces; the trueness of the circle cannot be acquired because
the prison is a square iron house. However, spirituality has emerged in the prisons because Natives are Natives, whether or not they are in jail.

Those who favour the efforts of these elders argue that since Natives have been taken away from their people (by the Children’s Aid Societies, for example) and have not had opportunities to learn about their culture and heritage, they must be taught the traditional ways. And even more it has been argued that true Indians care for their brothers and sisters, so who is anyone to deny to them the knowledge of the Creator?

Native spirituality is a life-long, total commitment to the will of our Creator. Spirituality is not something that can be turned on or off. It keeps the individual in touch with the Native community and in touch with the Native tradition. It serves as a means of survival in the foreign environment of prisons; the prison experience is altered as a result of the commitment.

Indians have their own beliefs as to the origins of humanity, laws, and morals. The centre of Native beliefs revolves around honouring the Creator, his helpers (spirits) and that which was created. In its most simple form, nature is a beauty to behold. Natives have become one with nature; therefore, it is reasonable to assume that they know what they are doing when they use what nature has provided for their means of worship.

White people are not used to these worshipping rituals. Out of their ignorance and fear they have desecrated the sacred paraphernalia that is used in the ceremonies. Many prison officials (guards and administrative personnel alike) who do not know how to relate to these sacred objects show disrespect, contempt and ignorance about their use. This leads to one of the frustrations that Natives have to endure while incarcerated.

For example, sweetgrass, a grass that is used in the purification ceremony, is the most commonly known object used in prisons by Indians. Guards know it, have smelt the grass after it has been burnt, and yet in some prisons the sweetgrass is not allowed. Excuses have come up from nowhere to justify its ban. The most common one is that sweetgrass poses a fire hazard. Poor ventilation in the cells is another favorite excuse.

It is known from the beginning that hardships such as these will have to be endured. It is not without warning that the persecutions unfold before many Natives. Shock and bewilderment greet the Native once s/he leaves the reserve for the first time. The white society has become so ‘convenient’ that almost anything can be bought. The pace of life is accelerated in the eyes of the first-time viewer. Rules of
society, which may be taken for granted by many, are confusing and foreign to many Natives. An encroachment and breach of these rules will land many Natives in a yet stranger society, prison.

Although a report of the Standing Committee on Justice noted that ‘[s]ince the early 1980s, the rate of growth in the native proportion of inmates in federal institutions has exceeded the rate of growth of the inmate population as a whole’ (Government of Canada, 1988: 211). Two of the most avoided and unanswered questions are: why are so many Natives in jails and prisons, and why are the numbers increasing at this rate.

But even while s/he endures such ridicule, the spiritually-aware Native person has supports to rely upon. The Creator has provided leaning posts to make the spiritual path a little easier to walk. Because the prison climate is such that its internal functions divide along cultural lines, Native brotherhoods and sisterhoods have formed, and these groups help to lessen the blow of the prison experience.

In Canadian prisons, social functions include brotherhoods and sisterhoods, although not all prisons recognize these groups as valid and permit them to exist. When they are permitted, they exist only as a means of socialization; not the progressive and innovative class that can be achieved through good leadership. Prison officials are content to sit back and have them function as a whitewash in the bureaucratic system. However, for the offender the groups allow an ‘easing’ of the frustration of doing time.

For the most part these groups create unity among their members. Personal burdens and responsibilities become shared experience. This unity allows the newly incarcerated Native a sense of belonging and identity. How far one gets into the spiritual aspects of the brotherhoods and sisterhoods depends on one’s own judgment. Counsellors and elders and available for those needing assistance.

Brotherhoods and sisterhoods also have their drawbacks and failures. In general, the groups have what can be considered reliable volunteers; however, the occasional member has succumbed to the pressures of the prison administration and left once-honorable intentions in the dust. As in other segments of society, deceitfulness and selfishness exists everywhere. A few ‘stings’ and the groups become wary of whom they accept as counsellors. In the majority of cases, the prisoners are able to weed out those that do not belong, and the prisoners can rely on the brotherhood or sisterhood members for spiritual and emotional development. These groups have genuine interests in honour and its meaning, and shine as examples of the planting of the seeds of truth.
The struggle to have what may appear to be considerable spiritual support has not been an easy one. Resistance by the authorities has been relentless. It has been partially penetrated by the persistence and diligence of Native spokespersons, elders and ex-offenders. Were it not for individuals like these, the foundation of spiritual awareness would be dealt a severe blow.

As a person grows spiritually, one’s perspective of the world takes on a different meaning. The individual comes to understand what is happening around her/him and is able to adapt to and change the environment. S/he is also able to change the environment by her/his experience which in turn is able to change the prison experience. S/he can deal with the persecution of the authorities with an understanding of why the oppression is taking place. S/he knows strength from what is set before her/him and at times can feel the strength which was also experienced by the forefathers. The individual thus grows in maturity and is able to take on responsibilities customary for any mature person. The prison experience then becomes the fate of the prisoner herself/himself, for just as responsibility is accepted for spiritual growth, so will the opportunity be gained to choose one’s own path.

REFERENCES
I have been criticized for writing about my prison experiences. After all, what can I know about gaol after only thirty-seven days and when in many ways I had actually chosen arrest and imprisonment?

I have chosen a path of non-violent resistance to the rape of the temperate rain forests surrounding my home in Tofino, British Columbia. I camped in the middle of a logging road at Sulphur Passage with my fifteen year old daughter: positioned myself in the path of roadbed blasting; obstructed workers and machinery with my body; and climbed into trees to prevent their being cut. Because I have taken these actions I have had threats of death, dismemberment by chainsaws, maiming, crippling, beating, and lawsuit. I believe that these and other actions (e.g. one tree protector was shot with a pellet gun and chopped out of a tree) were actively fomented by logging company supervisors, although we made ourselves known as protectors rather than protestors.

The goal of this resistance was not to avoid being caught. I did it for myself because of the compulsion of conscience that I could not do otherwise; I did it for my children who deserve a future in this world; and, of course, I did it to raise public consciousness. Although I am a Quaker, I did not do this for religious reasons but for the pagan spiritual reason that I think trees may be higher on the evolutionary ladder than we are!

When the Friends of Clayoquot Sound actually resisted clear-cut logging, the British Columbia Supreme Court ordered an injunction against our interference with lawful work. Because of my resistance, I was served with this injunction twenty-seven times and finally arrested by the RCMP. I defended myself before the B.C. Supreme Court for more than a week.

So really I became a “prisoner on purpose”—like the title of a small book of reflections by those imprisoned in the United States for obstructing nuclear weaponry, some for eighteen years for trying to protect the rest of us from uncertain destruction. What did I learn about prisons?

Thirty-seven days in gaol this year for civil disobedience against contempt of nature has provided me with an opportunity to have some thoughts about imprisonment. The prison experience has come to be a part of the
North American experience for one in five of us, so it is important for 'environment' social activists to address this issue. The United States leads the world in prisoners per capita and Canada is third. But communities do not seem to have been improved by the removal of 'criminals' from our midst; in fact, statistics show we are increasingly violent and Canadian cities are becoming comparable to their American counterparts.

The overwhelming majority of prisoners have been convicted of crimes against property caused by poverty, lack of education, and broken families. Through advertising and example we are taught to desire and emulate 'the good life' (e.g. new cars, nice homes, electronic goods, designer clothes), although not everyone can fulfill these expectations. For some these items may have to come from theft. But for all of us, the ultimate cost is to the planet. Certainly all consumer goods come with a built-in environmental price degrading the quality of life proportionately for both the haves and the have-nots. Consumerism consumes all.

So spending more money on police and prisons, weapons and warfare is obviously not the right answer to community problems. The real answer can emerge only when 'criminals' are brought into the community process so that prisons can be abolished.

Through breaking the law for the right reasons, I found myself in prison, yet more free than before. I learned that people in prison are people first and must be treated with care and respect, and I learned that nobody deserves imprisonment. I am still working on the issue of gaols and what passes for justice in the world. The following, initially written in the form of three letters, are part of that work. They were written during and just after my thirty day imprisonment in Oakalla Prison and other gaols near Vancouver, B.C. The first one was ordered destroyed by a minimum custody facility director and had to be rescued from the wastebasket by another prisoner before it was smuggled out.

A Letter from Gaol

Life in gaol is largely what life might be like in any small logging camp: meat, potatoes, and no women. The life in Marpole Correctional Centre is soft—starch for three meals and no real work to keep the twenty-five prisoners busy. The youngest is nineteen; the oldest is sixty-seven; whites, Natives, Chinese, bikers. Not a single man is here for a crime of violence. These are your dangerous child non-supporters and impaired drivers from whom society needs protection.

So we live on upper Granville costing the taxpayer $48,000 each year. The guards pull down $23,000 a year for basically being
zookeepers, reading the newspapers, doing crosswords, and keeping the threat of real prison over your head. A waist-high fence protects the community from us dangerous criminals keeping ourselves imprisoned.

The lines were a lot more clearly drawn at Oakalla Prison where we all wore prison greens and had our watches taken. Time passes more slowly somehow without a watch. Two wings of around one hundred men each use the yard facilities for a total of four hours. Many of these are men who have escaped minimum custody by walking away, foreign nationals awaiting deportation—again, almost no crimes of violence.

We are locked in our cells at night and during meals. Being denied the social graces of eating is very demeaning: plastic utensils and trays, eating like dogs. The rest of the time we have the run of this tier of twenty cells; the end two are the library and shower, respectively. My cell has a steel slab bunk, a cold-water sink, and a seatless toilet. The bare bulb could be unscrewed at night for a modicum of privacy. A former occupant graphically depicted an act of cunnilingus on one wall. Out in the paved yard prisoners play handball or tennis or just lie in the sun. A mirror-shaded guard has a shotgun trained on us.

I am the first tree protector here, which in itself is a measure of our effectiveness. My first day in Oakalla was International Prisoners Rights Day (August 1) when prisoners worldwide fast in solidarity, so many prisoners understand why I am here: for the solidarity of humanity and nature. This will make it that much easier for the hundreds of environmentalists who will inevitably be joining me if logging practices in British Columbia are not changed to allow for sustainable development and a future for the west coast.

As a civil prisoner I will serve all thirty days of my sentence plus the seven for the $500 fine I have no intention of paying. Paul Winsteadley has followed me with a fifteen day sentence and already fifteen more have been arrested in defense of the Sulphur Passage. I have no doubts that more will follow. Should we not question logging when it requires police presence in order to continue?

I am proud to be a political prisoner in defense of the west coast and Native land claims. If we cannot stop the rape of the land, than I would prefer to be in prison. At least my children will know that I tried to stop the destruction.

A Gaol Within a Gaol

I've been doing a lot more yoga and meditation since I got thrown into solitary at Oakalla—the digger. The prison maxim, "Walk slowly and drink lots of water," hardly holds true here. Prisoners are held in two back-to-back tiers of fourteen cells each, steel boxes six feet by
seven feet high fronted by bars. The bars are doubled through the
door and above the steel slab bed, presumably so no one can grab you
and you cannot grab anyone else. The only other furnishings are a
length of two-inch angle iron which serves as a shelf and what is
euphemistically known as a “honey bucket”—a two-gallon plastic pail
with a splash of disinfectant.

We are locked in this box twenty-three hours every day. There are
no windows to know whether it is day or night, but I can occasionally
hear the Canada geese flying overhead. I have been sent here from
minimum-security Marpole, transported in handcuffs to face a
disciplinary hearing for a serious infraction. I represent a discipline and
management problem because of “unauthorized visiting and possession
of contraband”. Serious, eh? A Tofino visitor brought me fresh fruit
on a Thursday evening because he would be going to the Sulphur
Passage picnic during regular Sunday visiting hours.

I have been a vegetarian for twenty three years. I had written to the
Department of Correction from Oakalla and was told by a director that
my diet had been approved. On my transfer to Marpole I was told that
they could not provide for special diets but that I could have food
brought in. I confirmed this by phone. But after my article was
censored by Marpole's director and I began appealing my conviction
and sentence and articles started appearing in the media about my
case, I guess my foodstuffs and visitors became a most vulnerable
target.

Wake up and breakfast in 'the digger' are at seven; lunch at eleven,
and dinner at 3:30. Then the endless wait until 10 p.m. lights out. We
are unlocked after breakfast (three inmates at a time) to “the range”, a
corridor outside our cells nine paces wide by forty-eight paces long,
with a shower, toilets and sinks at one end. At the other end,
ironically, is the gaol within the gaol within the gaol: “the pink
room”, quiet cells, empty, with solid doors and a glass window where inmates
who are violent, mentally disturbed or abusive are put, often forcibly.
It is the only place down from here.

I was denied leave to appeal by the B.C. Court of Appeal on
Wednesday and on Friday the Supreme Court refused to suspend my
sentence. They ruled that I had not sufficiently purged my contempt. I
suppose they are right: I have had a hard time working up any respect
for rapists.

There are skylights here for ventilation and I can occasionally spot a
ray of late afternoon sun out on the range. Today's lunch was two
slices of white bread, a package of saltines, and a cup of tea.

Tomorrow I go before the Warden's (often called kangaroo) Court.
The segregationists have mercifully allowed me some of my own
I've been reading *The Trial of Socrates*, without any delusions of grandeur, it seems somehow appropriate. This is being written in pencil as the unit doesn't allow pens—we might deface the walls. Today I wrote a rather graphic story on the inside of the horizontal bars. I haven't seen my wife and family in three weeks, so mostly I wait.

My body is here, my heart on the west coast.

**The Nature of Contempt**

I have just been released after serving thirty days for civil contempt of court, convicted of violating an injunction barring obstruction of road construction and clear-cutting fifteen miles up Clayoquot Sound and north of Tofino, B.C.

The current felling, blasting, and grading occur between the Atleo River, once a prime salmon spawning river, and still pristine Sulphur Passage, near the Beddingfield logging camp of Millstream Timber. Millstream is the contractor for British Columbia Forest Products, now almost wholly owned by Fletcher Challenge of New Zealand, where such logging practices would never be allowed. Fletcher's annual report reads like a takeover strategy for worldwide conquest, subduing Mother Earth in third-world countries like Canada.

And, incidentally, subduing any other mothers who get in their way: Ananda Lee Tan served forty-five days; eight other women were gaoled in maximum security. Ron Aspinall, a Tofino doctor and Green Party candidate served thirty-seven days. Allegations of contempt have been proven against thirty-six local residents. Many of them are members of the Tofino-Long Beach Chamber of Commerce who see the area's tourist potential being cut with the trees.

The boat blockades began June 12, 1988, making it dangerous to blast since flyrock and trees landed directly in the bay. This was followed by an encampment of protectors close to the blasting. I pitched my tent on the logging road with my daughter for four days, which earned my thirty days. Dozens of tree protectors stayed in the rainforest for days, but the company blasted anyway.

For weeks protectors took turns in a basket chair hung thirty feet over the blast face. Tree houses were built and destroyed at night by loggers. Paul Winstandley lived in a hammock strung between two trees eighty feet over the forest floor. On his third day, the owner of Millstream Timber shot Paul with a pellet gun, and loggers started to chop the tree he was in, cutting one through in the night while Paul scrambled more than sixty feet. All this was secretly recorded on video and Jim Kemp, the owner, pleaded guilty in court: he was sentenced to twenty hours or community service; the price of Paul's resistance was fifteen days in Oakalla Prison for contempt of Court.
My month in gaol cost the province $10,000 and the logging companies have spent hundreds of thousands trying to keep us away. Only if we interfere with their obscene profits will they listen. Of course, the Social Credit big business government has been unresponsive. Even the New Democratic Party, which has an environment platform and supported the preservation of Meares Island, sees this as an employment issue, although there is not a single worker from Beddingfield working in this area. The companies' theft of our future is not the fault of the workers, who merely suffer from tunnel vision and cannot see the destruction around them. They will wake up, though perhaps too late.

While in prison I wrote to nearly 200 members of the provincial Legislative Assembly and the Federal Parliament. Of the few replies I received, all but one talk about the importance of the rule of law. What about the rule of right?

Graffiti has appeared on the sides of the Alberni Highway campaign: "Save Tofino: Kill a Protestor", "Stop Tree Rot—Bugger a Hugger", and so forth.

Company officials maintain that the logging road is not intended for logging the Megin River watershed, which backs up against Strathcona Provincial Park. Sources inside BCFP now say the road will be used by BCFP and MacMillan Bloedel, both of which hold timber leases in the Megin. Meanwhile, this area is all part of a larger Nuu Chah Nulth Native land. On August 28, 1988, Friends of Clayoquot Sound held a picnic for 250 people on the road which was supported by hereditary chief Earl Maquinna George and Ahousaht Natives. While the Federal government is willing to settle land claims, the provincial government will not even acknowledge them; so the Meares Island claim, on which Native people have already spent $1.5 million, is expected to be before the courts for the next twelve years. Many loggers feel that the Native people only want the land back to log it for themselves, but of course 23,000 spiked trees provide some insurance against this. Why are we so afraid of land claims, anyway? The natives were far better caretakers and stewards for the land before we got here, and they certainly could not do any worse than we have.

Since this article was written twenty-two of those fined for contempt of court have served gaol sentences of 4-8 days. This writer has served a further seven days. Fourteen others are awaiting capture.
Female Political Prisoners and Anti-Imperialist Struggles

Susan Rosenberg

Dear Editors,
Greetings of solidarity.

Thank you for asking me to write for your newsletter. You ask if there are political prisoners in the U.S. prisons, and you ask me to write about my own experiences. Definitely the answer to the first is YES. There are over 150 political prisoners in U.S. prisons. We are in almost every federal prison in the country and spread throughout different State prison systems. I define a political prisoner as someone whose beliefs or actions have put them into direct conflict with the U.S. government, or someone who has been targeted by the government because of his/her beliefs and actions. While this is a somewhat generic description, it complies with international legal definitions. The other grouping of people who are in prison who are political are the prisoners of war from the Puerto Rican and New Afrikan/African-American liberation movements. These are individuals who make that claim under international law in pursuit of the recognition of their national liberation struggles for self-determination. The political prisoners and POW's in the U.S. who have struggled for human rights and social liberation—people who come from movements that range from the anti-imperialist left to the Native American struggle for sovereignty have all been treated by the government as political dissidents, but have been denied the dignity of recognition as political prisoners. Rather, we have been criminalized or wrongly defined as 'terrorists'. We have been repressed to the maximum.

The criminal justice system has been subverted into the main counter-insurgency mechanism of the state to “bury us alive.” The government denies that the laws are applied for their political agenda; they deny that sentence length and manipulation of parole release are applied to the maximum depending on the content of the political beliefs of the prisoners; they deny that we are designated to spend years in isolation/control units because we are political. A case in point: Donald Bray bombed ten abortion clinics, three of which had people on the premises, none with...
warning calls. He was released after serving forty-six months. Tim Blunk and myself were convicted of weapons possession (not use) and were sentenced to fifty-eight years with recommendations of no parole. At our sentencing the judge told us we would have plenty of time to read *The God That Failed*. We are now entering our sixth year in prison. This sentence was the longest ever given for this particular offense. If one is from the right it shakes down one way and if one is from the left it shakes down differently. This is simply unjust.

If I can change here...

Picture: An underground basement containing sixteen cells painted all white, with no natural light. Wire mesh covering all windows making a view out impossible. No sound from outside. Eleven large rotating surveillance cameras. Electronic gates controlled from a command center in another building. Constant surveillance and controlled movement supervised by specially trained prison guards. Infrequent family visits. Two ten-minute phone calls a week that are later listened to, recorded, transcribed, analyzed and forwarded to other law enforcement agencies for analysis. Sexual intimidation and constant harassment by male guards. Never more than five women in this place. A psychological prison (torture center) in Uruguay? A scene from the film ‘A Clockwork Orange?’ No. The U.S. Federal Bureau of Prisons (BOP) High Security Unit (HSU) at the women’s federal correctional institution in Lexington, Kentucky, which opened in October, 1986.

The HSU was officially shut down on August 15, 1988. During the almost two years it was operational, it held three women political prisoners: Alejandrina Torres (a Puerto Rican Independentista and Prisoner of War); Silvia Baraldini (an Italian national and anti-imperialist convicted of participating in the 1979 prison liberation of Black Liberation Army member Assata Shakur); and myself, Susan Rosenberg (a North American anti-imperialist convicted of weapons possession). Two other social prisoners — Debra Brown (currently on death row in Ohio) and Sylvia Brown (currently at the Marianna maximum security women’s unit) were also subjected to the experiment. The administration unofficially informed the political women that we could only be considered for transfer into general population if we would renounce our political affiliations and beliefs. At the same time, the two social prisoners were told that if they did not associate with the political women their stay in the HSU would be considerably shortened. None of the political women were placed in the HSU for disciplinary infractions committed while in prison.

The HSU came to symbolize the U.S. government’s hypocrisy: while it claimed that it had no political prisoners in its prisons, the HSU was
the first explicitly political prison. It was the subject of militant opposition initiated by the Puerto Rican Independence Movement, an opposition which included groups ranging from social justice-oriented church groups to radical women's and lesbian groups. The HSU was condemned by Amnesty International as 'small group isolation', an internationally recognized form of psychological torture — and it was closed officially by a court ruling from the legal challenge in Baraldini v. Thornburgh. Judge Barrington Parker concluded in his decision, "It is one thing to place persons under greater security because they have escape histories and pose special greater risks to our correctional institutions. But consigning anyone to a high security unit for past political associations they will never shed unless forced to renounce them is a dangerous mission for this country's prison system to continue". On September 8, 1989 the U.S. Court of Appeals in Washington D.C. overturned the Parker decision.

The appeals court held that the government is free to use the political beliefs and association of prisoners as a basis for treating us more harshly and placing us in maximum security conditions. Further, the appeals court ruling means that no court can question or dispute the prison's decisions, even if those decisions explicitly involve the prisoner's politics or political identity.

This legal decision gives official sanction to the BOP to place political prisoners into control units. A control unit is a prison block within a prison. There is no movement in the units, and they are designed to break the prisoner through sensory deprivation and control. The control unit is the U.S. equivalent of the West German or British 'dead wings' or 'white cells'. The appeals court ruling will also affect Marion penitentiary for men, where prisoners have been locked in their cells twenty-three hours a day for over five years. Marion has also been condemned by Amnesty International, and it is also used as a control unit for political prisoners and prisoners of war. While Marion is supposedly a punishment facility, a growing number of political prisoners have been designated there directly from trial. The new Lexington legal decision allows the BOP to build more control units and to carry out this 'mission' against the government's political opposition. All the government has to do is label someone a 'terrorist' or a 'security risk' and they can be subject to the most repressive prison conditions and human rights violations.

The BOP never acknowledged the condemnation of the conditions at the HSU. They continued to maintain that the conditions were 'humane'. They never complied with the original court order enjoining them to transfer any of us into general population. Instead, they built a new 'maximum security' unit for women inside the men's federal prison in Marianna, Florida. The 'mission' of the BOP at Lexington will
be carried on in a slightly more palatable form at Marianna. This ‘mission’ is one part of the overall program of the BOP to increase control, regimentation, and repression against all women in prison.

Since 1980, a growing number of women have been arrested and given long sentences for political activities against the government, including Puerto Rican, Black/New Afrikan and North American revolutionaries. Now that the transfer of political prisoners to the Marianna prison has been approved by the appeals court decision, it is just a matter of time before some, if not all, are sent there.

What happened as a result of the Lexington experiment is that the definition of ‘general population’ for ‘maximum security’ women underwent a drastic change. Restrictions increased ten-fold, and any semblance of parity between women and men is gone. Just as the Marion lockdown pulls the whole prison system towards greater repression, so too does the Lexington experiment.

After five years in U.S. prisons and jails, over three and a half of which I have spent in either solitary confinement or small-group isolation, I have reached the conclusion that in order to secure our human rights we must actively struggle for our political identities and commitments. To do otherwise is to succumb to the war of attrition being waged by the government against all of us. This ‘war’ being the length of our lives versus the government’s counter-insurgency strategy of live burials through life sentences and isolation. In this conflict of political prisoner versus government we are no different than our counterparts around the world. I have also concluded that because the U.S. government is faced with a contradiction between its democratic facade and its own need to utilize a permanent state of repression, the abuses and violations against prisoners is subject to pressure, more through political and social action than through the courts.

Venceremos,
Susan Rosenberg*

*Susan Rosenberg is also a Resistance Conspiracy Case defendant. The Resistance Conspiracy Case is a conspiracy trial against six long-time political activists charged in conspiring to “Change, protest, and influence U.S. foreign and domestic policies through violent and illegal means.” The indictment includes four bombings of U.S. government and military installations where property was damaged but no injuries occurred. One of the acts charged is the bombing of the U.S. Capitol after the U.S. invasion of Grenada in 1983. This political showtrial is expected to begin in the spring of 1990. [Editor]. Reprinted with the kind permission of the editorial staff at The Critical Criminologist.
Response Article:  
Voices That Shall Be Heard  

Dragan Milovanovic

There once seemed such a simple plan. All that needed to be done with those who lived a marginal existence, or with those whose behavior was deemed too far from the center, or with those who were caught in the net of social control was to reproduce an ideal machine which would discipline them in the correct ways of the dominant groups. Specialists would guide those poor souls back to salvation and society would re-absorb the wayward. Do-gooders materialized overnight. Politicians preached the good word of salvation. Guards, social workers, psychiatrists, and administrators guided these poor misdirected to the ideals of society. As a mechanistic entity, the prison-machine appeared in the early nineteenth century in the United States. Duplicated world-wide, this model of the prison became the ideal machinery for constructing, as Foucault tells us in *Discipline and Punish*, docile bodies, bodies of utility necessary to the smooth functioning of the newly-emergent order. Since the nineteenth century, this machine has taken on its own life, its own momentum, and anything that resists its logic suffers the fate of its irresistible weight.

This is the new age, the age of the prison-machine. Its logic exemplifies orderliness, control and coordination. Ultimately, it is the force that would change the wayward. In the U.S. alone the prison population has tripled over the last fifteen years, now hovering at the 700,000 mark; prisons cost $15 billion a year to operate, with yet another $3 billion earmarked to construct even more. It is within this context that we must listen to those who would be the target of this Leviathan.

In the essays appearing in this volume we find voices that would normally be denied an ear, except from those within the closed setting of the prison who might care to listen. It has become very clear to me in my experiences teaching prisoners in jails, counselling youth in detention centres, inspecting prisons with the John Howard Society, and in doing theoretical research that as these voices increasingly find an audience outside of the prison, that audience may not be hearing what they would wish to hear; however, due to the sheer magnitude of the prison-machine, they are hearing what they

The author would like to thank Dr. Brian MacLean and two anonymous reviewers for their helpful suggestions on earlier drafts of this manuscript.
must begin to face.

The essays can be organized in terms of two foci: the essays by Little Rock Reed, Arthur Solomon and Danny Homer deal with the question of imprisoned Native peoples; the letters from C.J. Hinke and Susan Rosenberg deal more centrally with the question of political prisoners. (Although, it is quite clear, that the first three essays are implicitly about political prisoners as well.)

The first three essays highlight the conditions of imprisoned Native peoples. Each represents a unique style of presentation; each points to attempts by the dominant group, through their operatives (C.W.Mill’s “cheerful robots”), to extend its hegemony and bring within its orbit those who have been wayward. Denied in this process are indigenous forces seeking to work within their own cultural heritage in attempts to bring about change. Each essay represents a human voice that is reaching out and saying with great emotion:

Here we are, here is our cultural heritage that you the ‘white man’ have destroyed and who now seek to deny those of us who stir to revive what has been left in the ashes. But we will be heard; your machinery of rehabilitation so well coordinated with credentialed lackeys, so replete with self-justifactory rationales for its existence, so well oiled by the thoughts of the age will not keep our voice unheard. Peace will not come from above but will materialize only with toleration, recognition, and mutual acceptance of cultural diversity. You cannot rehabilitate those of us who have faced your deceitful lies. But we do not deny the problems that face our Native peoples, and we do have our own ways of working with those who have suffered for so long. Let us be heard about our ways.

Little Rock Reed’s article epitomizes the plight of Native peoples. He argues how Alcoholics Anonymous (AA) programs are being forced upon Native peoples, albeit by the promise of reduced time served with participation. The rationale of prison officials is rather simple: since many Native peoples have committed crime (or have been accused of committing crimes) while under the influence of alcohol, then, programs such as AA are inherently beneficial. Therefore, participation in AA should be a mandatory ‘special condition’ attached to parole eligibility or early release. As a result, resistance to these programs is often used as an example of incorrigibility or uncooperative behavior (See, also, Milovanovic and Thomas, 1989; MacLean and Ratner, 1987). The point is not whether AA works — in fact, much evidence indicates that it works quite well for those who truly want to stop drinking — the real question has to do with cultural sensitivity and Little Rock Reed argues that it is only with this sensitivity that such rehabilitation programs have any chance of real success. He goes so far as to say, and I certainly would agree, that many of the so called prison rehabilitation programs are merely tools for the production of docile bodies and bodies of utility (e.g., on the one
hand keeping the prisoners busy, on the other inculcating them with values in accord with the capitalist political economy). What effectively has taken place is a displacement of concern away from poverty, unemployment and repressive hierarchical machineries, towards the need to control, transform and reproduce an ideal conception of the good subject. The real problem is the inability (or refusal) of the dominant culture to accept the inherent problems it faces and which it cloaks in ideologically distorted ways, always substituting mechanisms that would reconfirm the dominant cultural ethos. It is not, methinks, Little Rock Reed’s argument that problems do not exist. Rather, he implies that indigenous solutions already exist but are being denied their material expression. For example, the United Native Alcohol Program revives Indian spiritualism and culture in addition to incorporating other techniques found to be generally successful in its program. But why has it been received rather badly by prison authorities? Reed argues convincingly that another agenda exists — one that would deny cultural diversity, one that would subsume all within the dominant order.

Arthur Solomon, a Nishnawbe Spiritual Teacher, authors a poem on the plight of Native peoples. It commands that we be sensitive to the alternate channels, genres, and styles of communication employed by the imprisoned. At one time, when teaching classes at a maximum security jail for men, I often would be confronted with student/prisoners expressing their insights in emotional terms. As a scientist, I would emphasize that a ‘good’ argument is one in which the writer does not get ‘emotional’. Rather, s/he logically develops a particular point and expresses it in a non-emotive, detached and rational way. Soon I realized my preposterous naivete. By quietly enforcing a cold, cutting, white, masculine rationality, I was unwittingly denying the genre of expression of those who had already been denied their voice by a legal process. By translating my students’ experiences into a legalistic conception of the world, the legal system had redefined their cultural reality. I then came to realize that speaking with passion, emotion, and the whole self is a more human form of self expression. In my subtle attempts to condition the prisoners to use the “appropriate” style of argumentation I, myself, was being subtly transformed into an appendage of the prison machine. Temporarily and subtly I had been co-opted. Enforcing a dominant form of expression, even if unwittingly, is an oppressive act. All too often, cultural workers (including teachers) within the prison machine reconstruct an uncritical appreciation of what is a “good argument” by forcing the kept to communicate in a form which is removed from the feelings that propel their inner voices to speak out. Arthur Solomon lists the many attempts by the disenfranchised to enforce these alien mechanisms under the misconception that they are necessary for
Native peoples to function in the world dominated by white, bourgeois, masculine rationality. He speaks from his native heart with a language that defies dominant ideology — a form of expression that is alive with meaning. All too often academicians and administrators practice a form of cultural imperialism — a practice which seeks to modify, control and dominate, not one which seeks to understand. Arthur Solomon resists this practice and attempts to re-capture a way of communication, a way of being, a way of revolt.

Danny Homer continues the plea to revive Native voices. He argues that Native spirituality in prisons has begun to emerge. It is the spiritual dimension, he tells us, that will provide the way. In his words: "As a person grows spiritually, one’s perspective of the world takes on a different meaning. The individual comes to understand what is happening around her/him and is able to adapt to and change the environment." Spirituality, he tells us "...keeps the individual in touch with the Native community and in touch with the Native tradition. It serves as a means of survival in the foreign environment of prisons; the prison experience is altered as a result of the commitment." It has been the white person who has attempted to deny this spirituality through hegemonic mechanisms such as the prison-machine.

The first three essays are rich with feeling, emotion, a longing to re-capture denied spirituality and a search for peace. In current critical criminological thinking, Richard Quinney (1989) comes closest to being harmonious with the first three authors in his "Criminology as Peacemaking". In Quinney’s work, I believe we can identify an intersection of a leading, radical intellectual force and those who witness first hand the violence of our criminal justice system:

We are fully aware by now that the criminal justice system in this country is founded on violence. It is a system which assumes that violence can be overcome by violence, evil by evil...The radical nature of peacemaking is clear: no less is involved than the transformation of our human being. We continue to be engaged in action, but action comes out of our transformed being. Rather than attempting to create a good society first, and then trying to make ourselves better human beings, we have to work on the two simultaneously. The inner and the outer are the same. The transformation of ourselves and the world becomes our constant practice, here and now. The practice is in the true sense spiritual and religious as well as material (Quinney, 1989: 5).

The last two essays are more outwardly ‘political’ in their thrust. C.J. Hinke gives a personal recollection of his attempt to counter large exploitative corporations pilfering the land. He personifies an individual in struggle, living his convictions in his attempt to halt the raping of our land. How many of us would dare to do as he did (and continues to do)? Would we dare to interpose our own bodies as a way of combating the powers of the heartless, profiteering, massive corporations — entities with no soul, no feelings, and no sense of
humanness — guided only by the lure of the almighty dollar? Yes, C.J. Hinke sees himself as a political prisoner in his rebellion against the exploiters of native land claims. His personal recollections of his fight against loggers and his resolve to save the stolen lands, within the formal mechanisms of law itself, is telling for all political prisoners. In their actions and in their abandonment, these actors provide “free” citizens more freedom. Ironically, in so doing, they also produce the desire by hegemonic groups to develop increasingly ubiquitous forces which are more pervasive and more omnipotent than ever. The irony of much rebellion and the small gains of freedom is often that at the end of the road of liberation is a machinery which is more repressive, yet more hidden than that which was in existence before. And implicit in C.J. Hinke’s argument is that law itself is the mechanism that cloaks reality, denying in the process a forum for genuine discussion of the burning issues of the age.

Susan Rosenberg carries this argument further. Convicted of weapons possession Rosenberg was sentenced to the unprecedented fifty-eight years imprisonment (typically those sentenced for killing another human being spend less than ten years in prison). She articulately presents the case for 150 political prisoners in the U.S. at a time when the dominant group argues that not one exists in the land of freedom (See also Can’t Jail the Spirit: Political Prisoners in the U.S.). The courts very effectively maintain the rule of law ideology by simultaneously constructing the appearance that defendants will have their day in court while subtly repressing perspectives that are counter to the interests of hegemony (Also see Milovanovic, 1988; Milovanovic and Thomas, 1989; Bannister and Milovanovic, 1990). Nationalist groups such as Puerto Rican Independista freedom fighters have been dealt with harshly in U.S. prisons by practices such as long term solitary confinement, harassment, and brainwashing techniques. With few exceptions, the courts endorse the façade that no political prisoners exist — a façade which operates in the interests of hegemony.

In conclusion, these five essays express various dimensions of the violence inflicted in the name of the people upon Native peoples and rebels struggling for the independence of their homeland and/or their cultural integrity. But the powers that be do not rest idly as they spin out yet more creative mechanisms of control, “rehabilitation”, and rationales for the dominant order. Cheerful robots to run the repressive apparatus are found everywhere. The prison-machine has been discovered and rewards those who falls into step while ruthlessly crushing dissenters. Given the current magnitude of the rising rate of imprisonment and the projections it yields into the 1990s, a number of questions emerge: will there come a time when new more lethal
methods of control, surveillance, and "rehabilitation" will be discovered? Will these be accepted in the crisis atmosphere being generated? Will these render the prison itself obsolete? Could it be that the techniques and mechanisms that are being tested in the prison will become increasingly applied to the free citizen? We already begun to chart this course with already much talk and use of electronic surveillance techniques (See, for example, Marx, 1988). Perhaps the voices that are being repressed from the prisons will begin to be heard. Perhaps these may eventually provide keen insight into the prison-world currently in the process of gestation.

REFERENCES


PRISONERS' STRUGGLES

JUSTICE FOR NUTTY & RICK

Rick Sauve and Gary Comeau, former members of Satan's Choice Motorcycle Club are serving (25 years minimum) life sentences for first degree homicide in Ontario, Canada. With four other members they were convicted of a shooting death of a rival club member in 1979. Their trial was part of a well orchestrated police campaign to clear the streets of Canadian bikers. The police investigation and trial were highly controversial, including lost evidence, pressured witnesses and manipulated identification procedures. For example, Gary Comeau was identified as the gunman, though this was impossible since he had also been shot with the same revolver as the victim, a fact established only in the last days of the trial, but without impact. A fellow accused, Gary Hoffman, later had his conviction overturned when his lawyer discovered a police wiretap of a Choice Clubhouse which firmly established that he was 200 miles away at the time of the homicide. This information had been withheld by the police at the trial. Another member of the Club testified in the court that he was responsible but was not believed, assuring the conviction of the six. This case has been thoroughly analyzed in a book by Mick Lowe (1988), Conspiracy of Brothers.

In 1988, the Sauve Comeau Defense Committee's lobby efforts for a new trial lead to a reappraisal of the case by the Justice Department. The decision has not yet been handed down.

The S.C.D.C. is asking supporters to demand justice be done by writing to:

The Honourable Kim Campbell
Minister of Justice Canada
House of Commons
Ottawa, Ontario
K1A 0A6

Mr. Warren Allmond, M.P.
Justice Critique
House of Commons
Ottawa, Ontario
K1A 0A6

Mr. Svend Robinson, M.P.
Justice Critique
House of Commons
Ottawa, Ontario
K1A 0A6

For more information or donations, write to:

Carol Cosby
Secretary
Sauve Comeau Defense Committee
33, Hexham Dr.
Scarborough, Ontario
M1R 1J5
MARK CURTIS FIGHTS BACK!

Mark Curtis was arrested on March 8, 1989, convicted of rape and burglary in September and sentenced to 25 years in prison in November of the same year. Mark Curtis is 31 years old and a former meat-packing worker at the Swift Independent Packing Co. of Des Moines (Iowa). He is a trade-unionist and a human rights activist, who vigorously opposed the attempted firing and deportation of 17 Latin American co-workers. With the help of the company, the U.S. immigration and naturalization service (I.N.S.) arrested and accused them of being illegal workers. By acting so, the I.N.S. violated the amnesty program defined by U.S. Congress. As a matter of fact, most of the workers arrested had applied for legal status under the provision of this program.

On the day of his arrest, Mark Curtis mobilized support for these Latin American workers and commenced the organization of a protest. After the meeting, he went with other workers to a tavern and continued the discussion. On his way home, a young black woman, claiming to be pursued by a man, asked him for a ride to her home. While waiting for the woman to get inside her house and feel safe, he was grabbed by police officers, taken to jail and charged with rape. As soon as he was jailed, he was interrogated, and as he refused to answer without the presence of a lawyer, the policemen insulted him ("Mexican-lover, friend of the coloureds"...). Curtis was hand-cuffed, stripped of his clothes and beaten with clubs. He received 15 stitches at the left eye and the x-rays showed a cheek-bone fracture. Six months after being bailed out by his wife and friends, he was charged of sexual abuse in the third degree and burglary in the first.

His trial was filled with irregularities. The accusers were police officers who said they arrested Curtis in the middle of the crime; access to their records was denied (at least one of the policemen had been suspended from the force for making false statements in the other cases); his attorney was not allowed by the judge to bring those facts to the jury’s attention. The black woman who gave testimony at the trial was not the one to whom he had given a ride. At the time she was allegedly attacked, Curtis was at the tavern with some of his co-workers. The State’s own forensics expert testified that there was no physical evidence of any kind linking Curtis to the woman. The vast majority of the jury were white and only 2 out of the 12 were workers. Moreover, after Curtis’ conviction, one juror signed an affidavit stating she was convinced of his innocence and that she was pressured to change her vote to guilty. Curtis was not allowed to present evidence of the police brutality he had suffered.

Before and during the trial, city officials and the local press ran a campaign to vilify Curtis and demanded his punishment, thus violating the principle that every accused is presumed innocent untill proven guilty. Since imprisoned at the Iowa State Men’s Reformatory in Anamosa, he has been harassed by prison authorities who try to prevent him from communicating with other prisoners, from receiving publications, from
speaking languages other than English and from playing his role as secretary of the Martin Luther King Jr. Organization, a prisoners’ group. The same authorities also try to victimize Curtis by adding false charges to the sentence, accusing him of disruptive behaviour and gambling. As penalty, the right to use phone or typewriter was denied.

A Mark Curtis Defense Committee was created and his case has been taken to the United Nations Secretary General, Mr. Perez de Cuellar, and presented to the U.N. Commission of Human Rights in Geneva (Switzerland). An international campaign is under way to reopen his case. Protests should be sent to:

John A. Thalacker
Warden
Iowa State Men’s Reformatory
Anamosa
Iowa 52205, U.S.A.

with copy to:
Paul Grossheim
Director
Department of Corrections
Capitol Annex, 523 E., 12th
Des Moines
Iowa 50319, U.S.A.

Please send copy and any response received from Iowa officials to:

Mark Curtis Defense Committee
P.O. Box 1048
Des Moines
Iowa 50311, U.S.A.
(any kind of support is welcomed).

HUNGER STRIKE VICTORY IN SPAIN

A hunger strike at the Almeira Prison started by several political prisoners ended on September 21, 1989 with the acceptance of all their requests. They will be transferred from the penitentiary hospital in Madrid to a prison with better conditions (no punitive rules, treatment or restrictions) and they gained the right to free association. Initiated by Hierro and Pedrero, the strike was later joined and supported by the majority of the prisoners.

As their state of weakness increased — in 3 cases particularly, Pedrero, Brotons and Hierro — and fear for their lives became real, the Spanish Interior Ministry acted more and more repressively: prisoners were beaten, transferred by force to the penitentiary hospital and isolated from each other. After 30 days of the hunger strike, Hierro Chomón was transferred to Alcalá-Meco Centre and put in solitary confinement.

At this stage, a solidarity chain was established throughout correctional institutions, thanks to women prisoners at Carabanchel, Besauri and Castellon soon joined by the prisoners of Soria and Daroca. Popular protest on the streets was organized by AFAPP with the support of different professional associations (lawyers, physicians...). During this fight, and by contrast, the “democratic” media remained silent!
THE MATSQUI PRISONERS' JUSTICE INITIATIVE

The Matsqui initiative is comprised of prisoners serving sentences at the Federal Prison at Abbotsford, B.C. Most are participants in the Simon Fraser University Prison Education Program, which offers post-secondary education to prisoners throughout the Pacific Region. For the past 4 years, the M.P.J.I. has been actively attempting to educate members of the Parliament and the Senate on issues of justice in this land. To date, the group held four well attended colloquia at the prison, with the participation of members of both Houses. Informal presentations to such legislative bodies as the Standing Committee on Justice, the General Solicitor and the Correctional Law Review. Further, the M.P.J.I. has sent a copy of the proceedings of the third colloquium (on prisoner rehabilitation) to every M.P. and Senator.

The 4th colloquium of the M.P.J.I. was held at the Matsqui prison on April 6. The event was filmed for use by the media and various university courses. The presentations delivered by prisoners concerned “The Crisis in Corrections: Policies, Problems and Prospects”. Senator Earl Hastings and prisoners’ rights advocate Claire Culhane also made presentations and became honourary members of the M.P.J.I.

Another project of the group concerns the publications of a book combining the results of the members research, the critique of the Matsqui Prison and its operational problems and the proceedings of the colloquium.

All the financial support and ideas which will make this project succeed (including wide distribution of the book) are welcomed. Do participate to keep M.P.J.I. alive! For more information, contact:

Erle MacCaulay
Coordinator
Matsqui Prisoners’ Justice Initiative
Matsqui Federal Prison
Abbotsford, B.C.
V2S 4P3.
The art on the cover is by Norval Morrisseau. Born of Ojibway parents in Fort William, Ontario, March 14, 1931, Norval was raised by his grandparents near Lake Nipigan, Ontario. His grandfather followed traditional ways and was a major influence on his life and his art. His first exhibition was in September, 1962 in Toronto. Since then his work has been recognized nationally and internationally. In the new Canadian Museum of Civilization, his work graces the entrance to the displays of Canadian Native Art. On April 25, 1979, Norval was invested by the Governor-General as a member of the Order of Canada. He currently lives in Langley, British Columbia. His desire to support the Journal of Prisoners on Prisons stems, in part from his own experience of incarceration.

In his own words, Norval is a "shaman-artist":

My art reflects my own spiritual personality. Driven from birth by the spirit force within, I have always been convinced that I am a great artist. Only the external and commercial society around me which has caused interruptions and deviations to occur has attempted to dictate to me and establish false values and ideals. The path through this maze has not been easy. Now [forty-six] years later, fortified by my grand-father's spiritual teachings during the first nine years of my life, I make peace with the external world, and I recognize the higher powers of the spirit. (Quoted in The Art of Norval Morrisseau, 1979 J. Pollock and L. Sinclair).

**Front Cover:**
- **Title:** The Shifter
- **Size:** 48" by 36"
- **Material:** Acrylic on Canvas
- **Year:** 1989

**Back Cover:**
- **Title:** Red Bird
- **Size:** 48" by 36"
- **Material:** Acrylic on Canvas
- **Year:** 1989

R. Gaucher