

TELL DEM WAGWAN FANON: ON [COLONIAL] VIOLENCE AND PRISON LABOUR IN CANADA

KRYSTAL BATELAAN

A DISSERTATION SUBMITTED TO
THE FACULTY OF GRADUATE STUDIES
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAMME OF SOCIAL AND POLITICAL THOUGHT,
YORK UNIVERSITY
TORONTO, ONTARIO

©Krystal Batelaan, 2024

Abstract:

In this dissertation, I draw on Frantz Fanon's concepts of cultural imposition and collective catharsis to examine how the colonized subject, like the incarcerated Black worker, undergoes a double process of dehumanization wherein they are perceived as both an invisible and hypervisible subject. I argue that the colonized subject is invisible insofar as they are subjected to various forms of dehumanization such as physiological and psychological abuse, lack of access to resources, and neglect. However, they are also perceived as hypervisible because they are viewed as existing in excess as hypersexual, hyper deviant, and hyper criminal creatures and therefore deserving of the treatment they endure. Similarly, the incarcerated worker is viewed as invisible and hypervisible because they are viewed as unskilled and subhuman beings undeserving of adequate pay and protections but are also perceived as best suited to work in poor conditions doing less skilled, undervalued, low-paying work. By tracing how this relationship between race, racialization and labour is underpinned by whiteness both historically and in a contemporary sense, I demonstrate how the use of prison labour within a Canadian multicultural context must necessarily be read through a normalizing white gaze, under the guise of public safety and rehabilitation; here the prison functions as a disciplinary site wherein Black and racialized prisoners are constructed as inferior beings in need of heightened control through labour. In doing so, I argue that the use of prison labour in Canadian prisons is a form of colonial violence that reproduces inferior and superior colonial identities.

In Loving Memory of Lee Herriot

&

Dedicated to all the prisoners and incarcerated workers in Canada and beyond

Acknowledgements:

A Love Letter

This dissertation is the culmination of years of hard work, but it is not my work alone. It is the effort borne from the unwavering support of some of the most amazing people and I am so beyond blessed to have had them by my side throughout this process. So rather than call this section my acknowledgement section, I would rather call it a love letter to those who have helped me along the way. As a result, this section is intentionally 'non-academic' and is written as a straight outpouring from the heart.

To my **mum**, you are everything. You are my strength, my courage, and wisdom (and my attitude). There are no words to express how much I love you and how much your support through all the sleepless nights, breakdowns, outbursts, and hopelessness has helped carry me through. This is not my dissertation, or my degree, but ours. Without you, nothing is possible, especially this. Thank you for all that you are, all that you have taught me, and all that you have helped me become. While I am proud to have finished this dissertation, there is no greater pride than being raised by a woman as incredible as you, which comes second to the legendary eyebrow status you have helped me achieve (also since this section is intentionally 'unacademic', you cannot complain about any grammatical errors). **Ja**, thank you for always listening to my rants about my program and academia (and life) in general. You have always been (whether you wanted to be or not) a great shoulder to lean on, and a great set of ears to listen to all my nonsense. Thank you for always making me feel so loved and allowing me to believe in the façade that I am your absolute fav. You always make sure I'm warm, fed, and have enough chocolate to keep me from being a raging ..you know. Thank you for reminding me that the 'participation award' is an incredible feat and giving me the encouragement to push through the final stretch. As far as brothers go, I couldn't have asked for a better one. **Al** thank you for all the love, support, and acceptance of the loud, obnoxious, but perfect niece that I am.

To my beloved 'ting', **Touch**. Thank you for making me feel supported, capable, and smart. Thank you for not letting me give up even though I wanted to so many times, and for being so encouraging. Thank you for being so proud of me (and possibly prouder than I am of myself). Thank you for dealing with all my attitude even though I feel like I never give you any, and for dealing with my grumpiness in the morning. Thank you for opening all the jars of food for me because I'm too weak to do it on my own. Thank you for letting me know when its safe to come back into the room to finish watching a movie with you after leaving because there was a spider on screen. Thank you for the joy and fun (and headaches -.-) you bring to my life. Thank you making me feel so comfortable in being myself (mostly because you're so much weirder than I will ever be). Thank you for giving me a once in a lifetime love that most people never find. Thank you for pushing me to grow and for being by my side as I do. I love you bubbs xo.

To **Leks**, for all of the texts and couch hangs, even if they were in silence because I was so exhausted, or stressed, definitely kept me going, and if not for them I'm not sure I would've made it through. You are the chapati to my curry, the mehndi to my hair, and you have brought nothing but light to my life for these past 13 years. Your love and support for me is...Worship And Pooja .To **Kiri**, you are one of the most amazing people I've ever met, and your support and endless amounts of wine have meant everything to me throughout this process. To **Iyla and V**, I love you both so much; your inquisitive minds and thirst for knowledge inspire me everyday.

To my York people, **Vincci**, you are part of the village that it took to get this thang done. Thank you for all of your support, free from judgement and for always cheering me on. **Micheal** thank you for explaining the same theoretical concepts to me over and over again. Your patience and brilliance has a lot to do with me being able to finish. In my head, you are basically one of my committee members. Also our Stitch and Bitch sessions and shared love for The Office helped make this degree and program survivable. And so I DECLARE...this diss done! To **Dr. Shaunasea** and the Zoom Room of Doom (which let's be real is the only reason I got any work done), no words my girl. You really were a big part in getting me there, and it honestly wouldn't have happened without you man. All those hours of wotlessness and your dirty looks somehow led to an entire book being written, and I really do owe a lot of this to you. So big up yuhself for all of your hard work, and thank you for helping to carry me through too! Your continued support especially in these final stages has been more than I could've asked for. **Dr. Michelle** (yaas girl I had to update this), we got lucky with a great cohort, but I got extra lucky to have found such an amazing friend in you. It's been nice to have someone along the way to share ideas, to celebrate the small (and big victories) and to rant to about any and everything under the sun including and especially the wild a** foolishness that has been going on in the past few years. Cheers to us for not only getting these degrees, but doing so with our beautiful wardrobes and to me for not smacking anyone. Shopping spree when we're done??? Also probably a couple alcohols..

Kerry- my sister from another mother. You are one of the most supportive and encouraging people I know, even when 99% of my decisions were bad. Thank you for being the best cheerleader one could ever ask for, and always giving me such sound advice over and over again until I finally decide to listen (and for still loving me even if I don't listen). I don't have a lot to say because no words will ever do it justice. But I love you, and with all the certainty in the world, I can say I owe much of the happiness and sense of achievement in my life to your endless support and just you in general. Shout out to the universe for letting me finish this dissertation, I guess that's the one win it'll give me this year. Btw all the feelings I have as I'm writing this I blame on you lol. And to **Emma**, my Best, thank you for keeping me smiling, laughing, and for always being the happiness I desperately need when I get lost in the things that really don't matter.

Erinn, my life partner. Thank you for the endless laughs, fun and adventure. The mixture of your love for life and sarcasm is hard to come by, and I'm glad you're the one I was able to find that in. Also...I think we're about due for another trip??

Nic, thank you for being just as annoyed and angry as I have been over how much this degree has required of me, and for scaring me into staying with it. It's rare to find friends that sit with you in your struggle, and I'm so thankful to have someone in you to do that with. The future is looking bright girl- leh we go !

Peel, now that I'm done we can focus on our MP x Dr.P podcast! Your optimism and enthusiasm is on a level that I will never reach, but one that is much appreciated and was very needed especially on the days (everyday) I wanted to give up- I feel very lucky to have someone in my corner that believes in me so much. Thank you (to you and Jesus) for never losing faith in me, and I look forward to celebrating with coffee/ hot chocolate, burgers and pie.

Ivan, I hope I didn't get too bougie doing this degree, which I promised you I wouldn't when I started. You are the best hype man. You could have made fun of me like way way less, and to clarify I never caught a tone, but I have to say I am happy you decided to bug me at the desk all those years ago. You are the definition of a real one, and I have nothing but love and appreciation for you homaay. And since I finished my dissertation, I'll let you buy lunch next time.

Angie, I know it hasn't been a long time, but you have been such a blessing, and I am incredibly grateful for having been given the pleasure to get to know someone I would now call a very good friend. Thank you for all your support and enthusiasm not just in finishing this degree but in everything. It's rare to meet someone who actually understands you, and I'm so appreciative to have found that in you.

Zahir, thank you for always showing up to meet with a fresh haircut and an open mind. In the time you've been on my committee you've shown me a kindness and openness that I have rarely seen not just in academia but in life generally. You are so brilliant, but so approachable, and I really enjoyed all of the conversations we were able to have. Thank you for everything, and for the lasting influence you and your work have had on me. I can't lie while doing my revisions there were a few times where your comments made me say 'ahhh why', but now that they're done, I appreciate every single one of them. You definitely challenge and push me, but you've made me such a better student, writer, and scholar.

Jessica, firstly thank you for stepping in to save the day and my diss. Secondly, in the short time I've known you and even shorter time you've been on my committee, you have been so kind and supportive of me and my work. Thank you for going above and beyond as a CD and now as my committee member to make me feel like I belong here, and that I am capable. I'm not sure I'd be sitting here with a finished product I am so happy and proud of without all the time and effort you put into my revisions, so thank you for pushing me to help give it THE ol' 1-2.

Amber you are hands down one of the sweetest human beings I have ever met. Anytime people ask about my committee members I always say ‘Amber in Sociology is just the sweetest I adore her’. You have given so much to me and my writing over the years. I met you at a time when the academy was a particularly unsupportive and alienating place for me, and so when I say I appreciate all of your kindness and support, I really do mean it. I remember I asked you to be on my PhD committee and was a little nervous and I remember you literally jumped out of your chair a little in excitement. Even though you are not *technically* on my committee anymore, I’ve just told myself instead of a committee of 3, I have one of 4.

To **Gamal**, my beloved mentor and friend... wagwan?! Thank you for everything, but most importantly, thank you for letting me fail. Thank you for letting me do things my way, and letting me make all of the many mistakes I have throughout the way. Your support, reassurance, and willingness to help me understand the inherent value in both me and my work is immeasurable. For being one of the few people that have made me feel like I belong in the academy, after years of being told that I do not, that I’m ‘dumb’, and ‘undeserving’ is something that I can never find words for. I’ve told you before, and I will tell you again, if not for you, I would’ve dropped out a long time ago. So from the bottom of my heart, thank you for all that you have done for me- you have forever impacted me, and I am so honoured and grateful to have gone through this journey with you. You have talked me off the ledge more times than I can count, and despite all of the eyerolls, dirty looks, and attitude I have given you over the years, you have are one of the biggest reasons that I am here today. I guess I should also thank you for all of the metaphors over the years, particularly ‘the plant that needs a new pot to grow’ and ‘to work on my offense not defense’. Lastly, and perhaps most importantly, while you have made me a better academic, you also make me want to be a better and kinder person, and that is why you really are the GOAT (Gamal over all theRest).

Overall, I have to say, in doing a PhD I had 99 problems, but my committee wasn’t one- I truly appreciate you all so much, and am honoured to have been able to work alongside you all (something I hope to continue to do in the future). Also I’m really excited to hear you all say ‘Tell Dem Wagwan Fanon’ and all my chapter titles at my defense.

Et pour Fanon, merci pour votre sagesse, j'espère que vous apprécierez ce projet.

To all the other people who helped me get to where I am, through their words of encouragement and discouragement, or telling me I’m too ‘ghetto’ to be in academia, thank you for pushing me to finish either through taking your advice or allowing me to prove to myself that I can do this. And to myself, I am proud of you for not giving up and staying true to yourself. You did this, and you earned it. You deserve to be here. AND YOU ABOUT TO BE A DOCTOR THOOOO. ***BRAAAAAAAAAAAAAAPP BRAP BRAP BRAP*** Now lets get it giiiiiiiiiiiiiiiiiiiiirllllllll *hair flip*

With all my love,

Krystal

TABLE OF CONTENTS

ABSTRACT.....ii

DEDICATIONiii

ACKNOWLEDGEMENTS: A LOVE LETTER.....iv

TABLE OF CONTENTS.....viii

CHAPTER ONE: ME, G, AND FANON MAKES THREE: THEORIES OF COLONIAL VIOLENCE [TO SEE WHAT'S RLY GWANNIN THO].....1

CHAPTER TWO: PLENTY FANON ALL UP IN THIS B[OOK CHAPTER] : SO MUCH THEORY FOR DAYZZZZ.....41

CHAPTER THREE: LET'S Z WHAT HAPPENED: MORAL REFORMATION AND THE EMERGENCE OF THE MODERN PRISON SYSTEM IN CANADA.....78

CHAPTER FOUR: MO MONEY LESS PROBLEMS: THE SUPEREXPLOITATION OF INCARCERATED WORKERS IN CANADA.....116

CHAPTER FIVE: JB TO KB FOR THE 1-2...3!: TIME TO WRAP UP AND GET THIS DEGREE162

CHAPTER SIX: I'M TOO TIRED OF THIS DEGREE TO COME UP WITH A CREATIVE TITLE.....207

APPENDIX.....223

REFERENCES..... 236

Chapter 1

Me, G, and Fanon Makes Three: Theories of Colonial Violence [to See What's Rly Gwannin Tho]

Il y a une zone de non-être, une région extraordinairement stérile et aride, une rampe essentiellement dépouillée, d'où un authentique surgissement peut prendre naissance. Dans la majorité des cas, le Noir n'as pas le bénéfice de réaliser cette descente aux véritables Enfers

Frantz Fanon, 1952

I'm proud of you KB

G, Personal Communication, 2024

I have worked super hard on this dissertation and I think it's super duper dope!

Krystal Batelaan, Right Now

Introduction

Time and again we have heard that 'The United States has five percent of the world's population, but nearly twenty five percent of the world's prison population' (American Psychological Association, 2014, p. 56; Ye Hee Lee, 2015). The public has also heard extensively about forced and/or coerced labour and prison slavery in both private and government-run institutions, as well as the racism that underpins the American prison system (ACLU, 2014; Chicago News, 2022; Curry, 2023; Davis, 2003; Sierra, 2018). But what is largely absent from discussions on mass incarceration or is evoked in contrast to carceral control in the United States more broadly is the Canadian 'Correctional' system. Alongside discussions of systemic racism and white supremacy in the United States, Canada is often juxtaposed as a leader in diversity, acceptance, tolerance, and multiculturalism (Government of Canada, 2023). Additionally, due to the absence of private prisons in Canada, the Canadian penal system is often heralded as a good example for The United States, and Canadian prisons are

misconceived as being 'well-run', with humane conditions and programs that prioritize rehabilitation (First Step Alliance, 2021).

Despite these claims, Canada has witnessed a growth in its prison populations with a disproportionate number of those behind bars being Black and Indigenous peoples (The Canadian Press, 2022). Compared to most European countries, Canada's imprisonment rate is relatively high, but given the belief that mass incarceration does not exist in Canada these trends are often ignored, dismissed, and/or framed under the guise of public safety (Public Safety Canada, 2022). Furthermore, what is often overlooked is that the privatization of prisons (and its impact on labour) in the United States is an egregious part of an already deeply broken system. In the United States, less than one percent of incarcerated people are employed by private companies, with the rest of the incarcerated labour force in the U.S. (approximately 791,500) working within state-run and federal prisons (ACLU & The University of Chicago Law School Global Human Rights Clinic, 2022). Although public knowledge about prison labour is largely associated with the use of private prison labour practices, incarcerated workers predominantly work to support government functions; therefore, complaints about prison conditions come from both government-run and private prisons. This demonstrates that the use of prison labour in government-run prisons involves the same challenges and human rights abuses that occur within private prisons.

Although there is an absence of private prisons in Canada, U.S. prison labour programs are similarly essential to government-run Canadian federal (and provincial) prisons, and the challenges associated with its use are widespread. Although the use of prison labour in Canada differs in some ways than its United States counterpart, it is not without its problems, including

coercion, inadequate pay, and training for jobs that are obscure after release (Office of the Correctional Investigator 2014; Zinger 2021). Additionally, like its U.S. counterpart, prison labour in Canada reproduces racial inequalities with Black (and Indigenous) peoples not only more likely to be incarcerated, but more likely to be forced into low-paying, menial jobs while serving their time (Office of the Correctional Investigator 2014, 2021).

With very little academic research exploring Canadian prison labour regimes, the release of House and Rashid's book on prison labour, *Solidarity Beyond Bars* (2022), lends a much-needed perspective to examining incarcerated labour in Canada. However, while House and Rashid raise the issue of race in their work, there remains an absence of work dedicated to exploring the relationship between race and prison labour in Canada (The Brock News, 2022). Given Canada's multicultural context which is often used to obscure practices of racism, classism, and other forms of discrimination and oppression as nonexistent or exceptional, an exploration of prison labour in Canada will help reveal the often-unseen structural forces that shape our [in]justice system and social and political landscape more broadly. Therefore, a further examination of incarcerated work in Canada is necessary to determine how the use of prison labour may be understood as a racializing process that reproduces anti-Black (and anti-Indigenous) racism within Canada's prison system. With this, I help situate the various harms of prison life within broader conversations of anti-Black racism in Canada in both an historical and contemporary context. In doing so, I argue that carceral violence, specifically prison labour, is a form of colonial violence.

Throughout this dissertation, I draw on the United States context of mass incarceration and prison labour to explore how systemic racism functions within a multicultural context and

prison system in Canada that is framed as being inherently rehabilitative. This United States context is important in the absence of formal policies in Canada, as it is believed that systemic racism in Canada is not as deeply rooted as its U.S counterpart, and that Canada's justice system prioritizes rehabilitation over punishment (First Step Alliance, 2021). However, in drawing from the U.S. example, I will demonstrate how despite the differences between these two systems in a formal sense, they are fundamentally similar in terms of lack of transparency and rehabilitative function, and their rootedness in anti-Black, colonial histories to perpetuate the oppression and exploitation of racialized labour in Canada. While my purpose here is not to offer a comparative analysis, examining these systems alongside each other will help shatter the illusion that Canadian prison labour practices and penology more broadly are not inherently violent. Moreover, this analysis will demonstrate that multiculturalism systemically obscures the impact (and very existence) of racism, while simultaneously reproducing colonial violence and superior/inferior colonial identities. Within this dissertation, my conceptualization of colonial identities and colonial violence is shaped by the work of Frantz Fanon. While Fanon's work is not typically used to theorize labour, or carcerality, I argue that his work is imperative to an understanding of prison labour practices in Canada.

Dissertation and Chapter Breakdown

In this dissertation, I draw on Frantz Fanon's concepts of cultural imposition and collective catharsis to examine how the colonized subject, like the racialized worker, undergoes a double process of dehumanization wherein they are perceived as both an invisible and hypervisible subject. I argue that the colonized subject is invisible insofar as they are subjected to various forms of dehumanization such as physiological and psychological abuse, lack of

access to resources, and neglect. However, I maintain that they are also perceived as hypervisible because they are viewed as existing in excess as hypersexual, hyper deviant, and hyper criminal creatures and therefore deserving of the treatment they endure. Similarly, the incarcerated worker is viewed as invisible and hypervisible because they are viewed as unskilled and subhuman beings undeserving of adequate pay and protections but are also perceived as best suited to work in poor conditions doing less skilled, undervalued, low-paying work. By tracing how this relationship between race, racialization and labour is underpinned by whiteness both historically and in a contemporary sense, I demonstrate how the use of prison labour within a Canadian multicultural context must necessarily be read through a normalizing white gaze, under the guise of public safety and rehabilitation; here the prison functions as a disciplinary site wherein Black and racialized prisoners are constructed as inferior beings in need of heightened control through labour. Throughout this project, I argue that the use of prison labour in Canadian prisons is a form of colonial violence that reproduces inferior and superior colonial identities.

Chapter Overviews

Here in chapter one, I conceptualize my understanding of colonial violence. I draw particularly on the work of Aime Césaire (2001), Albert Memmi (1974), Edward Said (1979) and Frantz Fanon (1952; 1964; 2004; 2008) to explore the construction of colonial identities and demonstrate how these identities are internalized and reproduced through various forms of harm, such as language. Next, I examine the settler colonial context to explore how the reproduction of race has been used to justify land theft and the erasure of Indigenous identities

and peoples. While questions of Indigeneity and Indigenous land theft are not a central focus of this dissertation, they raise questions and important contexts that inform my work.

In chapter two, my purposes are twofold. This chapter draws on the work of Frantz Fanon and others to analyze the relationship between race, racialization, and labour. Through Fanon's conceptualization of cultural imposition and collective catharsis, I argue that the racialized worker undergoes a double process of dehumanization wherein they are perceived as both an invisible and hypervisible subject. They are perceived as an inferior subhuman or 'invisible' being, but are 'hypervisible', and this in turn is used to reinforce their perceived colonial identities.

Within this chapter, I also explore Fanon's concept of atmospheric violence to demonstrate the various ways that racialized workers have been perceived and/or treated as both invisible and hypervisible during enslavement and other systemic forms of racialized violence. In doing so, I argue that whiteness has historically and continues to underpin labour practices in Canada (and the United States), by reinforcing the idea that racialized peoples are better [and naturally] suited for under skilled, undervalued, dangerous, and dehumanizing work. By examining institutions of racial violence in the United States, I will demonstrate how there are parallels that must be drawn to historical and contemporary practices within Canada and its penal system. The literature review conducted in this chapter will help trace this history within an American and Canadian context to better understand the relationship between race and labour. Overall, this chapter examines how these conceptualizations and practices of labour are understood as forms of colonial violence that reinforce perceived inferior and superior colonial identities, and how these exemplify Fanon's concepts of cultural imposition

and collective catharsis. These detailed accounts of Fanon's conceptualizations will help lay the theoretical foundation for the rest of my dissertation.

In chapter three, I examine the emergence of the modern prison system as a cathartic response to managing 'problem populations' in Canada. By examining the development of modern-day penology and punishment, which shifted from corporal and capital punishment to the use of prisons and curtailment of freedom, I examine how these changes were rooted in ideas of Victorian morality, class, and whiteness. In tracing the link between racialization and criminalization (framed in the context of 'moral reformation'), and exploring the history of Canada's oldest prison, Kingston Penitentiary, I examine how the use of labour as a disciplinary tactic was integral to ideas of punishment, rehabilitation, and the development of the modern-day prison system in Canada.

In chapter four, I build from my work in chapter three to examine the relationship between race, racialization, and contemporary prison labour practices in Canada. In chapter three, I argue that the emergence of the modern prison system was rooted in practices of silence and labour. In chapter four, by examining the link between solitary confinement and prison labour in Canada, I maintain that this relationship between silence and labour still exists, with an emphasis on how prison labour reinforces the inferior colonial subject.

In this chapter, I [temporarily] depart from Fanon's work to examine how the use of prison labour in Canadian federal prisons, particularly in Collins Bay and Joyceville Institution(s) near Kingston, Ontario, relies not only on racialized assumptions of criminality to keep prisons filled with Black and other racialized bodies, but also relies on racist histories and

understandings of isolation and labour to shape and justify dangerous, unskilled, and undervalued work in prisons. Throughout this chapter, I examine these challenges through what I refer to as 'spatial domination', wherein I understand the geographical site of the prison as one that maintains an environment that enables the superexploitation of prisoners by denying them basic civil and human rights, subjecting them to poor conditions and treatment, and [often] forcing them into working various prison jobs. In this chapter I focus specifically on CORCAN, the government-run prison labour program, and the practice of prison farming. Through this analysis, I argue that the exploitation of the racialized worker occurs through a form of spatial domination that exists and is made possible (or is rather a necessary function) within prisons.

In chapter five, I return to Fanon's work to examine how his conceptualization of cultural imposition and collective catharsis can be used to examine prison labour regimes in Canada. By framing prison labour as a racializing process wherein incarcerated workers are perceived as both invisible humans, and hypervisible creatures best suited to do this work, I argue that prison labour practices in Canada are underpinned by whiteness and in turn reproduce inferior and superior colonial identities. In this chapter, I draw on empirical studies and reports from the Office of the Correctional Investigator alongside other studies of prisoner's experiences. I will also be analyzing the comments left on YouTube videos by viewers, which is particularly useful in the absence of publicly available data on prisons in Canada. Throughout this chapter I pose a series of questions to help ground Fanon's theoretical contributions across various empirical studies, which help shape my analysis and the conclusions I draw about prison labour in Canada.

Lastly in chapter six, I offer some concluding remarks about the unanswered questions and future research of prison labour practices in Canada. In my dissertation I centralize the experience of Black men due to the particularly limited information on the experiences of Black women in prisons, especially for those that work while incarcerated. However, in this chapter I draw some parallels between the historical experiences and conceptualizations of Black women and men to offer some insight into the challenges faced by incarcerated Black women within Canadian prisons. Moreover, in this chapter I outline the next steps for my future research and how it will contribute to the study of prison labour within Canada.

Overall, then, my dissertation aims to do the following:

- 1) Understand how racism functions uniquely in a 'multicultural' Canadian context in the absence of publicly available racial data and use of exclusionary policies cloaked in race neutral/'diverse' language. With this, I examine how anti-Blackness is manifested through a normalizing white gaze and reinforces racialized expectations of work.
- 2) Situate Canadian prisons and Canadian prison labour within larger discussions of colonial violence, mass incarceration, and carceral punishment.
- 3) Examine trends of incarceration and carceral punishment in Canada alongside the demand and use of prison labour in Canada.
- 4) Examine the use of CORCAN and government-run/approved work programs by situating my analysis within a larger discussion of rehabilitation and punishment.
- 5) Contribute to the much needed and under-researched area of prison labour in Canada.

- 6) Demonstrate how prison labour practices in Canada are rooted in ideas of race, racialized expectations of work, and whiteness.
- 7) Demonstrate how a study of anti-Black colonial violence and Canadian prison labour practices must necessarily be situated within the work of Frantz Fanon.

How I Did This Thang

When working through my revisions, I found myself struggling to write this section of my dissertation. Now as I work through my last round of edits, I find myself returning to it. The question of 'how I did this thang' has become increasingly important to me in the last month of my writing, and the answer to that question, which perhaps most importantly informs my work is: support and encouragement. While this may not be 'appropriate' or 'typical' to include in a dissertation, this project reflects (and is) me, and so including this is integral to my work. After having someone review what I thought was a final draft of this dissertation, I found out that it required more revisions, and although I was not thrilled with this news, I was okay with it. What upset me the most, and what I spent the following ten days crying about, is that I was told my project was 'fine'. It was not said to me with any ill-intent or malice, and to be very honest, is just how that person talks; this comment also came from a dear friend, and so there was truly no reason to be bothered by it. But as I wrap up this last round of edits, I have been asking myself why I got so upset about the use of a word that I have always been indifferent to.

Within these past few weeks, I have realized that it is because I have been told so many times by my fellow grad students and professors alike that that I am incapable, that I am stupid and ghetto, that I 'must've fxcked someone', or been asked 'whose dxck I had to suck' to get into graduate school. I have been compared to other people who 'are so much smarter than

me' and been told that I should drop out because my work has no merit too many times to count. So, when I heard the word 'fine' used to describe my work, I could not help but assume it was another way of telling me that I am unfit for, or (that my very existence is) incompatible with academia.

When I heard this word, my immediate reaction was self-doubt and fear. I was afraid that it meant my work had no value, and that my committee members may no longer want to work with me (despite all three of them always being so incredible, and never being anything but supportive) because the quality [of what I had interpreted as being 'bad' work] would reflect poorly on them. I thought about this because I had previously been told by a professor who I was planning on (but did not end up) working with that 'I better not embarrass' them with my work, and others who have told me that a project like mine 'is hard to support' because my writing 'needs a lot of work', and that I am not well read enough to work with them or be in grad school at all. In fact, this entire project took so long to develop because I was too afraid to share my idea with my supervisor¹; years ago I had proposed using the theoretical framework that underpins this dissertation for a term paper with another professor who told me that 'I obviously don't understand Fanon' along with a lot of negative feedback and overly harsh criticism about my place in the academy.

With all of this in mind, my answer to the question 'why did I get so upset' is simple: like the colonized subject that Fanon writes about, I am also trapped in the white imagination. No matter how many times someone says that I do belong or that my work has merit, or tells me

¹ His response to my idea for this dissertation remains such an important moment in the development of this project. Put simply, it is an example of what happens when you support and encourage people.

my work is 'fine', I cannot help but think it is untrue, because I have internalized so much self doubt, shame, and fear, and have developed what Fanon calls an 'affective etherism'² (Fanon, 2008, p. 41). I have spent so much time wanting to overcome my Pakistaniness and my Blackness (to become 'more academic'), because I know that I am trying to penetrate a world that does not want me in it and is seemingly actively working to keep me out. I know that every time I open my mouth, or write a word on this page, someone is looking for a reason to lock me out of a world they do not think I belong to. But through this process I have found peace in who I am, and what I have to offer the academy. The conclusion that I have come to is that I offer some dope ass theorizing that is informed by the world as I experience it, with all the imperfections in the way that I speak and write and am (as an academic and person).

Therefore, at the core of 'how I did this thang' and my project more broadly is: I leaned on my loved ones, my committee, and Fanon to remind myself that by internalizing everything that I have been told (most of which were situated in larger conversations underpinned by implicitly or explicitly racist comments and/or ideas), my supposed inferiority is something that I am actively reproducing; in this way I am re-legitimizing the culturally imposed ideas about me through my actions, which in turn reproduces this process of collective catharsis. It is for this reason, and my effort to work towards what Fanon would refer to as freedom, that I have done this dissertation in the way that I did. I am not 'the Brown/Black scholar' but rather I am THE scholar that did this thang. I am the scholar that gave this project a really cool ass title and equally amazing chapter titles because mi nah waan no stush vibes and I do not need 'fancy' or

² Even if I had been told 'this is the best dissertation in the history of the world', I would have likely been bothered by it, or at the very least ended up overthinking it until it bothered me.

'proper' titles to make my work 'better'. I also started each chapter with quotes that were integral to me in shaping and writing those chapters, and that also speak to the ideas captured within each respective section. This is also why there are moments of 'unacademic' writing in this dissertation, because the use of certain words here and there (or in the entirety of my project) does not take away from all the hard work I have put into this, nor does it change what I think is a valuable contribution to the studies of critical theory and prison labour respectively. So yeah, overall, I would say I wrote this chapter with the support and encouragement of people and a committee that encouraged me to do this project in a way that was authentic to who I am and says what I want to say in the way that I want to say it. The last thing I would like to mention before moving on to the rest of this section is: to be honest, now that I have written this current version of my dissertation, I realize that my previous draft was in fact just 'fine', but the difference is that I am now very content with that. But also, I am grateful for the opportunity to have developed it further into something that I now think is great.

My Approach

Alongside all the support and encouragement that was used to write this dissertation, I also 'did this thang' by taking an interdisciplinary and intersectional^{3 4} theoretical approach to examine how prison labour practices in Canada must necessarily be understood as a form of anti-Black colonial violence. By analyzing various theoretical and seminal texts, I explore how

³ I think about this alongside Himani Bannerji's (2005) critique of intersectionality wherein she argues that one's existence in an environment is not 'divisible separately and serially' (p. 145).

⁴ While an understanding of gender is important to the study of prison labour in Canada, I will be focusing [primarily] on the experience of Black men who work while incarcerated. Given the very limited research on Black women in Canadian prisons, and the absence of research on their experiences of working while incarcerated, exploring the gendered differences of prison labour is beyond the scope of this project. However, this is a point I will return to in my concluding chapter, where I will offer a short literature review and some brief remarks.

different manifestations of anti-Black colonial violence have been used to [doubly] dehumanize the colonial subject through various rearticulations and practices of state sanctioned terror and subjugation. With this, I examine how anti-Black violence has historically been enacted through various forms of harm (including physical, psychological, and economic violence), and trace the different tactics that have been used to historically target and exclude colonized peoples by mapping them onto contemporary forms of systemic violence and discrimination. This includes exploring how anti-Blackness is reproduced through language, respectability politics, and neglect (such as failing to address issues of racism in both legislative and material ways) and understanding how over time this has shifted from what is often termed 'overt' racism, to discrimination that is now often cloaked in race-neutral language and imagery (or 'mild' racism), and multicultural policies that emphasize diversity.

The theoretical grounding that underpins my project is important to my dissertation and study of prison labour in Canada more broadly because there is already work being done on Canadian prisons from independent researchers, and organizations like The John Howard Society, Evolve Our Prison Farms, and others that require [further] analysis. Moreover, on a theoretical level, there is little work that analyzes the role of race and the process of racialization in Canadian prisons, and an absence of work that examines Canadian prison labour, particularly in the context of race and colonial violence. Since there is such limited information on Canadian prisons, particularly prison labour, it is my hope that my work will help fill a gap in Canadian prison labour studies, while helping to build a theoretical foundation for future work of what will hopefully be a growing field.

Throughout this project, I draw from these various theoretical and historical texts and read them alongside various government and non-profit reports, as well as publicly available first-hand accounts of current and/or former prisoners (and their families) to explore how anti-Blackness is maintained within the Canadian penal system. I use articles and resources written and produced by those in academia and by others who are currently or have previously been incarcerated (these groups are not necessarily mutually exclusive); these resources include articles, documentaries, podcasts, as well as art, poetry, and other mediums. Some of the producers of this work include San Quentin News, The Penal Press- A History of Prison from Within, Truthout.org as well as Angela Davis (2003), Mumia Abu-Jamal (2017), George Jackson (1994), and others. Additionally, I have pen pals across Canadian and U.S. prisons with whom I can discuss some of these topics; while I have not used their personal anecdotes or stories in my work, they have referred me to public articles, prison journals and resources that help build my analysis alongside my own observations and interactions. Too often do academics and researchers write about populations without allowing space for their stories; in this dissertation I want to ensure that my work does not do that by centralizing their voices and experiences throughout my project.

I will also be examining public comments left on YouTube videos about prison conditions and the use of incarcerated labour. This is useful for my work because it allows me to analyze the underlying meanings of the words left by the public to uncover assumptions that are hidden in written text (or oral speech), by exploring relationships between texts, and wider social and cultural structures and processes (Mogashoa, 2014). By this I mean, in the absence of overtly racist comments left by some, examining the racist underpinnings and implicitly racist themes

throughout the comments helps to determine how multiculturalism helps guise racist language. Furthermore, it helps one better understand how racism functions in a societal context where structural racism is largely concealed. Lastly, accessibility is very important to my work. As such I have written my dissertation in a way that is both academically rigorous but free of academic and theoretical jargon; put simply I want the people that I am writing about to be able to read and engage with my work^{5 6}.

Challenges Associated with Prison Research

For anyone interested in researching prisons (particularly for those outside of prisons), there are always a unique set of challenges associated with the nature of this work. In the United States, while there are often challenges in getting accurate government data on state and federal-run prisons, there are several prison advocacy groups that do independent studies and data collection in prisons. However, in Canada, while there are independent nonprofit groups and researchers also doing this work, there are challenges in getting access to prisons⁷ and government acknowledgement of unlawful practices (like the continued use of solitary confinement), let alone data.⁸ Not only is there difficulty in accessing prisons (as a researcher, volunteer, or even visitor), but getting clearance from prisons to release any data/information obtained is very difficult, as they often monitor the questions that researchers pose and the

⁵ I also acknowledge the role of language in the title of my dissertation and chapter titles; I wanted them to be reflective of the way that I talk, and as someone that has grown up in and around the Toronto area, I recognize the role of Jamaican diction/ Patois and culture on the way people in Toronto speak.

⁶ This often occurs by dense/ jargon-filled writing in academia that reproduces exclusion based on ideas of what 'good writing and research' entails and is a practice I argue is elitist (and racist and classist) in nature.

⁷ To volunteer at a men's maximum detention centre in Toronto I was required to sign forms stating that I 'do not know anyone who has ever been in contact with the law'.

⁸ There is also little-to-no demographic data on incarcerated populations.

data that they collect. It is with these things in mind, that I now begin my project in the following section.

Sooooooooo (I Guess I'll Get Started Now)

Beyond prison walls, Black and Indigenous people in Canada are subjected to heightened surveillance (Macdonald, 2016), violent police interactions (Macdonald, 2016), fines (Ho, 2020), and other practices that reinforce the perception that they are an increased threat to the public. These practices alongside the overrepresentation of Black and Indigenous peoples in Canadian prisons reinforces the notion that they are in fact a threat to public safety, while statistics about prison demographics may be interpreted as empirical or quantifiable *proof* that they are more dangerous than most [read: real] Canadians. Here then, the prison functions as a space to not only physically isolate Black and Indigenous people from society, but to 'save' or 'redeem' them into 'law-abiding citizens'.

This idea is reflected on Correctional Service Canada's website, wherein they maintain that 'CSC's goal is to assist inmates to become law-abiding citizens' (Correctional Service Canada, 2024; Government of Canada 2014a, 2014b). Similarly, CORCAN's website features their 'success stories' to highlight 'how the CORCAN employment program has helped offenders and the community' and how the CORCAN program helps with rehabilitation. Missing from these websites are the various abuses and forms of dehumanization that prisoners are subjected to, alongside public sentiment expressing that Canadian prisons are 'too soft' and that prisoners are treated too well (Roberts, 2005). Additionally, the lack of public interest in prison reform and prisoners' rights suggests that incarcerated people are getting 'what they

deserve'. In this way, the prison acts a physical barrier that separates the 'superior law-abiding citizen' from the 'inferior criminal' - the former who are deserving of freedom, protections, and humanity, and the latter who are not. For Indigenous prisoners in particular, the prison serves a space (or the *only* land) that they are perceived as deserving and 'entitled' to live on. Therefore, within Canada, the prison functions as a site that undesirable populations are disappeared into, with prison labour practices employed by the government to supposedly rehabilitate the inferior 'criminal' until they are deemed deserving of being perceived and treated like other Canadians (read: humans). These ideas of inferiority and redemption help shape my central argument in this dissertation, which is that: prison labour is a form of colonial violence used to maintain superior and inferior colonial identities.

While prison labour is an area of research that engages with many disciplines and has been examined extensively using a Marxist lens⁹, I depart from this traditional approach as the focus in this project is to examine how prison labour as a form of colonial violence leads to the superexploitation and dehumanization of Black and racialized workers by reinforcing their supposed inferior colonial identities. In the United States context where anti-Blackness is less conspicuous, centralizing the work of scholars such as Angela Davis and Karl Marx is better suited for exploring less nuanced forms of state-inflicted violence. By this I mean, racialized violence is often quantified or measured through physical forms of violence and/ or death (of which there are more frequent and well-known cases in the U.S.). However, in examining the Canadian context, a different approach is required.

⁹ While at times I engage with Marxist concepts throughout this dissertation, that is not the focus of this project.

To make my central argument, I turn to Frantz Fanon's work on cultural imposition and collective catharsis to contextualize my understanding of colonial violence and the reproduction of superior and inferior colonial subjects. In departing from traditional prison labour theorists, I draw particularly from Fanon's work as he examines the development and maintenance of colonial identities, which in turn justifies the various forms of violence inflicted on the colonized subject. Through Fanon's engagement with what I refer to as a double process of dehumanization, his work on atmospheric violence (or what I understand as 'assimilatory violence' alongside more 'overt' forms of anti-Blackness) offers an important way to examine how various forms of colonial violence within Canadian prisons (and Canada more broadly) must be read through a normalizing white gaze. Moreover, through Fanon's work on cultural imposition and collective catharsis, examining how racism is concealed and re-legitimized through our everyday actions informs our understanding of racist 'microaggressions', since Fanon would understand racism as a form of perpetual aggression(s) that impacts the invisible and hypervisible colonized subject. Importantly, while Fanon does not use the language of 'invisibility' or 'hypervisibility', I read these ideas through the work of Gamal Abdel-Shehid (2005), who argues that the overdetermined Black colonial subject is rendered hypervisible.

Beyond the work of Fanon, I engage with other scholars who focus on the experience of [Black/colonized] diasporic people; given that many Black people in Canada have cultural and familial ties to countries outside of Canada (and their identities are at least in part shaped by those countries), drawing on the work of these scholars speaks to the unique context of Black identity formation in Canada, and the tension between their 'Canadian' and cultural identity(ies) alongside multicultural practices. Therefore, in the following section, I center the

work of Fanon (1952; 1964; 2004; 2008), while also engaging with Aime Césaire (2001a), Edward Said (1979), and Albert Memmi (1974), to explore how the inferior and superior colonial subject(s) are constructed in various ways. As I move through this dissertation, I root this conceptualization of colonial identity formation within each chapter to examine the ‘inferior prison labourer’.

Studies of Colonial Violence

The Construction of Colonial Identities

My conceptualization of colonialism and colonial violence in this project draws from and builds on the work of Frantz Fanon and his mentor, Aimé Césaire. In *Discourse on Colonialism* (2001a), Césaire explores how Western European governments have systematically conquered other parts of the world through the murder and enslavement of native peoples. From his home in Martinique, Césaire calls out the hypocrisy of The United States and Western Europe for stopping the genocide of Nazi Germany but leaving their own practices of indiscriminately slaughtering colonized peoples unchecked (Césaire, 2001a). Césaire also argues that there is nothing honourable about forcibly converting people to Christianity or stealing cultural artifacts and locking them in museums in Europe. Although Europeans believe that they have helped saved other parts of the world by ‘civilizing them’ through colonization, this is in fact untrue and rather used to justify their brutal actions. As Césaire points out, the world was rich in cultures and livelihoods that were destroyed in the process of ‘saving’ and ‘civilizing’ various colonies (Césaire, 2001a).

In his work, Césaire also states that Europe’s quest to colonize the world was not only detrimental to those colonies but also for the moral culture of Europe itself, insofar as the

ruling class had to invent lies like 'civilization' to justify their genocidal policies; in doing so, they corrupted themselves morally and were blind to the humanity of colonized peoples. Césaire maintains that the Holocaust then, is not an exception to European history, but rather the culmination of it, as many European governments and ruling class elites have supported the very white supremacist beliefs that motivated Hitler's policies (Césaire, 2001a).

Therefore, Césaire maintains that the colonial encounter, which is a deliberate destruction of the past, can be referred to as a process of 'thingification', which is the process of turning humans into inhuman objects. This concept of thingification refers to the colonizer who justifies the exploitation and abuses of the colonized subject by transforming him into an animal and refusing to acknowledge his humanity (Césaire, 2001a). The colonizer takes on many forms including the gangster, military guard, or Hitler-esque figure, but must also be understood as the everyday, 'respectable bourgeois' with strong 'Christian values' (Césaire, 2001a, p. 47). Césaire also maintains that no one colonizes innocently, and that any nation, or individual that engages in colonial practices is morally reprehensible; there is an inordinate degree of hypocrisy in someone who seeks to 'civilize' the 'barbarian or savage', through the pillaging of their communities, cultures, livelihood, and raping their land and bodies (Césaire, 2001a).

The construction of colonial identities is also demonstrated throughout Fanon's *The Wretched of the Earth (Les damnés de la terre)*, wherein Fanon (2004) maintains that the colonial world is divided into colonizers and the colonized. Because the colonial world is strictly divided between the colonist and colonized, Fanon calls the colonial world a 'Manichaeian world' (this is a world cut into white and black, or good and evil, with no room for complexity)

(Fanon, 2004 p. 2, 6; Said, 1979). Fanon argues that the colonizer ‘fabricates’ the colonized subject, and that this identity is created to affirm his own superiority. Therefore, the colonist portrays the colonized subject as evil, and sometimes goes so far as to depict the colonized person as subhuman or as an animal. The colonized are concentrated into this category of brute evil, which means any difference within that category, such as gender or class, is erased (Fanon, 2004).

Throughout his work, Fanon considers the different ways that the colonizer creates colonized subjects and maintains power over them, through this idea that violence is all encompassing, or ‘atmospheric’ in nature (Fanon, 2008, p. 90). For example, in Western societies, like England and France, the exploited members of a society are oppressed through education, religion, and understandings of morality (Fanon, 2004). The working classes, for instance, are taught that having less power is part of the natural order of society, or what is referred to as the social contract. Tommie Shelby & Charles Mills (2022) argues that white people view the world with the perception that they are superior, which is used as justification for the genocide, enslavement, and colonization that affords them various power and privileges through what they refer to as the racial contract. Therefore, the racial contract has never offered freedom and equality to racialized people. Rather, it has subjugated them through violence and this inferior status imposed on colonized peoples becomes internalized (Shelby & Mills, 2022; Jennings, 2021). In sum, Shelby & Mills (2022) maintain that the colonized subject is effectively removed from the status of citizen, and therefore, human.

The conceptualization of the colonized subject as less than human is one that Fanon explores in his essay ‘The North African Syndrome’. Here, Fanon (1964) challenged the

prejudices of French doctors against Algerians and other North Africans, whose complaints of illness or pain were often dismissed as whining or laziness. Many European psychiatrists had concluded that Africans were destined to be less intelligent and less emotionally stable than Europeans, and this approach tainted their medical practice. Fanon constructs the imagined, stereotypical Arab (who is referred to as ‘another Mohammed’) in the minds of the French doctors, who would have considered themselves more civilized (Fanon, 1964, p. 16). Fanon maintains that the perceived behavior of the North African often ‘causes medical staff to have misgivings as to the reality of one’s illness’ (Fanon, 1964, p.4). The attitude of medical personnel is very often an ‘a priori attitude’ (Fanon, 1964, p.7). In other words, the North African, by the very fact of going to get medical attention from a seemingly neutral institution, [and rather, existing] is read through a pre-existing framework¹⁰ constructed by the European wherein they are inferior, and their experiences are delegitimized and translated into a frame of evil, laziness and/ or whining (Fanon, 1964).

The Internalization of the Colonizer and Colonized

A central component to the construction of colonial subjects is the internalization of these imposed identities. In his work, Memmi (1974) explores the internalization of colonial logic on both the colonized and colonizer, and how one identity necessarily reproduces the other; in my engagement with Memmi’s work I focus on the internalization of superior colonial

¹⁰ In BSWM, Fanon argues that when the Martinican goes to France, a split occurs in the colonized person’s psyche. This split occurs due to the sense of inferiority the colonized person experiences, and as a result this split leaves a [an external] scar on the colonized person’s psyche; as a result, this scar (and their perceived inferiority) becomes internalized (G. Abdel-Shehid, 2021; M. Mitchell, personal communication, 2021). However, I argue that this inferiority is internalized prior to going to Europe due to the presence of the white gaze in colonized societies, such as the colonizer’s language. Fanon argues that within the colony, the Antillean is taught to treat Creole with contempt, and to speak French thereby demonstrating that this inferiority is already present to some degree within Antillean society.

identities by the colonizer. The colonizer, according to Memmi, may refuse or accept their position. The colonizer who refuses begins by asking himself if the 'colonial exists' and maintains that leaving for a colony is a voyage to an easier life, wherein one earns more and spends less, and that returning home would mean cutting one's standard of living in half (Memmi, 1974, p.5). Eventually the colonizer learns that his standard of living is so great because it has been stolen from others, and that he discovers his existence as a colonizer while simultaneously discovering his own privilege (Memmi, 1974, p.5). The colonizer's knowledge about inhabitants of the colony stems from his childhood, particularly through documentaries that showed the 'peculiarities' of the colonized subject. However, the people depicted in those documentaries were always relegated to the colonizer's imagination, books, or theatre; put differently, his 'concern' with them was indirect (Memmi, 1974, p.7). After moving to the colony, the colonizer's relationship with the inhabitants change since they are no longer just a component of the colony but are living in direct relation to him. Moreover, it is this relationship that is profitable and allows for his privilege; if his living standards are high, it is because theirs are low, and the more freely he breathes, the more the colonized chokes (Memmi, 1974, p.8). Not only is it impossible that he is oblivious to the illegitimacy of his status, but rather there is a double illegitimacy as he has 'succeeded not merely in creating a place for himself but also in taking away that of the inhabitant, granting himself astounding privileges to the detriment of those rightfully entitled to them' (Memmi 1974, p. 9).

The colonizer who refuses lives in contradiction, as he benefits from privileges that he denounces, but is viewed as a traitor to those from his home country; if he cannot move past this 'intolerable moralism' he will conflict with his own people and eventually become stranded

in the desert by himself. The colonizer who refuses must adopt the colonized subject(s) and be adopted by them. He gives the colonized his approval and his assistance, but his solidarity stops there- he is not one of them, nor does he wish to be (Memmi, 1974, p. 20-21). The benevolent colonizer can never attain the good, because his choices are not between good and evil but between evil and uneasiness (Memmi, 1974, p. 43). Because of this, the colonizer who refuses is what Memmi calls an 'impossible historical situation' insofar as it does not exist (Memmi, 1974, p. 39).

On the other hand, the colonizer who accepts is 'accepting the reality of being a colonizer means agreeing to be a nonlegitimate privileged person, that is, a usurper....a usurper claims his place and, if need be, will defend it by every means at his disposal' (Memmi, 1974, p. 96). Therefore, by legitimating this role, the identity of the colonizer is constructed. His conscience is rooted in privilege, profit, and usurpation, and the idea of the colonial (a European living in a colony without any privilege) does not exist (Memmi 1974, p. 9). The colonizer realizes these privileges are due to the asymmetrical power relations with the colonized subject, and to maintain this superior status, the colonizer must continue to dehumanize the colonized subject (Memmi, 1974). In doing so, the colonizer pretends to be ignorant of the surrounding poverty and injustice faced by others while focusing on creating a position for himself which requires defending his actions until convincing himself that his actions are right (Memmi, 1974).

Here, the colonizer is in an ambiguous position because if he returns home, his newly found status will be lost, but if he accepts his identity as a colonizer, this newly found power and the status associated with it are preserved. To maintain this domination, the colonizer must

perceive the colonized subject as worthless and savage-like, which is justified through the belief that they are being civilized. The colonizer has what Memmi refers to as the Nero complex: the more the colonialist oppresses the colonized, the more he realizes the atrocity of this chosen role (Memmi, 1974, p.97). With this complex, the colonizer understands that the actions which give him this status and power are actions that he condemns; in turn he will never have true victory because he is stuck with these contradictory feelings. According to Memmi, to obtain true victory, the colonist needs to absolve himself of any guilt and the conditions under which he attained his status. In doing so, he will do anything it takes to legitimate this position such as falsifying history, rewriting laws, and repressing or deleting memories (Memmi, 1974, p. 96). Memmi's work suggests that although colonizers may grapple with feelings of condemnation against their own actions, they do so out of desperation to maintain their status and to avoid being subjugated themselves.

Not only does the colonizer accept their supposed superiority, but the colonial subject accepts their inferiority. The internalization of colonial logic by the colonized is demonstrated in *Notebook of a Return to the Native Land* (2001b), wherein Césaire details his return to his native Martinique after studying abroad in France. Throughout Césaire's work, he maintains that the Black man was colonized not as a man, but as a lesser species, and that this was done using a variety of sophisticated weapons, such as economic exploitation and cultural indoctrination (Césaire, 2001b). Furthermore, Césaire argues that the 'educated Negro' suddenly discovers that he is rejected by a civilization which he has been assimilated into but must live in a way that affirms and never questions the assertions of white people. Césaire observes that the Black man has become an inferior beast not only because the attitude of

others has relegated him to a position of a beast, but because he has accepted being one, and through this has become complacent to poverty and colonialism (Césaire, 2001b). It is this tension of returning home and efforts to assimilate that Black Canadians may wrestle with, and why Césaire's work is useful in this conceptualization.

Language as [Internalized] Violence

Part of what makes this violence and the creation of these identities possible is the use of language; the internalization and reproduction of racist language reinforces inferiority and the [inferior] colonial subject. In *Orientalism* (1979), Edward Said argues that Orientalism has been created through the domination of one culture over the other (the Occident and Orient respectively), which has led to an 'us' versus 'them' dichotomy. Said also maintains that in categorizing people as 'Oriental' and 'Western', 'the Oriental becomes more Oriental and the Westerner more Western (Said, 1979, p. 46); they are effectively categorized as *superior* and *inferior* beings, which in turn is reproduced as scientific truth.

Said maintains until the mid-18th century, Orientalists were biblical scholars. Once the discipline of Orientalism was studied in academic fields, Orientalists began to construct imaginary geographies in dividing the East and West, the result of which has led to imaginative knowledge about different categorizations of people, and the fetishization of those deemed 'exotic' (Said, 1979). Said also maintains that this categorization of the East has made it more well known amongst those in the West, but this knowledge is not grounded in fact. Moreover, even though many societies falsely portray regions or communities, given the power that Europe has over other countries, these stereotypical depictions of the Orient were particularly harmful (Said, 1979). These stereotypical depictions have been central in the West's

domination over the East and have occurred in different ways, such as through language. One text for example that detailed Napoleon's voyage to Egypt was framed as an effort to save a nation that had fallen to barbarism; thus, any positive conceptualizations of the Orient were framed as the result of European efforts to 'save' them, and therefore reinforce the Oriental myth. Said also describes what he refers to as a 'textual attitude' which refers to a preference for textual information over oral or experiential information. He also claims texts provide a sense of knowledge about something unknown, and this sense of knowledge reinforces the idea that textual information is accurate (Said, 1979).

Moreover, Said (1979) argues that language is used to describe the colonized person as 'gullible, cunning, unkind to animals, liars, lethargic and suspicious, and in everything oppose the clarity, directness and nobility of the Anglo-Saxon race' (p. 39). The Orient is negatively portrayed within the classroom, the criminal court, and the prison, which is used to justify their surveillance and treatment (Said, 1979, p.41). Said describes the colonized person or the 'Orient' as an integral part of European *material* civilization and culture that is reinforced through different institutions, imagery, and scholarship in contrast to the Occident, or the West. Therefore, Said's work demonstrates how the colonizer is depicted as superior and the colonized subject as inferior to legitimize the domination and exploitation of their land, labour, and resources, and how language is central to this process (Said, 1979; Shelby & Mills, 2022).

For Fanon, the internalization of this inferiority through language is demonstrated by the colonized subject who enters France in an attempt to change his diction to prove himself to his *fellow* Parisians. The colonized subject is overwhelmed by his anxiety of being judged and is constantly on the lookout for the slightest reaction of others; he is constantly listening to

himself speak because he does not trust his own tongue. For the colonized subject, Fanon maintains that France is considered the epicentre of value and knowledge and built from the minds of great theorists and philosophers, doctors, and other well-educated people (Fanon, 2008). The Black man who has lived in and been educated in France returns home 'radically transformed' (Césaire, 2001; Fanon, 2008, p. 3); he gives the impression of having added a sophistication or sense of civility that was previously missing. After the returnee sets foot on the island, he only answers in French and often claims to no longer understand Creole. For Memmi (1974), in the colonial context, bilingualism is necessary for all communication and progress, as all industries are in the colonial language. However, 'colonial bilingualism' cannot be compared to any other linguistic dualism, as having two languages is not a matter of having two skills, but rather a matter of inclusion and participation in two worlds that conflict with one another. If the colonized subject wants a chance at success, he must conform to the colonizer's language (Memmi, 1974, p. 107). Memmi's concept of colonial bilingualism is demonstrated in Fanon's work through the colonized subject who returns home from France. Not only does the colonized subject return with an inability to understand Creole, but he now belongs to an entirely different [better] culture; he assumes a critical attitude toward his fellow islanders and in turn perceives them as inferior. He reacts differently at the slightest excuse; he believes himself to be a superior being who knows everything and proves himself through his language which is integral to knowledge production and dissemination (Fanon, 2008).

Colonial Violence and Agency

Despite all these forms of violence inflicted upon the Antillean, Fanon argues that the Manichean mindset of the colonist gets reversed, wherein the colonized depict Europeans as

completely evil. Fanon also argues that Europeans, who use force and violence to control the colonized, now experience force and violence from the colonized subject; the change in these dynamics threatens their power. Fanon maintains that once the colonized in one village use violence against the colonists, this will lead to more violence and/ or revolts which in turn unites people across different regions and cultures. Moreover, these revolts have a 'cleansing force', which purges individuals of their inferiority complex and their previous subjugation. These previously oppressed peoples unify to create a newly liberated identity and fight for freedom to get their land back under their control. Importantly, Fanon argues that this violence can take many forms, and while it may include physical violence, it may also, and rather should include other forms of violence (read: resistance) such as education and technology (this is a point I raise here but do not examine in my work) (Fanon, 2008; Cherki, 2006).

Colonial Violence: A Conclusion

Overall, then, my conceptualization of colonial violence is grounded in the understanding that colonial violence leads to the production and maintenance of superior and inferior colonial identities through various forms of dehumanization. Through the production of these colonial identities, the production and dissemination of Eurocentric knowledge that shapes discourses on Black and other racialized peoples is used to justify their subjugation and exploitation of their bodies, labour and land/resources. In my dissertation, I use this to examine Canadian prison labour regimes as I understand prison labour to be a form of colonial violence that doubly dehumanizes the colonial subject. Alongside the various forms of violence that

have been outlined, I similarly understand prison labour in Canada as a mechanism of power that reproduces superior and inferior colonial identities.

Colonial Violence in Canadian Prisons

Like the colonized subject, the [Black] prisoner is perceived through a pre-existing framework, which is what Fanon terms a cultural imposition (these are the ideas within society that lead to pent up tensions or aggressions). These ideas about the colonized Black subject and the dehumanization they endure (and the belief that they are best suited for dangerous and devalued work) are reproduced and justified due to these culturally imposed ideas about their racial inferiority (and can therefore also be understood as a cathartic response¹¹). The identity of the inferior incarcerated worker is also reinforced through the perception of the innately evil and criminal Black prisoner, whose complaints about prison labour conditions and the exploitation they endure are attributed to their perceived laziness (such as ‘the Mohammed’ in ‘The North African Syndrome’); their complaints about the work they do may also be met with punishment from guards. The prisoner’s inferior status is [re]produced through the power¹² afforded to guards, whose superiority is [re]produced through their ability to subjugate prisoners with impunity; like the colonizer with the Nero complex, corrections officers must justify their actions to maintain their position/ job, which includes not speaking out against other correctional officer’s actions, and framing their actions within context of ‘public safety’ (Clark, 2017, Personal Communication, 2021; 2022; 2023). Lastly, like the colonized subject, the prisoner must also try to add a sense of civility to return to society and be accepted by their

¹¹ In chapter two, I offer a more detailed definition and examination of these Fanonian concepts.

¹² See Kolia (2017).

community(ies). These problems are heightened for Black prisoners who are more likely to be perceived as a threat, and as a result more likely to face heightened surveillance and discrimination, arbitrary punishment, and the systematic exclusion from accessing better jobs while incarcerated. Overall, while my dissertation focuses on how anti-Blackness is manifested through prison labour as a form of colonial violence, the settler colonial context and questions of Indigeneity necessarily shapes this work and raises important insights I consider throughout my project. While the central feature of ongoing settler colonialism is access to land, I [primarily] consider the creation and maintenance of racial categories as an essential tool in the colonialization of racialized populations and the ongoing settler-colonialism of Indigenous peoples within Canada.

Colonial Violence & Ongoing Settler Colonialism

Situating Race in the Settler Colonial Context

Within Canada, settler colonialism is often framed as an ‘event’ of first contact between Europeans and Indigenous peoples. According to Glen Coulthard, colonialism is,

A relationship where power—in this case, interrelated discursive and non facets of economic, gendered, racial, and state power—has been structured into a relatively secure or sedimented set or hierarchal social relations that continue to facilitate the *dispossession* of Indigenous peoples of our lands and self-determining authority. In this respect, Canada is no different than any other settler-colonial power: in the Canadian context, colonial domination continues to be structurally oriented around the state’s longstanding commitment to maintain-through force, fraud, and more recently, so-called “negotiations” ongoing access to the land that contradictorily provides the material and spiritual sustenance of Indigenous societies on the one hand, and the foundation of colonial state-formation, settlement and capitalist development on the other ...whatever settlers may say...the primary motive [of settler colonialism] is not race but access to territory. **Territoriality is settler colonialism’s specific, irreducible element** (my emphasis added) (Coulthard, 2013, p. 6-7).

Within the settler colonial context, land theft has been mediated through the *Indian Act* with the creation of the racial category of Indigenous peoples. In doing so, it has been used to justify the removal of Indigenous peoples from their land and onto reserves, or in my dissertation, prisons; this process of creating race (and the existence of racial categories) is one that I centralize within my work.

This relationship between race and land dispossession in the settler colonial context is one that Emma LaRocque details in *When The Other Is Me* (2010). LaRocque maintains that in school, ongoing settler colonialism was historically romanticized as a 'discovery of the New World' that saved the *Indians* (LaRocque, 2010, p. 33); students were required to draw Columbus' ship and memorize a song about him, leaving LaRocque with the impression that Columbus was "'some godlike White hero who had done the universe an inestimable, not to mention irreversible, favour by 'discovering' the 'New World.'" (LaRocque, 2010, p. 33). This point is demonstrated in a class trip LaRocque previously took as a child to the Martyr's Shrine in Midland, Ontario, where students were met by life-sized wax museum figures of kneeling priests praying for mercy from 'evil-eyed savages' who stood over them (LaRocque, 2010, p. 34). LaRocque also states,

Of course, Columbus or the Jesuits were but the beginning of an endless string of White heroes who filled the pages of my comics and my school textbooks...they were all presented as 'great' and their greatness was and still is directly related to the degree to which they othered, killed, dehumanized, or de-Indianized Indians. Hollywood put in motion the glorification of the White man. While Whites could experience a vicarious greatness watching Cowboys beat the Indians (no matter how ferocious and 'cunning'), Native audiences crouched in their seats, grateful for the theatre's darkness. Similarly, in so many of Canada's signal places, Native peoples have had to cringe within themselves (LaRocque, 2010, p.34).

This quote and LaRoque's experience reinforce the notion that Columbus' 'discovery' was not only justified but necessary to save the inferior, savage Native not only from themselves, but from others as well. Here, Columbus' land theft was mediated through the reproduction of an inferior racial category. Like LaRocque who examines the implications of the racism embedded within institutional structure, Patrick Wolfe (2006) and other Indigenous scholars remind us that colonialism within settler colonies such as Canada is an ongoing structure, rather than an event (Glenn, 2015). Moreover, this ongoing structure is one rooted in the relationship between power and the dispossession of Indigenous peoples from their land and self-determining authority, which has been witnessed in many ways across Canada such as through the attack on Mi'kmaq fishers in Nova Scotia and efforts to build the Mackenzie Valley pipeline despite the project being rejected by several Indigenous communities (Coulthard, 2014; Jones, 2020).

In Canada, Indigenous peoples have been subjected to various types of ongoing colonial control (or elimination)¹³ through different forms of hyper-surveillance, regulation, and criminalization enacted through tactics such as the *Indian Act* and residential schools (Cooper, 2022; Coulthard, 2014). In Canada, the *Indian Act* has controlled every aspect of 'Indian' life for over a century. The *Indian Act* is a 'discourse of classification, regulation and control' that has

¹³ Wolfe's concept of elimination can be understood through his discussion on the use of the word 'genocide'. Wolfe argues that abstract concepts such as 'cultural genocide' or 'Indigenocide' confuses definitions with degrees of destruction (Cooper, 2022; Palmater, 2014; Wolfe, 2006, p.398). However, Wolfe maintains that the word 'genocide' is perceived as being biological and therefore 'the real thing' (Wolfe, 2006, p.398). Put differently, genocide may be perceived as an attack on one's very being (and a direct threat to their existence) whereas cultural genocide and Indigenocide suggest an attack on one's culture or identity without posing a threat to their life (these terms downplay the impact on colonized Indigenous populations). With respect to Indigenous peoples in Canada, there is a tendency to refer to atrocities against them as 'cultural genocide', and therefore maintain that they lost their culture rather than life itself (and in doing so ignore the fact that by losing their culture, this was considered a form of death since it was so closely tied to their identity and way of life) (Wolfe, 2006, p.397).

shaped Native identity and ways of life to the extent that it appears to be 'natural' (Lawrence, 2003, p. 4). Brenna Bhandar (2016) argues that Indian Status and the reserve system were implemented to regulate the lives of First Nations people in Canada. Both the creation of the 'Indian' body itself, and the creation of the reserve as a geographical site function as spaces of domination; these spaces mark the conflation of identity and property whereby the perpetuation of colonial rule and the dispossession of First Nations women (and men) continues (Bhandar, 2016). The 1869 *Indian Act* defined an 'Indian' to determine what persons are entitled to hold, use, or enjoy lands and other property; this Act reflected the colonial policy of assimilation (Bhandar, 2016). The concept of status in the *Indian Act* is derived from Victorian cultural assumptions whereby property ownership was characteristic of civilized societies, and therefore those marked as 'Indians' were perceived as uncivilized and unable to own property; however, 'Indians' were seen as being so uncivilized that they were not even viewed as people but rather as subhumans, and therefore noncitizens¹⁴.

¹⁴ The 1869 *Indian Act* was both racialized and gendered in nature. The Act created the juridical category of the Indian, but also drew on Victorian ideals of womanhood. Native women were categorized as either a child or the wife of a man. Furthermore, the gendered nature of racial difference is revealed through the involuntary loss of status imposed on women and children if a man was enfranchised, or if a status woman married a non-status man (Bhandar, 2016). This Victorian ideal of womanhood was seen as proof of civilization, whereby European women had been 'liberated' of their burden of hard public labour and could now reserve their labour for a 'traditional', feminine role (Sunseri, 2011, p.89). Indigenous women who were judged according to European standards of morality and womanhood, were portrayed as 'squaws,' as 'savages', or as being burdened by the physical demands imposed on them (Hubbard, 2019). In the pursuit to cleanse Indigenous women of their perceived savagery, missionaries attempted to change the assumed gender relations of Indigenous societies so that they paralleled the patriarchal relations of their European counterparts (Sunseri, 2011).

The racial and gendered configuration of Indian status led to the dispossession and disenfranchisement of generations (tens of thousands) of First Nations women (Bhandar, 2016). Indian status was often tied to one's community, one's reservation, kinship, and social networks, along with the benefits and entitlements attached to both the reservation and status itself. Bonita Lawrence has argued that the gendered nature of the *Indian Act* reflects attempts by the colonial state to break the relationships of Indigenous peoples to their land; Lawrence maintains that removing women was the key to privatizing the land (Bhandar, 2016). The privatization of land was

Self-Determination and Labour

A central feature to examining the settler colonial context in Canada is the relationship between land and Indigenous self-determining authority. In *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, Coulthard (2014) maintains that colonialism is described as a form of 'structured dispossession', which is explored through the process of 'primitive accumulation'. According to Marx, primitive accumulation is the transformation of the means of production into capital, and a process to which violence is central. Marx argues that 'conquest, enslavement, robbery, murder, and force play the greatest part' (Marx, 1990, p.874).

Additionally, this transformation can only take place between different kinds of commodity owners where one has appropriated the buying power of another (Marx, 1990, p.874). Here, free workers and forced labourers such as serfs do not form part of the means of production, nor do they own the means of production. As a result, workers must sell their labour to access resources and necessities, which makes wage labour an unnatural process. Therefore, primitive accumulation is the process of divorcing the producer from the means of production, and this

intimately tied to colonial identity formation. Through cultivating the land, settlers became property owners and citizens of the nation state.

According to Abdel-Shehid (2005), the nation is constantly producing insiders and outsiders, both at level of policy and at the level of popular culture. At the level of public policy, Canada's national identity and sense of belonging works due to the policing, disciplining, and regulation of those marked as outsiders or 'non-citizens' (Abdel-Shehid, 2005; Abdel-Shehid & Lamb, 2011). This idea of citizenship raised in my project is one that I read as a status afforded to those deemed civilized peoples. With this, whiteness is a marker of citizenship wherein property ownership and humanity are afforded to those deemed superior. Indigenous and other racialized peoples are perceived as noncitizens who are not only incapable of owning land but are necessarily dehumanized. Bhandar (2016) argues that Indian Status and the reserve system serve as a means of controlling the lives of First Nations people, and that the configuration of identity and property are central to this process.

process occurs on an extending scale¹⁵ (G. Abdel-Shehid, personal communication, 2023; Kolia, 2023; Marx, 1990, p.875).

Given this concept, Coulthard argues that there was a shift from the capital relation to the colonial relation. Indigenous reserves were used to systematically prevent Indigenous peoples from work insofar as they were forcibly stripped of their land and non-capitalist means of production and subsistence and were forced to enter the capitalist labour market for survival (Coulthard, 2014). While there was a surplus value afforded by cheap, Indigenous labour, what is central to Canadian state formation and colonial-capitalist development is land and the dispossession of Indigenous peoples from their land (Coulthard, 2014). With increased European settlement, Indigenous labour became increasingly superfluous to the political and economic development of Canada. Additionally, Coulthard argues that colonial relations of power are no longer reproduced primarily through overtly coercive means, but through the asymmetrical exchange of mediated forms of state recognition and accommodation (Coulthard, 2014).

In Canada, this process of primitive accumulation has been witnessed time and again. In Coulthard's work, this is demonstrated through Indigenous land claims. Using the example of the Mackenzie Valley pipeline, which would have been the largest proposed private sector development project in Canadian history at the time (in 1969), this project was overwhelmingly rejected by the majority of Dene, Inuit, and Metis communities. The Canadian government

¹⁵ Many, including Coulthard (2014) have critiqued Marx's theory of primitive accumulation as being temporal, which I argue is an incorrect reading of Marx's work. The idea of this separation occurring on an 'extending scale', suggests that it is continual.

stated that 'Native groups' would be financially compensated for any infringement on their treaty land rights, and that the Crown should maintain ownership and control over non-renewable resources within the region, but that the Dene should 'play a part in this process' (Coulthard, 2014, p. 73). As a result, a settlement for lost land was reached, and the Aboriginal Pipeline Group (APG) was formed, which represents the interests of most Dene peoples within the Northwest Territories region to ensure that 'the pipeline is done the right way' (Coulthard, 2014, p. 77). In this way, Indigenous labour through the APG helps facilitate pipeline development while simultaneously imposing on Indigenous land and ways of life, thereby forcing them into the cash economy.

Reconciliation and Assimilatory Violence

Rather than these various attempts at erasure being framed as a violent process, they have been cast in the language of 'recognition' and 'cultural rights' within the past four or five decades (Coulthard, 2014). Reconciliation is portrayed as an attempt to address past wrongdoings, thereby suggesting that violence against Indigenous people is an issue of the past. This temporal character of reconciliation is also illustrated in the way that victims and communities are forced to relive traumatizing experiences of the past to get acknowledgment or compensation and are thereby subjected to further violence wherein they must also 'move forward' and forget about the past and ongoing practices of settler colonialism (Coulthard, 2014). On the other hand, Indigenous peoples who do not 'forgive' or 'compromise' are framed as angry and resentful, which delegitimizes their experiences and fails to acknowledge that settler colonialism is an ongoing process. Within the field of recognition and reconciliation, anger and resentment are more likely to be seen as pathologies that need to be overcome;

Coulthard refers to the work of Nietzsche in stating: to have resentment is to be backward, and to deny one's capacity to move on with life (Coulthard, 2014, p. 111). Coulthard also states that 'Of course, individual and collective expressions of anticolonial anger and resentment can be destructive and harmful to relationships; but these emotional forces are rarely, if ever, as destructive and violent as the colonial relationship they critically call into question' (Coulthard, 2014, p.120). Therefore, this portrayal of Indigenous anger and resentment is used to reinforce the inferior identity of the colonized subject.

Overall, this settler colonial context is important to an understanding of colonial violence in Canada in demonstrating how the Canadian government has used various attempts to subjugate Indigenous peoples. In my work, this settler colonial context is important because it helps demonstrate how practices such as assimilation and recognition, which are often positively associated with multicultural policies, must necessarily be understood as various manifestations of colonial violence in the absence of oftentimes explicitly racist policies and practices. Furthermore, it demonstrates how the creation and maintenance of colonial identities are bound up in the conflation of identity and property, with an understanding of property ownership as a marker for whiteness. In my work I understand this through the idea that certain identities are conflated with and treated as property of the state using the justification that they are inferior and subhuman. Furthermore, I understand this settler colonial context alongside my centralization of the [re]production of race (and understanding that race is a process) to explore how the creation and maintenance of colonial identities occurs both in an historical context and in a contemporary sense within Canadian prisons. By using this understanding to analyze the various harms faced by incarcerated Black Canadians,

this context will help demonstrate how prison labour in Canada is a form of colonial violence that reproduces colonial identities.

**Chapter Two:
Plenty Fanon all up in this B[ook Chapter] : So Much Theory for Dayzzzz**

If at a certain point in his history, he has been made to ask the question whether he is a man, it's because his reality as a man has been challenged. In other words, I start suffering from not being a white man insofar as the white man discriminates against me; turns me into a colonized subject, robs me of any value or originality....So I will try quite simply to make myself white; in other words, I will force the white man to acknowledge my humanity.

Frantz Fanon, 2008

Introduction

In the previous chapter I conceptualized my understanding of colonial violence through the work of Frantz Fanon alongside other scholars such as Aime Césaire (2001), Albert Memmi (1974), Edward Said (1979), and more. In doing so, I demonstrated how colonial violence involves the creation and maintenance of superior and inferior colonial identities through various forms of dehumanization. I particularly engaged with the work of these scholars as they are useful in examining the construction of the Black colonial subject within the Canadian multicultural context. On the other hand, research on colonial violence in the United States has paid particular attention to how anti-Black violence is manifested due to the ongoing legacy (and acknowledgement) of enslavement and various strategies to oppress African Americans. Scholars such as Michelle Alexander (2012), Douglas Blackmon (2009), Angela Davis (1983), Frederick Douglass (1995), Sarah Haley (2016), Talitha LeFlouria (2016), Alex Litchenstein (1996), and David Oshinsky (1996) have explored various forms of racialized violence with a focus on the relationship between race, racialization, and labour.

In this chapter, I draw on the U.S. context to demonstrate how similarly in Canada, racialized labour is but one manifestation of colonial violence that reproduces the colonial

subject. By labour, I depart from traditional Marxist conceptualizations of labour, and am using this concept to show that labour is not simply about capitalism but also about subject formation in a way, as a form or tool of domination that seeks to discipline and transform racialized people into redeemable moral subjects. Moreover, in this chapter, I draw on Fanon's concepts of cultural imposition and collective catharsis, to demonstrate that the *inferiorization* of Black people in Canada is made possible through doubly dehumanizing the colonized subject. Here, I examine how the colonized person is subjected to various forms of colonial violence through a double process of dehumanization wherein they are perceived as both less than human but also existing in excess, and that this perception of them as both invisible and hypervisible subjects helps maintain their supposed inferior colonial identities.

To start, I will first provide a detailed account of Fanon's work alongside a history of enslavement in the United States and Canada to explore the various ways that Black peoples have been dehumanized and perceived as invisible. Next, I will examine how Blackness has also been framed as hypervisible through various manifestations of criminalizing Black people as hyper dangerous and hypersexual creatures, particularly through the Myth of the Black Rapist. In doing so, I explore how the relationship between race, racialization, and labour has been central to the maintenance of colonial identities through the *thingification* of [primarily] Black peoples. By invoking this U.S. context, it becomes apparent how similar informal policies and practices of anti-Blackness have been used to systematically oppress Black peoples in Canada. After drawing parallels between the U.S. and Canadian context, I conclude this chapter by discussing how this historical context is important and raises questions to examine colonial

violence within a multicultural context alongside contemporary prison labour practices, which will be explored in the following chapters.

Fanon's Concepts of Cultural Imposition and Collective Catharsis

Fanon's book, *Black Skin, White Masks*, originally entitled *Peau noire, masques blancs* (2008), uses a psychopathological approach to examine how colonialism produces and constructs identity, particularly Blackness, to explain the feelings of dependency and inadequacy amongst colonized people. Fanon's work in *Black Skin White Masks* demonstrates how the impossibility of Black people fitting into White masks (or embodying the norms and expectations of a Eurocentric society) leads to various psychopathologies, and how feelings of inferiority lead to a pseudo superiority complex. Fanon rejects traditional psychoanalytic practices as he argues that psychoanalysis fails to account for the social aspect that necessarily shapes one's experiences as a colonized subject. Moreover, Fanon maintains that unlike psychoanalysis which is rooted in the 'traditional' ideas of the family¹⁶ vis-à-vis the Oedipus Complex, Black people do not have a 'normal' family structure, as this was effectively destroyed during enslavement when enslavers assumed a paternal role and infantilized Black men, women, and children alike (Davis, 1983, Fanon, 2008; G. Abdel-Shehid, 2024, Personal Communication; M. Mitchell, Personal Communication, 2024).

In his departure from psychoanalysis, Fanon argues that what has been termed the 'collective unconscious' is understood as being 'quite simply the repository of prejudices, myths, and collective attitudes of a particular group' (Fanon, 2008, p. 165). Put differently,

¹⁶ Moreover, the 'traditional' [read: white] family is synchronous with the nation state (Fanon, 2008; G. Abdel-Shehid, 2024, Personal Communication).

Fanon argues that the collective unconscious is perceived as developing and existing naturally. For example, in Europe, there is no notion of evil that exists independent of race. Fanon maintains that 'if I behave like a man with morals, I am not black. Hence the saying in Martinique that a wicked white man has the soul of a nigger'¹⁷ (Fanon, 2008, p. 169). In other words, Blackness and sin are perceived as being inextricably linked, and the Black man himself 'symbolizes sin' (Fanon, 2008, p.166; G. Abdel-Shehid, 2024, personal communication). Given this logic, not only is it believed that Black people are inherently evil, but it is believed that their racial inferiority is natural as well.

However, as Fanon argues, ideas about racial inferiority and superiority are created through one's social interactions and environments. Fanon argues then, that the collective unconscious is an 'acquired' and therefore 'cultural' phenomenon, and is what he refers to as a 'cultural imposition' (Fanon, 2008, p. 165); put simply the cultural imposition is an idea or problem within society that leads to tensions or aggressions within an individual and/or group (these feelings are likely accompanied by an individualized unconscious that is not Oedipal in nature) (G. Abdel-Shehid, 2024, Personal Communication, 2024). For example, within a European society, the belief that the freedom of Black people interferes with white progress and that they need to be enslaved, would be a cultural imposition.

To release the tension from these repressed emotions (whether it be pent up fear or anger), or to 'fix the problem' society undergoes a process of collective catharsis wherein they actively impose these ideas on the 'other'. For example, a cathartic release of aggression(s) may

¹⁷ The use of this word is important in Fanon's work which is why I have decided to copy it exactly as written in the text, rather than write it as 'nigger'.

be inflicting various forms of dehumanization on the invisible colonial subject such as physiological and psychological torture, and/ or justifying these various abuses. For the hypervisible colonial subject, the process of collective catharsis may take different forms. For example, falsely accusing Black men of rape or creating laws for which only they can be 'duly convicted', or conceptualizing Black men as hyper dangerous and therefore effectively criminalizing and imprisoning them, are all forms of what Fanon would refer to as collective catharsis. In these ways, there is a tension in the desire to remove Black people from society, and this societal tension is released through various efforts to do so. It is important to note that while I am introducing these ideas of cultural imposition and collective catharsis as 'ideas' and 'actions' respectively, there is a lot of overlap between the two, and as a result dehumanizing the Black colonial subject is both a form of cultural imposition and collective catharsis. It is also important to highlight that this process of catharsis is never complete, because the 'problem' that racism presents has been temporarily fixed. By this I mean there will always be another Black man to label as a rapist, or to throw in jail; in this way, this process of catharsis is never complete (G. Abdel-Shehid, 2024, Personal Communication; Fanon, 2008, M. Mitchell, Personal Communication, 2024). According to Fanon, racism is a form of perpetual aggression which continually produces tensions that need to be released (G. Abdel-Shehid, personal communication, 2024; Fanon, 2008).

In the following sections of this chapter, I examine how these processes of cultural imposition and collective catharsis are culminated in efforts to *inferiorize* the Black colonial subject who is treated as both an invisible and hypervisible subject through various forms of racialized violence. This concept of cultural imposition is what enables us to contextualize the

Black man as an inferior, invisible being. This cultural imposition also allows us to contextualize the Black man as a hyper visible, hyper threatening, hypersexual, and hyper criminal being. The culmination (or materialization) of the culturally imposed ideas and cathartic process then, would be the various forms of dehumanization that the colonized person is subjected to, and the various efforts to lynch the Black man (either symbolically or literally).

The Invisible Colonial Subject

In *Black Skin, White Masks* (BSWM) (2008), Frantz Fanon argues that colonized peoples develop an inferiority complex due to the nature of colonial racism, which creates and maintains an environment with a white superiority complex through what he refers to as cultural imposition and collective catharsis¹⁸. According to Fanon, there is also a double process that is economic in nature and is internalized through the 'epidermalization of inferiority' (2008, xiii). Fanon states that the Black man is told 'that we are brute beasts; that we are a walking manure, a hideous forerunner of tender cane and silky cotton, that I have no place in the world', and therefore colonized peoples find themselves in a neurotic situation as they try to rid themselves of their 'Blackness' (Fanon, 2008, p. 78). According to Fanon, colonized peoples try to overcome this feeling of inferiority through a process he terms 'lactification'¹⁹,

¹⁸ Projection is the idea that one projects evil onto the other; based on insecurities one may have about themselves, the individual perceives the other as inferior (or evil or dangerous). Due to this projection, the Black man in the context of Fanon's work is looked down upon by the individual. Collective catharsis refers to how at a societal level, people project these fears and ideas onto the racialized (Black), 'other' (Fanon, 2008 p. 124, 160).

¹⁹ Fanon maintains that this effort to whiten oneself emerges [at least in part] from a sense of rage at being diminished, and that this desire for lactification for Black men includes acceptance from white women, 'By loving me, she proves to me that I am worthy of a white love and I am loved like a white man. Between these white breasts that my wandering hands fondle, white civilization and worthiness become mine' (Fanon, 2008, p. 45).

wherein one strives to whiten themselves and their race through dress, language²⁰, and other Eurocentric understandings of beauty and civility; in this way, the colonized subject re-legitimizes the culturally imposed ideas about their inferiority through efforts to whiten themselves (Fanon, 2008, p, 29). Fanon argues that if one is overcome by this desire to be white, it is because they live in a society that makes this inferiority complex possible; a society that makes this possible is one that draws its strength through the maintenance of racial superiority and inferiority. Additionally, a society maintains this racial hierarchy through various inequalities for those it deems inferior (Fanon, 2008).

Fanon maintains that this relationship to and exclusion from the white world is ongoing and all encompassing, 'The white man is all around me; up above the sky is tearing at its navel the earth crunches under my feet and sings white, white. All this whiteness burns me to a cinder' (Fanon, 2008, p. 94). One of Fanon's central arguments in *BSWM* is that the white gaze traps Black people in the white imagination. This constant anxiety or 'pathological hypersensitivity' that people have about their Blackness which is read through a normalizing white gaze, creates what Fanon refers to as 'affective etherism' due to their 'cultural situation' (Fanon, 2008, p. 41). In response to this anxiety, the Black man acts differently with a white man than he does with another Black man in his speech, dress, and attitude. The feeling of

²⁰ This is something I do quite frequently and struggle with in academia by paying particular attention to the way that I speak and present myself to white faculty members who often read my 'ethnic otherness' as unintelligible and/ or unprofessional. I also think about this in contrast to the Black hires by several universities in the past few years. However, in these spaces I am often met with looks and/ or comments of confusion about my racial identity as my 'Blackness' does not fit into typical understandings of what Blackness looks like and/ or entails. In these instances, then, I need to look 'more Black' but in a way that is also classed in nature; with this then, I need to be mindful of how I wear my hair, and also cannot wear my hoop earrings or any other markers of a 'ghetto Blackness' that would indicate to some that I am unqualified. So here while I have the space to speak however I want... IT'S REL SCHUUUUUUPIDNESSSSSS EHHH??!?!? *kisses teeth*.

inferiority by Black people is particularly evident in the educated Black person who is constantly trying to 'overcome' their Blackness, which manifests in the wearing of European clothes, using European furniture and European forms of social intercourse, as demonstrated by the Black man returning home after living in France (Fanon, 2008). To become a 'true human', not only do colonized peoples strive to 'be and act' whiter, but they also reject their Blackness in various ways, such as through not speaking Creole, or getting annoyed by being mistaken for Senegalese because the Antillean is perceived as being more 'evolve' than the African, meaning that he is closer to the white man (Fanon, 2008, p.9). These various attempts at erasure reveal how colonialism is an ongoing process that is never complete, and that violence is atmospheric, meaning that it is all-encompassing, and it takes many forms (Fanon, 2008, p. 90).

Moreover, this idea of atmospheric violence is underpinned by Fanon's concepts of cultural imposition and collective catharsis; to dehumanize someone in various ways requires ongoing assumptions of racial superiority/ inferiority (due to ongoing built-up tensions). But, consistently dehumanizing someone also requires continuous efforts to reproduce their inferiority (and the need to perpetually release these tensions). Therefore, in the following section, I explore the interplay between these two concepts, by examining enslavement in the U.S. and Canada, and the various forms of dehumanization enslaved peoples were subjected to. Furthermore, I will demonstrate how these various forms of dehumanization reproduced enslaved people as inferior colonial subjects, and thus reinforce the belief that they are invisible.

Chattel Slavery in the United States

Typically, discussions of colonial violence during enslavement are described as being physiological in nature and are largely comprised of physical forms of torture such as whippings, floggings, beatings, and sometimes death. These forms of physical violence were used not only to inflict pain, but reinforced racial hierarchies over enslaved populations and were thereby necessary to maintain control. However, the harms inflicted on enslaved Africans, extended far beyond these physical forms of violence, and as Frantz Fanon argues this violence was enveloping (or atmospheric), and took different forms (Fanon, 2008, p. 90). By drawing on the work of Frederick Douglass (1995), Angela Davis (1983; 2003), Robyn Maynard (2017), Michelle Alexander (2012), Douglas Blackmon (2009), amongst others, I will explore how these various forms of colonial violence are used to reinforce one's perceived superior and inferior colonial identities. Specifically, as it relates to my work, I will examine how these colonial identities are maintained through the relationship between race, racialization, and labour, and is demonstrated throughout the history of African enslavement in the United States and Canada.

To begin, Frederick Douglass (1995) demonstrates that the harms, or violence(s) of enslavement extended beyond solely physical torture and that the violence inflicted on enslaved populations took many forms. These different forms of violence can be understood through the various kinds of dehumanization that enslaved Africans were forced to endure. For example, Frederick Douglass associates witnessing his Aunt Hester being whipped with his mental initiation into the horror of enslavement (Douglass, 1995). Douglass describes the impact of this moment upon his young self and uses this scene to help explain how

enslavement works. Part of the pain for Douglass was not simply watching the whipping but being unable to stop it. He presents enslavement as not only a type of physical control, but also a type of mental control, wherein enslaved people become virtual participants in brutality because they fear for their own safety too much to stop it. Douglass highlights these psychologically damaging effects of enslavement as much as physical effects such as lash wounds (Douglass, 1995). Here, enslaved people are perceived as inferior not only in the way they are treated but in the way they are prevented from stopping the abuse; the seeming impossibility of being able to fight back, and being stripped of any agency in these moments is also a form of dehumanization. Moreover, this moment between Frederick Douglass and his Aunt Hester reproduces a form of 'natal alienation'²¹, wherein the family dynamics between a child and their guardian are obfuscated²²; the enslaver assumes the position of 'disciplinarian' through the infantilization of enslaved peoples, both children and adults alike. Secondly, this interaction reinforces the belief that enslaved peoples have no rights at birth thereby reproducing their supposed invisible nonhuman status.

Douglass carefully documents the psychological violence of enslavement, and the damaging effects of enslavers' inconsistency of punishment. He explains how enslavers often whipped enslaved people when they least deserve it but neglected to whip them when they most 'deserved' it. Douglass offers the example of Colonel Lloyd meeting one of the men he

²¹ See Patterson, 2018.

²² Here, the practice of forcibly restructuring (or destroying) Black families by dictating who they 'belonged' to and where they would live was used to strengthen ties between white families. This in turn maintains the erasure of Black personhood and reproduces Eurocentric understandings of gender and 'traditional' family structures, which are upheld through the subjugation of Black peoples. Here I also signal to the work of Patricia Hill-Collins (2000) on the controlling images of Black women which are premised (in part) on the idea of the 'broken Black family', even though destroying Black families was intentionally done to uphold one's social status and whiteness.

enslaved, unknown to him, in the road (Douglass, 1995). The man speaks ill of his enslaver, Colonel Lloyd, and is punished for it, but not until several weeks later. This delay of punishment makes the act seem separate from the consequence for the enslaved person²³. Moreover, in separating the act from the consequence it suggests that enslaved people are being punished due to their Blackness, or for their very existence, rather than for some presumably trivial act they have 'committed'²⁴. This in turn reinforces their supposed sub-human status wherein they can be punished arbitrarily and without justification. In this way they are both treated as invisible, but their Blackness (and the idea that enslaved Africans need more 'discipline') makes them hypervisible. To survive then, enslaved peoples had to be paranoid and endure the feeling that they would be punished regardless of their actions (Douglass, 1995). Douglass also offers several examples of enslavers who killed enslaved peoples with impunity thereby demonstrating the lack of humanity afforded to enslaved Africans. Here again, the control over enslaved Africans and lack of consistency in administering punishments is used to dehumanize enslaved peoples alongside the physical abuse they endured, thereby reinforcing the idea that they are invisible and nonhumans.

Douglass also recalls this dehumanization when Thomas Auld decides to rent him to Edward Covey for one year, after Auld's horse ran away many times. Covey was a poor man with a reputation for successfully 'taming' and/or 'breaking' problem *slaves*. Although Douglass was aware of Covey's sinister reputation, he also looked forward to being fed sufficiently at

²³ This delay and arbitrariness of punishment is akin to our current legal system (Sexton, 2012).

²⁴ Here I use the term 'committed' but am weary against using this word as it tends to presume guilt, hence the use of my quotations.

Covey's, as Auld did not feed him enough (both in frequency and amount). In this moment, the level of dehumanization enslaved people endured is apparent through Douglass' indifference to severe punishment in hopes of being fed adequately (Douglass, 1995). However, during his first six months with Covey, Douglass becomes deadened by work, exhaustion, and Covey's repeated punishments, and loses his spirit, intellect, his desire to learn, and his natural cheerfulness. This dehumanization that Douglass endures is also witnessed when at age ten or eleven, his enslaver dies, and Douglass is returned to the plantation to be appraised among the other enslaved people and the livestock, 'I was immediately sent for, to be valued with the other property...There were horses and men, cattle and women, pigs and children, all holding the same rank in the scale of being' (Douglass, 1995, p. 64). Not only did enslaved peoples face the humiliation of being inspected alongside livestock like animals themselves, but they also faced the threat of being taken away from their families at any given moment, 'A single word from the white men was enough- against all our wishes, prayers, and entreaties- to sunder forever the dearest friends, dearest kindred, and strongest ties known to human beings' (Douglass, 1995, p. 64).

Therefore, for Douglass, colonial violence is atmospheric insofar as it is all encompassing, but also because his very existence as a *slave* was borne from this dehumanization; moreover, Douglass' work demonstrates how efforts to subjugate *slaves* are reproduced through the culturally imposed ideas about Black inferiority through ongoing forms of cathartic release(s) of white aggression. Douglass' ongoing exclusion from the white world occurs in the way that he was forced to watch a loved one being flogged and was unable to do anything about it, as well as living in a state of paranoia. This also occurred in the way that

Douglass, like other enslaved Africans, were appraised like pieces of property and how these forms of dehumanization enable a certain type of control, and as a result portrays enslaved peoples as inferior, thereby rendering them invisible. Douglass' work, although in the U.S. context is important for examining the Canadian context because it gives a firsthand account of the dehumanization faced by enslaved Africans, particularly with a focus on the forms of violence that are not always physical in nature and as a result may be considered milder by some. These more 'mild' forms of violence may also be interpreted as a consequence of enslavement rather than the intended or deliberate features of a system rooted in racial violence.

Chattel Slavery in Canada

Similarly in Canada, enslavement of African Canadians used various forms of dehumanization to maintain racial inequality in the settler colonies of New France, Ile Royale (now Cape Breton Island) and the Atlantic Provinces. When the first Black enslaved person, Oliver Le Jeune, landed on the shores of what is now Quebec in 1628, Indigenous people called the 'Panis', were already being enslaved by the French; in New France, Indigenous people made up two-thirds of the enslaved population (Maynard, 2017). The settler colonists eagerly embraced the enslavement of Indigenous persons as 'spoils of war' and largely preferred enslaved Indigenous to Black peoples (Maynard, 2017). Under British rule, Indigenous enslavement was also practiced alongside land dispossession and brutal violence. However, discussions of enslavement in Canada tend to write Indigenous peoples out of this history (Maynard, 2017, p.21). The erasure of Indigenous enslavement in Canada in effect makes

Indigenous peoples and their history invisible, thereby reinforcing the idea that [ongoing] colonialism is not a violent process, and that any forms of violence are 'milder' in nature.

In New France, the labour of 4000 Indigenous and Black enslaved people helped build infrastructure and wealth for white settlers during the seventeenth and eighteenth centuries. New France's colonists supported enslavement for many reasons: to recuperate profits from the fur trade, to replicate the wealth they were witnessing in the West Indies, and to obtain free labour for domestic and agricultural work (Maynard, 2017). The holding of enslaved people, which was already practiced for several decades, received official approval on May 1, 1689, from King Louis XIV. Following this, the practice of Black enslavement was expanded under British rule (Maynard, 2017). Although thousands of freed Black people migrated to pre-Confederation Canada after the Revolutionary War, thousands more enslaved Black people arrived in Nova Scotia as the property of white Loyalist enslavers and settlers. The aftermath of the Revolutionary War greatly expanded the practice of enslavement in pre-Confederation Canada and over 1200 enslaved Black people were brought across the border by their white Loyalist enslavers (Maynard, 2017).

Historians have maintained that Canada never took the form of the large-scale plantations found in the American South, the Caribbean, or South America (Cooper, 2006; Maynard, 2017). Additionally, they maintain that the number of enslaved people in Canada was always lower, and the economy was less reliant on enslaved labour than other parts of the Americas and Caribbean. The practices of enslavement varied depending on circumstances such as economic factors, national custom, geographical climates (such as Canada's climate and short growing season being unsuitable for plantations), available resources, and original

inhabitants (Maynard, 2017). Canadian enslavement itself varied over time and space as pre-Confederate Canada was made up of colonies in changing formations under British and French rule, each of which entailed a different practice of slavery (Maynard, 2017).

In Canada, enslaved Africans were largely forced to perform domestic and agricultural work. Despite the belief by some that domestic enslavement was mild compared to plantation economies, domestic enslavement had its own forms of brutality including always being on call, performing gruelling labour, and separation from one's family and children. The comparably small number of enslavers in pre-Confederation Canada resulted in isolation from a larger community of enslaved peoples. Additionally, the smaller size of the enslaved population meant a level of white surveillance that was likely more extreme than in plantation societies. This visibility and constant scrutiny of domestic and agricultural work made it far more difficult for the enslaved to successfully escape (Maynard, 2017). Part of the dehumanization here is that the institution of slavery is so cruel to the extent that enslaved people are expected to be appreciative or thankful for living under less cruel conditions and/ or a 'master' that is comparatively kinder than someone more sinister; in other words, part of the dehumanization here is that enslaved people had to be hopeful they would end up with the 'best of the worst'.

These facts have led some historians and other people to argue that this meant that enslavement in Canada was relatively benign and/ or a 'safe haven' for Black people (Maynard, 2017). There is a tendency to downplay or entirely dismiss the history of enslavement in Canada which is in part due to the belief (by 'experts') that smaller holdings and different forms of coerced labour suggest that enslaved Black people in Canada were subjected to less violence than their counterparts in the U.S. Additionally, the way Canadians are typically taught about

enslavement (if at all) is that it was relatively benign or better in Canada than it was in the United States which dehumanizes those who were enslaved within Canada by delegitimizing their experiences. In a contemporary sense, this also dismisses claims of anti-Black racism in Canada and reframes them as issues of personal responsibility and/ or disappears them into public apologies and recognition devoid of any meaningful and material impact or confrontation of the whiteness entrenched in Canadian history and multicultural policies²⁵. However, as Fanon (1967) maintains, any institution rooted in racism cannot be anything but dehumanizing. Therefore, despite the smaller sizes of enslaved populations and different forms of forced labour, enslavement in Canada was still built on and maintained through racialized violence.

Although enslavement was not as widespread as it was in the United States, it was considered normal within a settler colonial society, and was practiced by various members of society including government officials, business owners, doctors, butchers, and in hospitals (Maynard, 2017). White settlers of pre-Confederate Canada both participated in and profited from the global Atlantic slave trade. The settlements of Quebec City, Montreal, and Halifax were transatlantic network ports that frequently received ships containing enslaved Black men and women arriving from the Caribbean. White settlers in these colonies had strong financial ties to the trade of commodities produced by enslaved people, including sugar, rum, and molasses. Therefore, unpaid and forced Black labour was essential for the economic growth of various parts of Canada, specifically in Ontario, Quebec, and the Atlantic provinces (Maynard,

²⁵ For example, in response to Canadian protests over the murder of George Floyd, Justin Trudeau maintained that 'we all have a role' in confronting racism (Connolly, 2020). The use of the word 'we' here washes out the whiteness that underpins the very structures Trudeau is failing to call out.

2017). Moreover, enslaved Africans were a source of wealth that were often passed down from parent to child(ren) in wills, while the subjection of Black peoples was a status symbol. Here, the conflation of identity and property is demonstrated in the way that Black people are not only unable to own property but are rather viewed as *property* themselves. Furthermore, whiteness is read as a marker of property ownership to the extent that it allows white people to *own* other people, and the ability to do so was directly linked to one's social status.

This entitlement to and control over Black people's bodies is demonstrated in the case of Marie- Joseph Angélique, an enslaved woman in Montreal who was subjected to various forms of abuse and dehumanization at the hands of her enslaver (Cooper, 2006). Angélique was suspected of starting a fire that burnt down a significant part of Montreal in the early sixteenth century, and while denying any involvement in the fire, Angélique later confessed under duress from being tortured. During this time, punishments were public in nature, and prisons were meant to 'put terror into the hearts of evildoers' (Cooper, 2006, p. 215). Cells were cramped, damp, dark, and dirty, but were only meant to hold people awaiting their punishments; anyone sentenced to a long-term punishment spent their sentence in the king's galley as a royal slave (Cooper, 2006). After confessing to the fires, Angélique was sentenced to death by being burnt alive, with the added punishment of having her hand cut off (Cooper, 2006). In Catholicism, being burnt alive meant that one's soul could not be redeemed because the individual was condemned perpetually to hell; therefore, being burnt alive was the ultimate punishment. In life, Angélique had been dehumanized through her enslaved status and resultant treatment. Similarly, in death, she was 'banished from the garden of paradise' (Cooper, 2006, p.255); the brutality of her death, with the insult of removing her hand and casting her ashes after her

death meant that not only was she denied a funeral and burial but also that her spirit would roam the earth in agony and despair. Additionally, after her death, her body was left to hang in public; even in death, Angélique was dehumanized through eternal damnation. Moreover, leaving her corpse in the public view as an object of attraction is a form of control over her body even after death which rendered her body (and its supposed criminality) visible (or hypervisible) (Cooper, 2006). Therefore, the story of Angélique demonstrates the extent to which enslaved peoples in Canada (and the U.S.) were controlled and treated as inferior nonhumans insofar as they were subjected to violence both in life and death.

Enslavement and the [Invisible] Colonial Subject

In both the United States and Canada, although physical forms of violence were widespread, enslavement also relied on psychological violence and various forms of dehumanization, thereby demonstrating that colonial violence is atmospheric. Like the United States, although often being falsely depicted as a benign form of enslavement, enslaved peoples in Canada were subjected to various forms of cruelties which included heightened levels of surveillance and being 'fashionable and noteworthy possessions' (Maynard, 2017, p. 25). Moreover, these various forms of violence used against *slaves* were reproduced through culturally imposed ideas of Black inferiority through a process which Fanon would refer to as collective catharsis. Through this process of catharsis, there exists an ongoing need to subjugate or lynch the Black colonial subject. Therefore, these various forms of dehumanization that enslaved peoples endured demonstrates how efforts to lynch Black peoples were perpetually manifested through ongoing white tensions and aggressions. Lastly, this concept of atmospheric violence exemplifies how colonial violence includes several different forms of

harm/violence, which is used to justify treating colonized people as invisible subjects. However as mentioned, the colonized person is viewed as inferior not only because they are perceived as invisible, but also because they are viewed as hypervisible, or existing in excess as a phobogenic, hyper deviant, and hypersexual being.

The Hypervisible Colonial Subject

The Phobogenic 'Object'

The doubly dehumanized colonial subject is perceived as both an invisible and hypervisible subject; the colonized subject is viewed as invisible and dehumanized in various ways. However, the colonized subject is also perceived as a hypervisible subject and is perceived as a threat; as a result, the colonized subject is viewed as a dangerous, innately criminal, and oversexed creature. Moreover, due to the culmination of culturally imposed ideas of Black inferiority, the Black colonial subject who exists in excess, is the object of an individual's and/ or society's aggression.

To explain this, I turn to *Black Skin White Masks*, wherein one of Fanon's central focuses that he terms racial (Black) phobogenics (Fanon, 2008, p. 129), refers to discourses that portray Black people as criminal, savage-like, and dirty. As a result, these beliefs are used in facilitating the production of Eurocentric knowledge that positions Black peoples as inferior and disposable. Fanon's concept of the Black person as a phobogenic object is demonstrated through the details of his infamous encounter he had with a young child on a train, 'The Negro is an animal, the Negro is bad, the Negro is wicked... the little white boy runs to his mother's arms, "Maman, the Negro's going to eat me"' (Fanon, 2008, p. 93). This passage demonstrates

that depictions of Black peoples are used to incite fear to the extent that a young child associated Fanon's Blackness with cannibalism.

Fanon (2008) argues that in his own experience, he internalized his inferiority in that moment on the train. At first Fanon finds this amusing, and then realizes that he is in fact a Black man; this is what Fanon terms the psycho-affective, "'Maman, look! A Negro; I'm scared! Scared! Scared!' Now they were beginning to be scared of me. I wanted to kill myself laughing, but laughter had become out of the question'" (Fanon, 2008, p.92). Here, the child telling his mother that he is scared is a cathartic process; the child's tension is released because the child has a place to direct his fear but is also released insofar as he is comforted by his mother (Fanon, 2008, M. Mitchell, Personal Communication, 2024).

Fanon maintains that in that moment, he existed in triple (or as I understand, in excess); not only was he responsible for his body, but he was also responsible for his race, and his ancestors. It is in this moment that he 'discovered his blackness' and the 'cannibalism, backwardness, fetishism, racial stigmas, and slave traders' that are perceived to be associated with it (Fanon, 2008, p. 92). Rather than being recognized as a man among other men, Fanon is made invisible and recognized as an object among other objects; he is dehumanized due to his *Blackness*, and therefore moved to a threatening subhuman status. However, in this example, Fanon is also overdetermined from the outside, rendering him hypervisible, and his Blackness is immediately read as threatening to the extent that not only does he exist as an individual but rather he exists in triple; his existence as a *creature* in excess is the culmination of years of white resentment and fear (Fanon, 2008, p. 95).

Fanon argues that this biological danger that Black men supposedly present forms the basis of the justification used to target and persecute them. Fanon maintains that while other groups are also persecuted, Black peoples are targeted due to their bodily schema. Jewish people for example, have and continue to be heavily persecuted; when they are persecuted, their entire race is targeted through them. Additionally, Jewish people are not liked as soon as they are detected, but they can go unnoticed and pass undetected because whiteness renders their bodies acceptable and superior. However, what differentiates a Jew from a Black man is that the Black man is not given a second chance, he is overdetermined from the outside. When he is attacked, it is an attack on his corporeality, 'It is his tangible personality that is lynched. It is his actual being that is dangerous' (Fanon, 2008, p. 142). Fanon argues that the white gaze renders the Black man a savage, criminal, primitive being,

I see in this white gaze that it's the arrival not of a new man, but of a new type of man, a new species. A Negro in fact! I slip into corners, my long antenna encountering the various smell of Negro; the Negro has white teeth; the Negro has big feet; the Negro has a broad chest. I slip into corners; I keep silent; all I want is to be anonymous, to be forgotten (Fanon, 1952, p. 96).

Here, Fanon maintains that he is a prisoner of the [culturally imposed] ideas that people have of him. His Blackness is undeniable, and it haunts him, making it difficult to escape the white gaze unless he were to undergo a process of lactification and thus rid himself of the burden of this bodily curse; these efforts to escape the white gaze in turn reaffirm the ideas about his supposed inferiority (Fanon, 1952, p. 91). However, this inferiority that Fanon is subjected to is tied not only to his identity as a Black person, but as a Black man. Throughout his work, Fanon demonstrates that colonial violence is gendered in nature insofar as one's Blackness is constructed in opposition to Eurocentric understandings of masculinity and that their lack of

proximity to this normative gender existence renders them uncivilized. Whereas white men are depicted as being hard-working, civilized, and entitled to women's bodies, Black men are framed as lazy, uncivilized, and oversexed, and in need of heightened surveillance and discipline. Put simply, Black masculinity is understood as being innately linked with hyper sexuality and criminality.

The Hyper Criminal Black Man

After the Emancipation of Slavery²⁶, white Americans feared that Black freedom would interfere with white progress. In response to this, the creation of the 'Black criminal' was invented due to the ongoing white aggression and tension towards Black people. Moreover, the idea of the Black criminal materialized through the creation of the Black Codes, the latter which were implemented to combat the loss of enslaved labour on plantations and used to force freed African Americans back to the fields under control. The Black Codes were created and targeted African Americans in counties and states, and effectively criminalized Black life itself (Blackmon, 2009; Blackmon & Pollard, 2012). The Black Codes were a means of controlling Black peoples at both a social and economic level, as well as were an effective political tool to instill the fear into white Americans that enslavement released people that were unsuited for freedom (Blackmon, 2009; Blackmon & Pollard, 2012). Additionally, the Black codes locked African Americans into unskilled labour, while drawing on the fear of white Americans to justify their confinement there. The use of the Black Codes effectively marginalized African Americans from skilled jobs and fair (if any) wages (Blackmon, 2009; Blackmon & Pollard, 2012).

²⁶ Capitalized intentionally.

As a result, African Americans were criminalized for trivial offences and imputed with charges which carried no prison sentence for their white counterparts such as absence from work, the possession of firearms, insulting gestures or acts, and talking loudly beside white women; the Black Codes were used to further prevent Black people's status as citizens of the United States. The racialization of specific crimes meant that there were crimes for which only Black people could be 'duly convicted' (Davis, 1998, p. 76). In 1866, when Reconstruction began, the Black Codes were repealed (Blackmon, 2009; Blackmon & Pollard, 2012). However, after the failure of Reconstruction in 1877, white aggression within Southern states culminated in the creation of another series of laws to restrict and criminalize the lives of African Americans. The introduction of the 'Pig Laws' unfairly penalized poor African Americans for crimes such as stealing a farm animal (Alexander 2012; Blackmon, 2009; Blackmon & Pollard, 2012). The most damaging of these laws were the vagrancy statutes which stated that one could be criminalized for the inability to prove at any given moment that they were employed. In particular, the vagrancy statutes created several problems for African American communities. Firstly, the frequent arrests under these statutes suggest that African Americans are deviant or lazy and refuse to work, when in fact they were being arrested for not having proof of employment on them at any given time, rather than for not actually being employed (a belief that is still prominent today). Secondly, Black people who were employed in sectors that they were deemed unfit for (in work that would be considered better suited for a white man) may have been arrested. Lastly, 'free' African Americans may have been arrested for being perceived as unfit for freedom and requiring the control of a *master*²⁷. Overall, then, the

²⁷ My emphasis added.

vagrancy statutes were particularly damaging as they reinforced the idea that African Americans were only suited for and permitted to labour within certain types of work. These statutes also reinforced the idea that Black people were being arrested for their own wrongdoings (such as being lazy, deviant, and/or unwilling to contribute to the economic productivity of society). In essence, the Pig Laws increased penalties for misdemeanour offences, with the latter being treated as felonies with harsh sentences and fines (Blackmon, 2009; Blackmon & Pollard, 2012). These perceptions then, reinforce the idea that Black people are both invisible and hypervisible insofar as they are less than human and deserving of the treatment they are subjected to, but also best suited to do this work because they are uncivilized and threatening. Additionally, it reinforces the idea that by forcing them to labour in certain ways, it benefits them and helps redeem them to a civilized white being. This supposed linkage between race and crime (and victimhood) used to implement the Black Codes and Pig Laws was also demonstrated through the creation of the rape myth, which maintained that the perceived hypersexuality of Black people inherently made Black men prone to raping white women and made Black women 'unrapeable' (Davis, 1983; Sharpley-Whiting, 1999).

The Myth of the Black Rapist

Like the creation of the 'Black criminal', the creation of the 'Black rapist' emerged due to ongoing white aggression towards Black people and the fear that they would impede white progress. With this, Black men, who are perceived as being sexually promiscuous and sexual predators, are believed to fornicate everywhere and prey on white women; in the past Black men *found* guilty of sleeping with white women were castrated (Fanon, 2008, p. 135; Davis, 1983). According to Fanon, white men believe that the 'Negro' has a hallucinating sexual

power. The Black man's sexuality is perceived as being so innately tied to his very being, that the Black man is fixated at the genital level, or rather he has been fixated there, and therefore the Black man represents a biological danger (Fanon, 2008, p. 143). Here, the hypersexualization of the Black man is innately tied to perceptions of Black masculinity. In *Black Skin White Masks* (1952), Fanon maintains that,

'The black man represents the biological danger...to have a phobia about black men is to be afraid of the biological, for the black man is nothing but biological. Black men are animals...here the black man rules. He is the specialist in the matter: whoever says rape says black man' (Fanon, 1952, p. 143).

White women also see Black men as a biological danger and a sexual being, and this feeling arouses them to the affect that Black men's bodies are fetishized (Abdel-Shehid, 2017b; Batelaan & Abdel-Shehid, 2020). Black bodies have historically been viewed as commodities since enslavement, and here, oversexualizing them becomes another means of attributing value to their bodies as [sexual] objects rather than viewing them as people,

having sex with them was no more remarkable than having sex with a white man. It was before I did it that I had the orgasm. I used to think about (imagine) all the things he could do to me; and that was what was so great (Fanon, 2008, p.137).

Fanon also states that Black men are viewed as having these traits which are perceived as innate and rooted within them from childhood (Fanon, 1952, p. 144). But, as Frederick Douglass points out, Black men were not labelled as rapists during enslavement. During the entire Civil War, not a single Black man was publicly accused of raping a white woman. If they did in fact possess an innate urge to rape, Douglass maintains that this urge would have been triggered when white women were left unprotected by their men who were fighting in the Confederate Army (Davis, 1983 p. 184).

In Susan Brownmiller's study of rape, she claims that Black men's historical oppression has made other forms of male supremacy inaccessible to them and as a result these 'ghetto inhabitants' need to resort to sexual violence (Davis, 1983 p. 178). In reference to the lynching of Emmett Till, Brownmiller suggests that 'he and his black buddies were trying to show that they could get a white woman, and that whistling at Carolyn Bryant was a deliberate insult and just short of physical assault' and insists that Till and the other men were exclusively concerned about their control over women (Davis, 1983 p. 179). While Brownmiller denounces Till's lynching, her argument suggests that had Emmett Till not endured the treatment [and death] he did, he would have inevitably raped *another*²⁸ white girl²⁹. With the end of enslavement, the rape charge was important as Black people no longer possessed a market value for former enslavers and 'the lynching industry was revolutionized' (Davis, 1983 p. 184; Abdel-Shehid, 2017b). Similarly in Canada, John A. MacDonald used the Black rapist myth to justify the need for the death penalty due to 'the frequency of rapes committed by Negroes...who were prone to felonious assaults on white women',³⁰ which led to Black men being portrayed as oversexed and 'probably rapists' (Maynard, 2017, p. 41). For example, a Black man named Witsue, was falsely accused of raping a white woman. Following the falsely reported assault, Witsue was referred to in the papers as a 'Black rapist beast', but his accuser retracted her story shortly before he would have been lynched (Maynard, 2017, p.42).

²⁸ My emphasis – here I draw attention the fact that Brownmiller claims Till would have raped another white woman, even though Bryant later admitted she was lying, and in fact Till did not rape anyone.

²⁹ Davis maintains that the portrayal of the Black rapist is inseparable from the image of the Black woman as promiscuous, and therefore the portrayal of Black men as rapists reinforces the idea that white men have control of and are entitled to Black women's bodies (Davis, 1983 p. 182).

³⁰ On a study examining court records in Ontario across 100 years, Barrington Walker found cases of Black men raping white women to be statistically insignificant (Maynard, 2017, p.41).

Despite this abuse being falsely portrayed, few white men have been prosecuted for the sexual violence they have inflicted on these women. Rather than them being accused of sexual assault and/ or rape, the rape charge has been rooted in racism and used to target Black men (and women as 'impossible victims'), both guilty and innocent alike (Davis, 1983, p. 172). In the history of the United States, the fraudulent rape charge was one of the biggest threats to the Black movement (Davis, 1983, p. 173). Therefore, Davis maintains, the myth of the Black rapist was created as a political tool to justify the lynching of Black people and the continued rape of Black women to further the exploitation of Black labour and to preserve white supremacy (Davis, 1983 p. 185). Furthermore, this political weapon was effective in stunting Black liberation movements, as white supporters of the movement were reluctant to defend 'rapists' (Davis, 1983).

The myth of the Black rapist and the implementation of the Black Codes are important as they demonstrate how Black peoples and everyday Black life have historically been criminalized which have in turn been used to suggest an innate link to immoral, deviant, and criminal behaviour. The development of the Black Codes, Pig Laws, and myth of the Black rapist suggest that the only way to ensure that Black peoples do not endanger others is through their perpetual subjugation and/or removal from society. Moreover, the ongoing creation of new mechanisms to target and control Black peoples demonstrates how racism creates the ongoing need to release perpetual aggressions, or what Fanon would refer to as collective catharsis. Put differently, no matter how many Black people were lynched and/ or re-enslaved, there were still continuous efforts to criminalize Black peoples and Black life itself. Overall, this perceived link between race and criminality, and the establishment of these various practices reinforce

the idea that the colonized person is inferior insofar as they are dangerous and need to be controlled through hyper surveillance and punishment.

This American context is important given the political changes happening in Canada during this time. Despite the abolition of enslavement in pre-Confederate Canada in 1834, and the belief that the Underground railroad helped lead Black Americans to a sanctuary in the ‘free North’, anti-Blackness in Canada manifested in several ways, including constant surveillance, containment, and the belief that Black peoples were ‘morally corrupt’ (Maynard, 2017, p. 33). Thus, even with the absence of policies used to target Black people in Canada, one can draw parallels between U.S. policies and informal policies and practices when examining how Black life in Canada was similarly criminalized in a post-bellum society.

Black Criminality in a Post-Bellum Canada

Although in Canada ‘formalized Black bondage’ was abolished, Black people’s lives continued to be devalued through ‘Jim-Crow-styled segregation’ and policies such as the *Sundown Laws*, *the Common Schools Act of 1850*, and the *1910 Immigration Act*³¹ (Maynard, 2017, p. 31). These policies, like the Thirteenth Amendment and the Black Codes reinforced the idea that Black people were inherently criminal and in need of heightened surveillance and control. Despite the fact these policies in Canada were less explicitly racist, they helped create and foster an environment wherein anti-Black (and Indigenous) racism could exist and be enacted arbitrarily to the extent that Black life was dehumanized and deemed a threat.

³¹ I return to issues concerning the Sundown Laws, segregated schooling and Black immigration in chapter three.

In Canada, the Underground Railroad is perhaps the most well-known and widely celebrated part of Canada's history of race relations which is used to distinguish their history and political landscape from the overt anti-Blackness of the United States (Maynard, 2017). However, the abolition of enslavement in Canada did not protect enslaved Africans that escaped from the violence of racist hostility or formal and informal segregation in post-abolition Canada; they often experienced the same anti-Black racism north of the border that they had sought to flee in the U.S. (Maynard, 2017). Additionally, some enslaved Black peoples managed to escape pre-Confederation Canada to seek freedom in the Northern states in the late eighteenth and early nineteenth centuries in a migration that has been called the Reverse Underground Railroad (Cooper, 2006; Maynard, 2017). This is significant as it dispels the myth that Canada was a haven for Black people and demonstrates the extent to which anti-Blackness was prevalent since people would try and escape for the chance of a better life in the United States. During the height of enslavement in Canada, not all Black people were enslaved, but Black lives were perceived as inferior to white lives, and the material realities of non-enslaved Blacks closely resembled the lives of legally enslaved Black people (Maynard, 2017). Here, it is not their status as a *slave* that is used to dehumanize them but rather their very existence as Black peoples that makes them invisible and deserving of living in poor conditions, but also makes them hypervisible because they may be subjected to violence and/ or poor treatment by others.

The everyday conditions of 'freed' Black Americans in Canada did not resemble the freedom that was given to white settlers. Few freed Black people received the land that they had been promised by the British Crown, and those who did receive any land were allotted one-

quarter of the land given to white Loyalists arriving at the same time; the amount of land they were given was inadequate for subsistence (Maynard, 2017). After being denied the land and resources they were promised, many freed Black people were forced to become cheap labourers for white farmers or white business owners in towns and cities. Their freedom then nonetheless resulted in the reproduction of an economy of Black servitude, which in turn led to widespread white hostility in the form of violence and resentment (Maynard, 2017). The cheapness of this black labour led to Canada's first race riot in 1784; a white mob was formed and attacked the Black areas in Shelburne and Birchtown. This riot also demonstrates white resentment to Black progress, and to the idea that Black peoples can be labourers (humans) rather than slaves. Again, between 1813-1816, some 'freed' Black Americans were given infertile land, and some were denied land altogether. In cases where they did receive land, the amount was too little to survive on and was often deemed infertile by the Nova Scotian government (Maynard, 2017). Like its United States counterpart, the creation of different policies and practices demonstrate the various efforts borne from white aggression to criminalize and effectively impede Black freedom.

Fanon's Theoretical Groundwork

Throughout this chapter, I have examined how various forms of racialized violence were used to reproduce Black inferiority by doubly dehumanizing the colonized person as both an invisible and hypervisible subject. During enslavement, the Black colonial subject is treated as an invisible nonhuman through the various ways they are dehumanized. This occurred through different forms of physical and psychological torture such as whippings, being appraised like livestock, the forcible reorganization of family structures and separation from loved ones, and

the lack of control Black peoples had over their everyday lives. Moreover, in the colonial context, Fanon's work demonstrates how colonized peoples are marked as invisible insofar as their language and culture are deemed inferior, to the extent that the colonized person tries to prove themselves through their knowledge of the colonizer's language, and after returning from France maintains that they are now *too* civilized to speak Creole. This effort to rid themselves of their Blackness reinforces the idea that they are perceived as invisible and are trying to gain recognition to make themselves visible. Through an understanding of the inferiority complex, Fanon describes the Black man as one who is socially excluded/ isolated, and so long as they seek recognition, they will continue to be perceived as inferior, or invisible. Therefore, the perceived invisibility of the colonized subject is what Fanon argues makes Antillean society a neurotic, or *comparaison* society. So long as the Black person has not been recognized by the white man, the Black person will continue to seek their recognition, because their human value and experience depend on this recognition from the European. Fanon argues that the Black man is constantly pre-occupied by self-assertion and sense of self, or ego. Whenever the Black man is in the presence of someone else, they always question their self-worth and merit, and are always dependent on the presence of 'the Other' as they have no personal value of their own. They question how they compare in terms of levels of intelligence, morality, and 'Blackness' (Fanon, 2008, p. 186). The Martinican, according to Fanon, is desperate for recognition and reassurance, as demonstrated by the Black man entering France. They are desperate to flaunt themselves and be recognized because it is 'the Other' who is needed to enhance his status (Fanon, 2008, p.187). However, regardless of how much one tries

to whiten themselves, they will always be Black and locked into the white man's perception of their Blackness.

Fanon maintains that this invisible subject is also a phobogenic object; the Black man is overdetermined as a threat, and is perceived as existing in excess, as a hypersexual, hyper-dangerous and hyper criminal subject, and in this sense is a hyper visible subhuman.

Paradoxically, the Black man is fetishized in other contexts, and perceived as *innately* evil, sexual, and threatening. Here, the colonized subject is viewed as hypervisible through the creation of the Black criminal, the Black rapist, The Black Codes, and other efforts to criminalize Black people and Black life itself.

Moreover, what becomes apparent is how Fanon's concepts of cultural imposition and collective catharsis inform continuous ideas and efforts to reproduce Black inferiority. Here, culturally imposed ideas of the invisible and hypervisible Black subject are culminated in ongoing forms of dehumanization and subjugation that Black people endure. Moreover, white aggression towards the colonized subject is culminated through nonstop efforts to continually target, criminalize, and lynch Black peoples through the creation of the hyper criminal and sexual subject, and refers to what Fanon would call collective catharsis. Furthermore, throughout this chapter, what becomes apparent is how racism is continuously reproduced, and that this process of catharsis is never complete. Throughout his work, Fanon outlines how the colonized subject is perceived as existing and belonging to an inferior culture, as both invisible and hypervisible, and in this way Black people are framed as being savages, and uncivilized *creatures*. Overall, Fanon's work contributes to my understanding of colonial violence and how it helps create and maintain colonial identities.

Examining Fanon's Work in a Broader Canadian Context

Using Fanon's work to examine how racism is continuously reproduced is important in both an historical and contemporary sense. Fanon's work helps explore how the colonized subject undergoes various forms of colonial violence (including but not limited to physical violence) through a double process of dehumanization wherein they are perceived as both invisible and hypervisible which helps maintain inferior and superior colonial identities. As an invisible subject they are perceived as not being enough, and as a hypervisible subject they are perceived as existing in excess, and this in turn was used to justify the exploitation of Black labour.

This understanding of how race, racialization, and labour is used to maintain colonial identities is important to my understanding of anti-Black colonial violence in a Canadian multicultural context. Although multiculturalism as a policy did not come into effect until 1971, this history of enslavement and ongoing forms of racial violence have continued to shape various policies and practices within Canada, as will be demonstrated across the following chapters in this dissertation. The romanticism of Canada's history (particularly in contrast to the United States context), and Canadian multiculturalism policies have reframed practices such as ongoing settler colonialism, enslavement, Japanese internment camps, and the Chinese head tax as unintended consequences of 'building' the nation rather than as deliberate forms of racial violence with the intended goal of maintaining white superiority. To understand how this contributes to the work in my following chapters, here I examine the features of multiculturalism.

Within Canada, whiteness functions uniquely within multicultural policies that conceal the erasure of hegemonies and structural relations of power, reproduction of patriarchal, heteronormative whiteness, with an emphasis on personal responsibility. Himani Bannerji's collection of essays in *The Dark Side of the Nation* (2000) provides a discussion on multicultural politics in Canada; this multicultural narrative, Bannerji argues, has translated issues of social and economic injustice into issues of culture (Bannerji, 2000. p. 44). Furthermore, Bannerji argues that diversity erases hegemonies as well as colonialism, capitalism, and slavery; she draws our attention to this issue by invoking Shakespeare's work. Contrary to Shakespeare's assertion that a rose by any other name would smell as sweet, in politics the essence of the flower lies in the name by which it is called, 'It is a matter of putting in words, mediating and organizing social relations of ruling, of meanings organized through power' (Bannerji, 2000. p. 41). In other words, by using the word 'diversity', deeper/structural relations of power become obscured. For example, diversity training within workplaces has largely displaced discussions about and/or resistance to racism and sexism (Bannerji, 2000. p 38). This mechanism rearranges questions of social justice, unemployment, and racism, into issues of cultural diversity. Moreover, multicultural and diverse narratives position marginalized communities as 'other' cultures (or sub-cultures) within 'Canadian culture'. Structural inequalities become more difficult to speak out against, and marginalized groups are portrayed as being responsible for the injustices that they face and reframed as their own cultural problem (Bannerji, 2000. p 45).

Overall, then, within Canada, multiculturalism is celebrated, so long as it does not ruin white privilege. Therefore, a very particular narrative of multiculturalism is desired; one in which there is diversity, but working and lower classes are comprised of predominantly Black

and Brown bodies (Bakan & Stasiulis, 1995; Ng; 1990; Wall & Wood, 2023), prisons are filled with Indigenous, Black, and other racialized bodies (Blackburn & Needham, 2022; Macdonald, 2016; White, 2015), marginalized communities are being gentrified at increasingly faster rates (Moon, 2020), and whiteness is preserved along class lines as witnessed through the increase in poverty among racialized women (Bannerji, 2000; Gazso & Waldon, 2009). Bannerji (2000) argues that the state produces and reinforces the nation as patriarchal, white, and heteronormative; the concept of diversity simultaneously allows for an emptying out of actual social relations and suggests a concreteness of cultural description and through this process obscures any understanding of difference as a construction of power. Here, a distinction cannot be made between racist stereotypes and ordinary historical and cultural differences of everyday life and practices of people from different parts of the world (Bannerji, 2000, p. 37). This core community is synthesized into a national 'we', and it decides on the terms of multiculturalism and the degree to which multicultural others should be tolerated or accommodated (Abdel-Shehid & Kalman-Lamb, 2011; Bannerji, 2000, p. 42).

Many countries, including Canada portray themselves as societies that embrace multiculturalism, however, the goals of this policy are assimilationist. Abdel-Shehid and Kalman-Lamb (2011) maintain that culture is often depicted as lacking complexity and consisting of food, music, and traditional dress. The reduction of culture into these basic tenets is significant for the following reasons. First, this depicts culture as lacking historical context (which in many cases entails a colonial history), and the ways in which these histories are learned and shared, as well as the symbolic cultural elements (food, music, dress) that represent these complex identities is effectively erased. Secondly, this depiction of culture in a

multicultural society implies that immigrants and their cultures are acceptable within specific contexts. For example, in the context of a space such as 'Little India', Indian culture is celebrated and seen as a contributing element to a multicultural society. Furthermore, white guests at Indian weddings typically dress in traditional Indian wear and mehndi as a means of 'fitting in', as if these actions then make them Indian, thereby demonstrating how racism locks culture into one box (Abdel-Shehid, 2005).

Therefore, under the guise of 'diversity' and colour-blindness, marginalized bodies become hypervisible, often through tokenism and scapegoating³² (Abdel-Shehid & Kalman-Lamb, 2015; Bannerji, 2000) but their experiences with social injustices and inequalities are silenced, dismissed, and rendered invisible. With this, those that are hypervisible are marked with presumptions of suspicion, and immorality, and their experiences as being invisible are marked with presumptions of irredeemability and personal responsibility. Overall, the work of Fanon and others such as Himani Bannerji (2000), Gamal Abdel-Shehid & Nathan Kalman-Lamb (2011, 2015), Robyn Maynard (2017), and Vicky Chartrand (2019), are useful in understanding how racism, particularly anti-Black racism occurs within a multicultural context, and how these culturally imposed ideas are re-legitimized through everyday actions, or through a process of catharsis. Moreover, the romanticism of enslavement in Canada reinforces the idea that anti-

³² This can be demonstrated using the case of Canadian track star Ben Johnson, who was revealed to be using steroids and disqualified from his events. Throughout Johnson's ordeal, he was progressively stripped of his Canadian identity in the media as his 'lawbreaker status' was revealed. Johnson, a Jamaican immigrant, went from being referred to as 'Canadian' to 'Jamaican-Canadian', eventually being referring to as just 'Jamaican'; his Jamaican heritage was not mentioned until after his disqualification (Abdel-Shehid, 2005; Abdel-Shehid & Kalman-Lamb, 2011). While many people committed transgressions, he was used as the scapegoat, and was seen as impurifying the Canadian body politic. Years later, Donovan Bailey, who is also a Jamaican-born Canadian, was repeatedly linked to Ben Johnson after his Olympic wins, which is illustrative of a racist imaginary that links all Black bodies together (Abdel-Shehid, 2005; Abdel-Shehid & Kalman-Lamb, 2011; Batelaan, 2020)

Black racism does not exist in Canada, and that one's hardships are because of their own wrongdoings, and that this relationship between race and labour is one rooted in skills, merit, and hard work. What this demonstrates is the construction of colonial identities are reproduced through multicultural policies, despite the belief that they were created and exist to tackle issues of racism and exclusion.

Wrap it Up K

Overall, in this chapter, I argued that labour practices are intimately tied to our understandings of colonial identities, and that racialized peoples, particularly those of African descent are perceived as both invisible and hypervisible and therefore inferior, and best suited to do this work. In the following chapters, I will examine how this double process of dehumanization and these various forms of violence are used to create colonial identities within Canadian prisons. Moreover, I will demonstrate how the inferior colonial subject is reinforced through the relationship between race, racialization, and labour. Like the colonized subject in *Black Skin White Masks*, the racialized worker also exists as both invisible and hyper visible: the worker is invisible insofar as they are socially excluded and/or marginalized but are hyper visible insofar as they are perceived as having certain characteristics such as being dangerous, criminal, or lazy, and that these qualities make them best suited for dangerous, degrading, and low-paying work.

Chapter Three:

Let's Z What Happened: Moral Reformation and The Emergence of the Modern Prison System in Canada

It is unreasonable to treat a man as an animal or an automaton while he is serving his sentence, and then at the end of it appeal to him as a human being to win back his place in society.

– Winston Churchill (Hennessy, 1999)

Students need more academics like you, academia needs more you...honestly you are doing amazing.

Z, Personal Communication, 2023

In the last chapter I demonstrated how understandings and practices of labour operate through a normalizing white gaze, and how colonized peoples are deemed inferior and therefore considered best suited to do undervalued and dangerous/ difficult work. By drawing on Frantz Fanon's concept of cultural imposition, I argued that due to the perceived invisible and hypervisible qualities of the racialized worker, society undergoes a cathartic release of pent-up tensions, which is manifested in the justification of the colonized worker's superexploitation³³ (additionally, I argued that catharsis is never complete and demonstrates how racism is an ongoing process).

In this chapter, I will build from the work in the previous chapter by maintaining that the relationship between race, racialization, and labour is not only important to conceptualizations of colonial violence, but integral to one's understanding of penology and prisons, and the violence that occurs within them. By tracing the emergence of the modern

³³ Davis, 1983; Abdel-Shehid, 2017a

prison system in Canada, with a focus on the history of Kingston Penitentiary, I will demonstrate that the relationship between race and labour has been integral to the development of the modern prison system in Canada, under the guise of moral reformation. Specifically, I will demonstrate that the emergence of the modern prison system in Canada is rooted in the belief that labour is essential to one's moral reformation. These ideas about reformation and morality, I argue, build from perceived notions of criminality and its supposed relationship to whiteness. In building from an understanding of race and criminality that was explored in chapter two (as a tool used to justify racial exclusion and Black exploitation), here I examine how crime was framed as a problem of morality to justify imprisonment and the continued coercion of Black labour. Moreover, I argue that understandings of criminality and race (to those of whom are referred to as 'problem populations' in need of moral reformation) have underpinned the development of prisons and punishment in Canada through the principle of labour discipline. Furthermore, I will examine how the use and practice of prison labour was central to this relationship insofar as labour was not used to rehabilitate prisoners but was done under the guise of redeeming them to a white, civilized, moral being. Lastly, alongside this understanding of moral reformation and labour discipline, I will demonstrate how the emergence of the modern prison system is a cathartic response to managing populations that have been deemed problematic. In doing so, I will help lay the groundwork for chapter five of this dissertation, where I will return to Frantz Fanon's conceptualizations of cultural imposition and collective catharsis to examine modern day prison labour practices in Canada.

The Emergence of the Modern Prison System in Canada

The Introduction of the Prison System

It is typically believed that the introduction of the prison system emerged due to a shift from medieval forms of physical punishment to psychological disciplinarian regimes. However, historians and researchers of the Middle Passage have argued that slave ships were akin to floating prisons, and that their use was in fact the introduction of the prison system (Middle Passage Project, 2024). During the four centuries of the slave trade, approximately 10 to 13 percent of the sub-Saharan population in Africa were kidnapped and were 'forcibly immersed in a prison culture' (Middle Passage Project, 2024); enslaved Africans were forcibly removed from their communities and separated from their families, shackled, prepared to be sold/owned, and dehumanized in several ways (Middle Passage Project, 2024). For example, enslaved people on ships were dehumanized to the extent that they were treated like human cargo. On the Zong, human beings were thrown into the sea for profit, as the captain and crew collected insurance money from their deaths. For those that were not thrown overboard, they were dehumanized in different ways (D'Aguiar, 1997, p. 131). Enslaved Africans were punished for speaking to one another, as well as for speaking in their native languages, and for any acts of resistance against those that kidnapped them (D'Aguiar, 1997). They were also physically and psychologically tortured, isolated from loved ones, and were forced to live and work in abhorrent conditions (amongst various other abuses they endured). Like the current prison system, we see the separation of prisoners from their families (both when arrested and through isolation while incarcerated), the forcible confinement and lack of freedom/ mobility prisoners are subjected to, as well as the loss (or theft) of identity, and the dehumanization they endure to the extent

that they are treated like property of the state and/ or companies that 'oversee' them. It is for these reasons primarily that slave ships have been conceptualized as the first prison system. However, discussions about the modern prison system tend to dismiss, or overlook this history, and the racial violence that underpins it.

Until the 1970's, most literature on prisons had the tendency to frame the prison as a 'naturally evolving' institution that developed out of local jails in the medieval period (Matthews, 1999, p. 1). In describing the evolution of prisons in this way, the wider social contexts in which they emerged are typically ignored. Moreover, this literature does not differentiate between medieval jails and fortresses, and the modern prison, the former which were primarily places to hold prisoners awaiting trial, execution, or deportation, and the latter wherein punishment is psychologically inflicted through the deprivation of one's freedom and loss of identity. It was argued that these explanations about the evolution of the prison failed to recognize that punishments shifted in form rather than changing in frequency or severity (Foucault, 1995; Foucault, 2010; Matthews, 1999). Alongside historical conceptualizations and practices of imprisoning people, the medieval period of punishment further informs the development of the modern prison system.

The medieval period was marked by very physical, public forms of punishment. Michel Foucault's *Discipline & Punish: The Birth of the Prison* (1995) outlines the example of Robert François Damiens who was hanged, drawn, and quartered in 1757 for the attempted murder of King Louis XV. Due to Damiens' unusual strength, his execution was a long and painful spectacle which involved the severing of his legs and other limbs, such as his arms and shoulders at the joints. Punishments to this degree were relatively rare events in the eighteenth century,

however the spectacle of suffering was intended to instill a fear of committing crimes or being of a lower moral code into the crowd. The accused were expected to show remorse and to confess their crimes before a crowd, and a public confession would often result in a quick and relatively painless death (Foucault, 1995; Foucault, 2010; Matthews, 1999).

However, widespread support for hangings declined in the eighteenth century, and the practice was viewed with increased skepticism while simultaneously undermining public order. As a result, the public supported removing the hangings from public view. Alongside those who no longer supported public hangings were those who advocated for the use of imprisonment (particularly in the form of isolation) as a more useful and appropriate form of punishment (Foucault, 1995; Foucault, 2010; Hennessy, 1999; Matthews, 1999). This shift in punishment was not only supported by the public but was also shaped by the social and economic relations which were taking place at the time; the old feudal system was collapsing, and an agricultural economy was slowly being replaced by new forms of government and production. With this, there was also an increasing concern with beggars and vagrants and a particular focus on increased levels of theft. Therefore, with these new social and economic differences (witnessed in public attitudes and industrialist growth), there was a need to address growing concerns of theft and other crimes. To manage these threats of 'criminal behaviour', societal shifts in punishment took place alongside the introduction of new penal codes (Foucault, 1995; Foucault, 2010; Hennessy, 1999; Matthews, 1999).

The New Penal Codes & the Social Contract

The introduction of new penal codes was defined by a shift away from corporal punishment and the widespread use of public shaming to the use of institutions such as bridewells, workhouses, and jails to respond to the management of 'problem populations' (Matthews, 1999, p. 1). During this era, crime was viewed as a transgression not against the sovereign but against society, with a focus on the protection of private property (Matthews, 1999, p. 4). Criminals, or those deemed problem populations, were believed to be of a low moral code. Therefore, these new penal codes were influenced and supported by Christian reformers who believed that 'criminals' needed saving and moral redemption through discipline and religious instruction. The introduction of a new penal code included clearly defined penalties and principals for administering punishment, with a new penal system that was tasked with administering criminal law in a more precise and effective manner (Foucault, 1995; Foucault, 2010; Hennessy, 1999; Matthews, 1999).

It was argued that punishment should be maximized, while minimizing cost and effort. Punishment was required to be certain and firm, without being unnecessarily harsh or painful. The offender, having broken the 'social contract', was not meant to be brutalized or ridiculed, but rather required to repay society in a way that demonstrates renewed respect for property, personal freedom, and the freedom of others (Matthews, 1999, p.5). It was argued that as previously free and equal citizens, offenders needed a punishment which treated them equally, but also deprived them of their individual liberty. This approach to punishment centralized the offender's act rather than their motivation or background. Under the social contract, the goal was to promote formal equality, which meant that all prisoners should be treated equally,

regardless of personal or social circumstances. Given this perspective, the use of prisons was considered an obvious and necessary option to provide an environment wherein a prisoner could be reformed to the socially accepted moral code (Hennessy, 1999; Matthews, 1999; Shelby & Mills, 2022).

However, the concept of the social contract as it pertains to equality and punishment becomes complicated when read through the work of Tommie Shelby & Charles Mills (2022). In *The Racial Contract* (2022), Shelby & Mills (1997) argues that our conventional understanding of the social contract consists of a group of people that form a society voluntarily and collectively through an agreement that protects one another's rights and freedoms; yet this contract is underpinned by whiteness and is exclusionary based on race. The failure to account for race is demonstrated through the racial exploitation that forms the historical foundation of most modern societies. Not only does the racial contract create racial exploitation, but it creates (or reconstructs) race. With this, 'white' people do not pre-exist but are brought into existence as 'whites' by The Racial Contract. Therefore, the white race is invented, and one becomes 'white by law' (Jennings, 2021; Shelby & Mills, 2022, p.63).

Shelby & Mills (2022) argue that the racial contract is an agreement between white people that creates a white supremacist society, wherein racialized people are considered sub-humans undeserving of the rights afforded to their white counterparts. This in turn leads to the creation of governments and institutions that maintain the dominance and exploitation of non-white people (Jennings, 2021; Shelby & Mills, 2022). Overall, Shelby & Mills (2022) argue that the racial contract is the truth of the social contract. It is with these understandings of 'equality', that reformation was instilled as a guiding principle in the use of prisons as they

emerged. Therefore, since racialized peoples were never viewed as free and equal people (or viewed as people at all) their potential capacity to be reformed within a prison is read through a normalizing white gaze; not only is the prisoner in need of moral reformation, but society must also be redeemed as it rids itself of 'morally corrupt' influences³⁴. In this sense, the prisoner is not breaking the social contract because they have done something that is morally corrupt, but rather because their very existence as a nonwhite [non]person is morally corrupt, and in need of 'fixing' and/ or control.

Prisons as a Network of Social [and Racial] Control

According to Foucault, one of the central functions of the prison was to produce new techniques for controlling people through systems of surveillance, classification, and examination. Foucault argued that these various forms of discipline implemented in the prison were the 'embodiment of new modalities of power' (Hennessy, 1999; Matthews, 1999, p. 12). Unlike punishment through sovereign power, which focused on publicly punishing one's body, these emerging forms of punishment in the eighteenth century were intent on punishing one's soul. These new power relations employed similar techniques across several institutions, with the commodification of time as an integral component in the development of the modern prison (Foucault, 1995; Foucault, 2010; Matthews, 1999, p.38).

³⁴ To do this, the [racialized] prisoner is disciplined through manual labour, which is guided by Victorian philosophies of 'rational recreation' and muscular Christianity' (ideas I will return to later in this chapter) (Cahn, 1994, p.9). These philosophies are rooted in religious instruction and physical activity to instill a sense of control and constraint within society, behaviours which were believed to align with a strict moral code reserved for middle-and-upper class white people.

The modern prison was not introduced at the end of the eighteenth century as a fully formed and functioning institution. Rather, a combination of several institutions had been used for holding (and controlling) offenders. Since the fourteenth century, local jails had been used for several purposes, including holding those awaiting trial or transportation, and holding debtors until they cleared their debts (Matthews, 1999). Since 1556, bridewells (or 'houses of correction' as they became widely known as) were introduced in England to suppress idleness and vagrancy, due to the apparent inefficacy of the traditional remedies for begging and moral offences (Matthews, 1999). Throughout the seventeenth and eighteenth centuries, workhouses were introduced in England as another way of dealing with the poor by providing them with basic relief and employment, and to deter them from applying for public aid; the aim of workhouses in the eighteenth century became more focused on ensuring indigent people worked. These various institutions were part of a disciplinary network for 'regulating the poor and for imposing discipline' (Foucault, 1995; Foucault, 2010; Matthews, 1999, p. 9), wherein the conditions in prisons are governed by the principle of 'less eligibility' (something that still exists in prisons today) (Matthews, 1999, p. 10). This principle dictates that conditions in prisons must not be better than those experienced by the poorest factions of the working classes, otherwise they will not be deterred from committing crimes; in other words, the conditions in the prison itself must be a form of punishment. Despite their different purposes, these various institutions had some commonalities including not to punish less, but to punish more effectively to create a docile and responsive workforce (Matthews, 1999). Additionally, these different institutions also relied on an often-arbitrary distinction between the 'deserving' and 'undeserving' poor to discern between the people who worked there (Matthews, 1999 p.7; Maynard, 2017).

This distinction between the deserving and undeserving poor must also be understood given the racial hostility (and overt racial violence) against Black labourers during this time, (such as the race riots in Shelburne, Ontario and Birchtown, Nova Scotia discussed in chapter two). Therefore, freed Black people and Black labourers at this time would likely be framed as the 'deserving poor', and as part of the 'social disease' of poverty, in need of discipline and structure in these workhouses or prisons. The implementation of the Black Codes, Pig Laws, peonage laws, and hypersexualization of Black peoples helped to perpetuate the idea that Blackness and criminality were inextricably linked and that they *belonged* in jail, thereby justifying the belief that Black peoples were problem populations and as a result, deservingly poor. Additionally, Black peoples were likely framed as the 'deserving poor' because the loss of their enslaved labour impacted the economy for white settlers. They were also perceived as *stealing* work from white labourers, while simultaneously challenging the established racial order. In this sense, Black people were not only in need of reformation within prisons, but this idea of moral cleansing extends to society more broadly. Here, society must also rid themselves of those labelled problem populations to be redeemed back into a 'civilized' space.

This philosophy of moral cleansing as a mechanism of control was also apparent in the new system of classification within the prison, which centered on solitary confinement, silence, religious instruction, and discipline. Moreover, ' "the 'moral architecture" of the prison was to express and incorporate these aims, while improving order, health, and conditions' (Matthews, 1999, p. 17). The principal aim with this new system was to turn prisoners into model citizens, with the prison functioning as a disciplinary site to produce and maintain docile bodies that can be subjected to various forms of control, and as a result shaped and 'improved' to a normal,

and optimal life (Foucault, 2010). Reformers believed that by using specially designed institutions it would be possible to produce a space wherein prisoners would develop the ability to reason and self-regulate. Important to the design of these prisons was their ability to deal with what was described as the contagious nature of crime. To manage this supposed threat of contagion, prisons relied on a system of separating young and old prisoners, men and women, and those deemed predatory and vulnerable (Hennessy, 1999; Matthews, 1999, p.17).

This threat of contagion also extended to issues of race. Until the mid-twentieth century, the penitentiary in Canada was mostly reserved for those of European descent. Race was part of a penal management strategy that was recorded in annual reports through categories such as 'White', 'Indian', 'Half-Breed', 'Negro', 'Mullato', and 'Mongoloid' (Chartrand, 2019, p.74). The new social classification of race was a part of the process of Eurocentricity which was defined and supported by physiognomic practices. For example, in the British Columbia penitentiary, it was 'strongly advised' that 'something be done to separate young offenders from the hardened criminals and especially that the Indians and Half-breeds be permitted to associate as little as possible with the white prisoners' (Chartrand, 2019, p. 74). Criminal reform was rooted in a colonial logic shaped by racial understandings of pathology and contamination to increase access to and exploitation of the settler state. Indigenous people were viewed as a contaminating influence that did not have the same capacities or needs as European offenders. On the other hand, Indigenous prisoners were described as 'easily amenable to reform, having weak constitutions, lacking an ability to adapt to long prison sentences, and being predisposed to diseases like scrofula or tuberculosis, and to pose a significant expense for the penitentiary' (Chartrand, 2019, p. 74). Moreover, it was argued that,

‘Negroes and Indians cannot bear confinement long in the prison until they are seized with the disease [scrofula] in some of its phases. The Indians more especially can scarcely spend the full period of the shortest sentence for which they can be sent to the penitentiary’ (Chartrand, 2019, p. 74).

As a result, efforts to reduce the Indigenous population in the penitentiary were ongoing and achieved by offering clemency, issuing tickets of leave, providing compassionate leaves, or exonerating prisoners through pardons (Chartrand, 2019, p.74). Additionally, local jails which predated the penitentiary and operated to regulate local issues including Indigenous affairs were built on reserves to civilize those considered less developed (Chartrand, 2019). Here, both Black and Indigenous people were viewed as so inherently criminal that they must be ‘improved’ in a space/ disciplinary site wherein they can be controlled and assimilated. In this way, the prison was a site for those who were perceived as having redemptive potential, whereas those who were ‘beyond’ redemption had to be contained elsewhere. However, despite the supposed need to reform and assimilate Black and Indigenous peoples, doing so alongside white settlers was deemed a risk because it was believed that they were so morally corrupt and savage like, that they would interfere with white progress by contaminating them with their excessive immorality; here, the colonized subject is so hypervisible to the extent that not even a prison is perceived as a suitable place for them.

The Well-Ordered Prison

To save those who were perceived as being morally corrupt, it was believed that religious instruction was central to an effective prison system. The Quakers of Philadelphia in 1789 thought it was possible to make offenders ‘penitent’ by segregating them within prisons and offering them ‘opportunities for labour and reflection’ (Fogarty, 2021, p. 20). Additionally,

John Howard, Elizabeth Fry, and other evangelically minded reformers wanted prisons to function as 'healthy and efficient institutions' (Matthews, 1999, p. 7). They were against mixing individuals indiscriminately and emphasized the benefits of silence, solitude, and isolation to remove the corrupting influence of other prisoners (to not risk any contamination from impure thoughts). Confinement, according to the reformers, needed to be done alongside a religious purpose. Moreover, they believed that prisoners should be unable to drink, gamble or spend their time in idleness. In this sense, the 'well ordered prison' would help maintain 'good' behaviour through silence, and as will be demonstrated, labour (Chartrand, 2019; Matthews, 1999, p.16).

Eighteenth-century penal institutions allowed prisoners to congregate freely, whereas nineteenth-century prisons saw changes to this with newly built individual cells of a uniform size. Rules of silence were imposed on prisoners, and in some institutions, prisoners were forced to wear masks to avoid recognition within the prison or beyond prison walls after their release (Matthews, 1999, p. 17). Here, I understand the rule of silence to be a rule of 'isolation' insofar as its purpose was not to reduce noise per se (or exclusively), but to ensure prisoners did not communicate with each *other*. Alongside these rules, there was a central debate in the new prison system about whether prisoners should remain entirely isolated or be allowed to congregate during the day for work (Matthews, 1999). This debate centered around the competing systems in the Auburn and Pennsylvania prisons in the United States. The Auburn state prison in New York, which was established in 1823, adopted a regime in which prisoners slept alone in their cells at night and worked alongside each other during the day. In the Pennsylvania prison, which was built in 1829, prisoners were kept separately to ensure there

was no possibility of ‘contaminating’ each other (Matthews, 1999). With the latter model, prisoners were left in total solitude and isolated from ‘evil’ influences, thereby giving them the opportunity to reflect on their mistakes and examine their consciences. Prisoners also remained in separate cells for all activities, including eating, sleeping, and working. According to this model, prisoners ‘saw and spoke only to carefully selected visitors and read only morally uplifting literature – the Bible’ (Hennessy, 1999; Matthews, 1999, p. 17). It was thought that this strategy would cure prisoners of their ‘moral corruptness’ through a combination of hard labour and reflection. These debates and various strategies to ‘cure immorality’ were rooted in the belief that incarceration was the best response to criminal behaviour and that silence and discipline were integral to this (Chartrand, 2019; Hennessy, 1999; Matthews, 1999).

Eventually, the Auburn model became the preferred approach with advocates arguing that total isolation was unnatural and that it would lead to insanity, an outcome which challenged the principle aim of reformation within the new prison system. The case in favour of the Auburn system was also supported by the fact that it was cheaper to run and could be profitable by using convict labour. Consequently, the Auburn system came to be widely adopted both in the U.S. and in most of Europe. A major focus of the debate in the mid-nineteenth century concerning the relative advantages and disadvantages of the two competing systems was centred around the use and impact of convict labour (Hennessy, 1999; Matthews, 1999). This emphasis on hard labour, and gradual shift from the Pennsylvania to Auburn model, was also central to the birth of the modern-day penal system in Canada, particularly its first prison, Kingston Penitentiary.

Canadian Prison Model: Kingston Penitentiary

Building Kingston Pen

In 1826, Hugh Christopher Thompson (a political figure) argued that crime rates in British North America were on the rise due to an increase in immigration from the British Isles and believed that current jails in Upper Canada did not deal with any form of rehabilitation and let prisoners sit idle until their release (Fogarty, 2021, p.15; Hennessey, 1999). He argued that there needed to be a new approach to incarceration wherein a penitentiary should be,

a place which by every means not cruel and not affecting the health of the offender, shall be rendered so irksome and so terrible that during his afterlife he may dread nothing so much as a repetition of the punishment, and if possible, that he should prefer death to such a contingency. This can all be done by hard labour and privations and not only without expense to the province, but possibly bringing in revenue (Fogarty, 2021, p.16).

In 1832, the government of Upper Canada bought fifteen acres of land overlooking Hatter's Bay to build the first penitentiary in British North America; the location offered easy water access for the transportation of goods, and the area had an abundance of natural limestone deposits that could be used to build the facility (Fogarty, 2021, p.16). Kingston offered a potential market for convict goods and the necessary supplies to do so, but the proposed plan was met with a lot of resistance from local business owners. Pointing to the example of craftsmen in New York whose shoemaking trade had been destroyed by the Auburn prison, they argued that convict labour would ruin their businesses (Fogarty, 2021, p.17; Hennessey, 1999). However, despite the opposition, the government went ahead with their proposed plans to build the prison. Originally the Provincial Penitentiary of the Province of Upper Canada, what is now known as Kingston Penitentiary (which I will also refer to as Kingston Pen and KP) was built in 1833, and its construction was overseen by Deputy Keeper

William Powers and builder John Mills from the Auburn Prison in New York. Hugh Christopher Thompson was chosen to be its first warden, but he died prematurely from poor health in 1834 (Fogarty, 2021, p.17; Hennessy, 1999).

The prison officially opened in 1835, with the arrival of its first six prisoners on June 1st (Fogarty, 2021, p. 18). The original south wing of the penitentiary was a single limestone cellblock with 144 cells (Fogarty, 2021, p.17). The three other wings were completed by the 1850s and were connected by a circular rotunda known as the 'dome' (built in 1861, the dome was about a hundred feet high and seventy feet wide and was illuminated by a skylight at the top which became a famous landmark when viewed from water or land) (Fogarty, 2021, p.17). At the centre of the dome was a brass bell, which had a significant impact in the life of prisoners^{35, 36}.

In 1867, the government of Canada became responsible for the maintenance and management of Kingston Penitentiary through the *British North America Act* (Fogarty, 2021, p. 19). The penitentiary would house offenders sentenced to terms of more than two years who were largely from the provinces of Ontario and Quebec, with the two most common crimes being larceny and theft of animals (Fogarty, 2021, p. 18; Hennessey, 1999; The Canadian Press,

³⁵ In 1920 Warden Ponsford believed he could simplify the management of the prison using a bell. The bell controlled prisoners every move; it rang to wake them up, to send them off to work, to announce every meal and send them to bed. To the guards, it kept prisoners in line, but for the residents at KP, it was a symbol of repression. According to Roger Caron, 'to the cons it was an object of repugnance and outrage, and unjustifiable punishment. A brass monster that we were convinced had been designed solely to shatter our nerves with its loud and strident ringing. For the prison staff it was the golden cow', but for prisoners it was another reminder of the ongoing punishment and dehumanization they endured (Fogarty, 2021, p. 27; Hennessey, 1999).

³⁶ In the nineteenth century one of the conditions of employment was that officers had to live within the sound of the penitentiary bell (Fogarty, 2021, p. 22; Hennessey, 1999).

2013b). Over time, KP gained the reputation for ensuring its prisoners were 'devoid of rights and were to be regarded as dead to the outside world' (Fogarty, 2021, p. 19; Hennessey, 1999).

Daily Life at KP

Modelled after the Auburn Prison in New York, Kingston Penitentiary was built on a philosophy of order, discipline and punishment and was a place 'to lead a man to repent for his sins and amend his life' (Fogarty, 2021, p. 20; Hennessey, 1999). At the time, prisons were viewed as a place to change the offender into a morally repentant and reformed individual; as Chartrand (2019) argues, 'the permanent moral reform of the convict is the chief aim' (Chartrand, 2019, p. 73).

Prisoners were forbidden to speak at any time, as it was believed that silence promoted a religious environment. This ban on silence was only lifted on Christmas and New Years Day, and this rule was strictly enforced and continued until 1935 (Fogarty, 2021, p. 20). Alongside silence, there was also an emphasis on labour. Combining the features of solitary confinement and group labour, Kingston Penitentiary kept prisoners in total silence thirteen hours a day, six days a week, while working in several trades (Fogarty, 2021, p. 20). However, some of the chaplains were against labour for moral reasons believing that labour,

'promotes intercourse among the convicts, by bringing them from all the wings of the prison; it associates the worst and least capable, the boy and hardened villain. But they should be given an education so they can read the word of God' (Hennessey, 1999, p.37).

Therefore, they believed it was a system of labour that perpetuated illiteracy and ignorance of Christianity (Hennessey, 1999). Despite this opposition from chaplains, strict rules and Christianity shaped the lives of prisoners during the nineteenth century with an emphasis

on intense manual labour to encourage 'clean living' and help the rehabilitation process (Chartrand, 2019; Fogarty, 2021, p. 20; Hennessy, 1999).

In Kingston Penitentiary there was no recreation or private hobbies allowed. Education was considered a privilege for well-behaved prisoners who could attend classes after their workday (Fogarty, 2021, p. 21). Prisoners were confined to windowless cells that were four storeys high, thirty inches wide, and eight feet deep, with a peephole that guards used to observe prisoners. The cells contained only a bed, a Bible, a small bucket for drinking water, and a bucket to use as a toilet. Even though disease ran rampant in KP, prisoners were only allowed to bathe once a month (Fogarty, 2021, p. 21; Hennessy, 1999). Also central to penal and colonial regulation was the control of movement. On Indigenous reserves, mobility was restricted through a pass system whereby Indian agent authorization and regular reporting to the police chief was required to travel off-reserve. Similarly, within the penitentiary, convicts were regulated through remission and tickets of leave, which also required regular reporting to the police chief (Chartrand, 2019; Maynard, 2017, p.36).

Punishment Within KP

With these rules set out by the penal administration, finding someone to enforce them was integral. The first warden, Henry Smith took his responsibilities of strict discipline, hard labour, and silence very seriously. Prisoners could not do anything that might disturb the silence of the institution, such as speak, wink at, or look at anyone else (Fogarty, 2021; Hennessy, 1999). Under Smith's leadership, punishments at Kingston Penitentiary were often corporal in nature and included practices such as whippings (where a prisoner would be fitted

with goggles so he could not identify the guards beating him while tied down to a strapping table), a coffin like structure called 'The Box' where detainees were tightly jammed inside, or a water bath wherein the prisoner's head was put in a barrel that would fill with water (Fogarty, 2021, p. 22). One could be punished for several different reasons including whispering to their neighbour, lifting their face to a passer by or laughing. Punishment also included being locked in the Dark Cell, nights without bedding, a hard bed, or a coarse diet (Fogarty, 2021, p. 21; Hennessy, 1999).

For prisoners deemed troublemakers, they were sent to the hole, where they were confined twenty-three and a half hours a day, with one half hour of exercise in a small, segregated yard. Each cell consisted of a concrete platform for a bed, a thin mattress and two army blankets; sheets and pillows were not allowed. They were fed a diet of bread and water for breakfast and dinner, and a regular meal for lunch (Hennessy, 1999). There was also a light on the ceiling that illuminated the cell; this light was never turned off (Fogarty, 2021, p. 29). Serving time in the hole was something few recovered from, and many resorted to self-harm and suicide (Fogarty, 2021, p. 29). For Roger Caron, his only way out was going on a hunger strike, which led to his transfer to the psychiatric ward. In the psychiatric ward, tranquilizers were commonly used, and patients were forced to undergo electroconvulsive therapy; refusing this punishment meant going back to the hole (Fogarty, 2021, p. 30). Under Smith's regime, 'beyond food and clothing the convict is without rights and the conduct prescribed for him is that of an automation; he is prohibited from feeling, or at least from exhibiting, and human emotion' (Hennessy, 1999, p.86)

Smith's cruelty was eventually too much for the penitentiary physician, who laid charges against Smith – this in turn led to an investigation. The investigative commission's secretary was George Brown, and in his self-entitled 1849 Brown Report, he wrote a scathing attack on Henry Smith's administration, where he outlined barbaric and dehumanizing conditions with physical abuse (Canadiana Héritage, 2024; Hennessy, 1999; The Canadian Press, 2013b). The commissioners were appalled by the practice of corporal punishment, particularly as it was applied to women and children³⁷ prisoners, such as one eight-year-old child who received forty-seven forms of corporal punishment in nine months (Fogarty, 2021, p. 24; Hennessy, 1999). Smith was charged with incapacity, mismanagement, cruelty, falsehood, and embezzlement which led to his suspension from that position (Fogarty, 2021, p. 23). One of the conclusions of the Brown Commission was that prisons should emphasize reformation over punishment, with its recommendations suggesting an end to corporal punishment and the rule of silence, an end to a diet of bread and water, having whippings administered by a doctor, and improving conditions (such as sanitation, diet, and medical treatment). It also suggested separating different types of prisoners (such as youths from adults), a classification system which has been used ever since in housing offenders (Fogarty, 2021, p. 24; Hennessy, 1999). Discipline during the first 35 years of Kingston Penitentiary was almost exclusively physical (including labour discipline, the sleeping cell, and corporal punishment). But the John Creighton Era had a new emphasis on psychological management as a more advanced means of reforming and rebuilding the prisoner which resulted in privileges and punishments (Hennessy, 1999, p. 61).

³⁷ However, enslaved African children were flogged. Here, the category of 'child' is one reserved for white children, even though Black adults and children alike were infantilized (Davis, 1983).

Importantly here, this new form of prison management was not done in a ‘humanitarian’ sense but rather shifts the form of power and punishment from the body to the mind - for Foucault this is an even deeper intensification of disciplinary power (Foucault, 1995; Foucault, 2010). In the absence of physical punishment, Creighton was critiqued by many for making prison ‘too comfortable and making prisoners too happy’ (Hennessy, 1999, p. 49), while disregarding the various forms of mental and emotional torture individuals were still subjected to. Here then, punishment is construed as being physiological in nature, while these other forms of control are perceived as being ‘natural’ within a prison.

Uprising at Kingston Penitentiary

Throughout its tenure, Kingston Penitentiary has housed some of Canada’s most dangerous offenders while they served out their life sentences. KP was known as the ‘decrepit home of diddlers and rats’ according to one former prisoner and provided protective custody for prisoners who would not survive in other institutions (Fogarty, 2021, p. 26). In other words, KP was filled with the ‘lowest of the low’ and were looked down upon by prisoners in other institutions. According to Rob Tripp, a freelance journalist who wrote about Kingston Penitentiary for over twenty years, ‘as soon as you walked in, you had a sense that society has crushed and defeated you....it was a human warehouse of death, decay, and horror’ (Fogarty, 2021, p. 26; Hennessey, 1999). Given the history and ongoing practices of harsh punishment, poor conditions, overcrowding, and lack of programming, tensions amongst prisoners at Kingston Pen had reached new heights.

Calls for Action: The 1932 Riot

The first major uprising at Kingston Penitentiary was in 1932. KP was built to house 564 prisoners but had over 900 living there. In the 1930s, prisoners were still subjected to archaic forms of punishment, such as wearing a ball and chain while they worked or being dunked in ice as an attempted cure for mental illnesses. Prisoners were fed up with the way they were being treated and staged a peaceful protest to bring their complaints to the attention of the administration. Their demands included better food, more recreation time, more family visits, and cigarette papers to go with their penitentiary issued tobacco (CTV News, 2020; Hennessy, 1999). Upon learning about the impending protest, acting warden Gilbert Smith locked prisoners inside their workshop. Detainees were able to break free and address their complaints to Smith, however Smith ignored their requests to contact the federal government with their grievances and instead called in the military. This incident ended with a few military members being taken hostage by the prisoners. Following this, Smith finally agreed to meet with the prisoners and take their complaints to the federal government, but after failing to follow-up with them, prisoners began destroying their cells. In response, Smith called the army back in, which resulted in the shooting of one prisoner. Four days later, Smith was relieved of his duties (Hennessy, 1999).

The riot of 1932 resulted in immediate calls for prison reform. Agnes McPhail, the first woman elected to Canada's House of Commons, realized the Canadian penal system was not designed to reform prisoners but to punish them and isolate them socially. To change this, she introduced a resolution calling for a meaningful program of prison labour. McPhail stated that this program would save the government money while giving prisoners a chance to learn trades

and develop a sense of purpose while serving their time³⁸. She also advocated for reduced use of corporal punishment, mandatory education for illiterate prisoners, and an increase in exercise and outdoor time. McPhail's recommendations were largely ignored, and violence and punishment remained central to the prisoner experience (Fogarty, 2021, p. 46; Hennessy, 1999).

In the late 1940s and early 1950s, penal reform focused on education and training for prisoners so they could gain skills and hopefully employment upon release. By 1957, there were 257 educational and training programs available to prisoners, as well as organized sports (Fogarty, 2021, p. 31). However, by the mid 1960s the prisoner population began to change. The civil rights movement gave rise to more outspoken, politically active prisoners. Additionally, the number of drug convictions in Canada exploded and led to severe overcrowding. As a result, KP became more repressive and security oriented which resulted in the curtailment of recreational programs, family visits being electronically monitored due to a fear of drug smuggling, and frequent prison lockdowns (Hennessy, 1999).

The Point of Explosion: The 1954 Riot

In 1954 there was another uprising where a group of Kingston Penitentiary prisoners attacked a guard in the exercise yard and began setting fires within the prison. The fire destroyed the dome, which was at the centre of the prison, with the riot lasting ten hours and causing two million dollars in damage. The attack on a guard similarly occurred in a previous incident involving two prisoners who attacked three staff members with homemade knives and

³⁸ A lot of parallels can be made here to other institutions and social welfare policy such as workfare and social assistance (Wacquant, 2009).

held them hostage. During the uprising of 1954, the guards were held captive for twenty-four hours and were able to overtake their captors (CTV News, 2020; Hennessy, 1999). In the aftermath of the riot, public opinion was strongly against the prisoners and as a result there was no call for improvement to prison conditions (Fogarty, 2021; Hennessy, 1999). In the eyes of the public, the riot likely reinforces the idea of the dangerous, inferior *inmate* underserving of freedom and in need of strict discipline/ punishment. Moreover, during its tenure Kingston Pen was a central source of revenue and employment for the community. Therefore, the attack on Kingston Pen by prisoners may be interpreted as an attack on not only public safety but the financial well-being of the community as well.

After the incident, Arthur Jarvis, KP's seventeenth warden, detailed his concerns in a letter to the Commissioner of Penitentiaries in stating that the tension at KP seems to be 'to the point of explosion' and that there was a volatile atmosphere that he blamed on staff shortages, serious overcrowding, and anxiety over transfer to the newly built maximum prison Millhaven Institution (Fogarty, 2021, p. 35). Jarvis' letters were never answered and over the next two months there were three prisoner suicides and thirty-five suicide attempts. For prisoners in Kingston Penitentiary, the idea of transferring to Millhaven was concerning due to the mystery and uncertainty surrounding it. Given the threat and uncertainty that Millhaven presented, there had been talk in the cellblocks for weeks about riots and breakouts (Clark, 2017; CTV News, 2020; Fogarty, 2021, p. 35; Hennessy, 1999).

The Bloodiest Riot: 1971

By 1971, recreational programs were cancelled, and educational programs were limited. With fewer educational and rehabilitation programs and limited contact with those outside of KP, prisoners spent sixteen hours a day locked in their poorly ventilated cells, which negatively affected them. According to the prison psychiatrist Dr. Scott, 'men literally became grunting, growling, creatures in cages' (Fogarty, 2021, p. 34; Hennessy, 1999). This anxiety and tension led to the riot of Kingston Penitentiary in 1971 (the same year as the Attica riot) and is the bloodiest prison riot in Canadian history; over the course of the four-day riot, six guards as well as some prisoners were held hostage, while much of the prison was destroyed (The Canadian Press, 2013b). In the end, two prisoners were killed, and ringleaders of the riot were moved to Millhaven institution (CTV News, 2020). After the riot, the RCMP sent in a camera crew to record the damage on silent film, in which Hennessy (1999) states, 'the evidence of human degradation and desperation is overpowering' (Hennessy, 1999, p.105). This was also evidenced through a hanging banner that said 'You've taken our civil rights- we want our human rights' (Fogarty, 2021, p.1; Hennessy, 1999, p.105).

In the aftermath of the riot, a report maintained that failure to implement the Archambault report³⁹ of 1938, which included the introduction of a classification system, led to the uprising at KP. Hennessy (1999) argues that 'the classification system had merely succeeded in turning K.P. into a toilet backed up to overflowing' (Hennessy, 1999, p.106). By this, Hennessy means that having lower levels of security with more available programs and

³⁹ The Archambault report called for several changes such as pay for prisoner labour, prisoner programs, addressing issues of staff shortages, and overcrowding (Hennessy, 1999, p. 106).

vocational training would have maintained a more conducive, harmonious, and safe environment for rehabilitation (Clark, 2017; Garrison, 2014; Hennessy, 1999, p.101). Alongside issues with the classification system and other concerns outlined in the report, the aftermath of the riot included forcing many prisoners to undergo trials for their conduct during the uprising. During their trial, one prisoner described the events 'not as a riot...I've been in a riot. This was a torture chamber...Kingston was a living, breathing hellhole. I chose to destroy it before it could destroy me' (Paikin, 2021).

The Legacy of Kingston Penitentiary

Prior to the 1971 riot, and until its closure, Kingston Pen was open to visitors who could pay to tour the facility. When Charles Dickens toured KP during its early years, he noted that men were employed as shoemakers, rope makers, blacksmiths, tailors, carpenters, and stone cutters. However, in 1901, warden J.M. Platt cancelled tours of KP while maintaining that it was not a zoo (Hennessey, 1999). On a tour I took of Kingston Pen in 2018, which is led by former guards, my experience was also reminiscent of an abandoned zoo. Fellow tourists **eagerly** flocked to take photos of cells and instruments that cruelly confined and tortured people, and places where people died within the prison. Cells had been dressed up with decorations and hockey memorabilia as if to suggest that prisoners lived 'cushy' lives or as a symbol of national unity amongst 'us' tourists versus 'them' prisoners. During the tour, my guide/ former guard stated, 'a lot of cons wanted to come here. It's bigger, has a TV and more. It's like a vacation'. In reference to [denying] transfers to Millhaven he stated, 'you can't explain to inmates that something isn't true, they won't believe you'. On prison labour he also maintained that 'inmates were paid top wages' (Anonymous, personal communication, 2018). Throughout the

tour, the guard consistently emphasized how evil, dangerous, and animal-like the *inmates* at KP were, and that they deserved to be there. I was eventually asked to leave the tour for asking questions about the numerous reports of inhumane conditions and abuses, after repeatedly being told that I was misinformed, and that those claims were untrue. In addition to the concerns I raised and experienced on the tour I undertook, former prisoners from KP have argued that they should be allowed (and paid) to help conduct these tours, as they believe that having them led by guards is one-sided and does not accurately capture the prisoner's experience/ Kingston Pen's history (MacAlpine, 2020). What becomes apparent through the various accounts of life at KP, as well as in the tour(s) currently given there, is that the legacy of Kingston Penitentiary has demonstrated that it is unable to lend itself to new ideas, or reform of any kind, as it was designed for 'confining, isolating, punishing, and stigmatizing prisoners' (Clark, 2017; CTV News, 2020; Hennessy, 1999, p. 109; The Canadian Press, 2013b). Moreover, KP was an institution used to break prisoners through various forms of dehumanization that centered on strict 'discipline'. These practices of degrading, abusing, and disciplining prisoners were processes to which isolation, and I argue labour, was central.

Beyond Kingston Pen: Moral Reform and Whiteness

Race and Moral Reform

At the onset of this chapter, I stated that 'in describing the evolution of prisons in this way [as a naturally evolving institution], the wider social contexts in which they emerged are typically ignored'; here, it is this point to which I would like to return. At the time when Kingston Penitentiary was first built, and throughout its tenure, there were several social [and

political] contexts and transformations taking place beyond prison walls that necessarily shaped life within KP. By exploring the wider societal conditions, particularly during the earlier years of KP, these social factors help contextualize the policies and practices implemented within Kingston Penitentiary, which as I will argue, were built on racial exclusion and violence.

During the early years of Kingston Penitentiary, enslavement was not legal in Canada, however a racially divided and economically subjugated society was enforced. The argument in Canada at the time was that racism could be avoided if Black people were kept out of the country (Maynard, 2017, p. 36). Given this logic, since there were indeed Black, and other 'undesirable' people in the country, racist policies and practices both outside and within Canadian prisons⁴⁰ were deemed necessary and unavoidable. Alongside the government ban on bringing enslaved Black people into Canada, officials attempted to ban further Black migration using the allegedly non-racist claim that Black people were 'climatically unsuitable', as well as subjected Black migrants to invasive medical treatments at the border to deter them from entering Canada; medical examiners were paid a bonus for each person they turned away (Maynard, 2017, p.35). Similarly at this time, after John A. MacDonald's re-election, he organized a state sanctioned famine for Indigenous communities in the Prairies, which forcibly relocated Indigenous peoples onto reserves (Maynard, 2017, p.32). Under what some historians refer to as 'Canada's Jim Crow', separate schooling was enforced for Black and white children, as Black children were viewed as having a morally corrupt influence on white children; this idea was rooted in assumptions that Blackness and danger/ criminality were inextricably linked

⁴⁰ Most obviously, are the instances of abuse against Black prisoners that are briefly mentioned in various reports and books about KP (Hennessey, 1999).

(Maynard, 2017, p. 33). Segregation polices were also used in housing, as well as through the 'sundown laws' which meant that Black people had to be indoors or out of town by a certain time every evening, were banned from some cities entirely, and were also refused service by certain businesses. For example, Viola Desmond a Black Nova Scotian woman was arrested for not sitting in the section of a movie theatre meant for Black patrons (Maynard, 2017, p.38). Despite the absence of the Black Codes in Canada, there were similarly laws for which Black people could be duly convicted and/ or legally discriminated against. Also, many of those incarcerated during the early years of KP were charged with larceny and stealing an animal, which were crimes established by the Pig Laws in the U.S. Therefore, although there was a formal absence of certain laws in Canada, the same practices were enforced in both the United States and Canada thereby demonstrating that Black life in Canada was not only targeted but criminalized. Given the belief that Black peoples were criminal, dangerous, morally corrupt, and impure, they were disproportionately targeted by both formal and informal laws in Canada, leading to disproportionate arrests, and prison sentences. In this way, although Black people could not be kept out of the country, they could be kept away from the public to reduce their 'contaminating influence' in society.

Furthermore, alongside the myth of the Black rapist, Black men were also targeted by Canada's drug laws, which Robyn Maynard has referred to as 'racially motivated surveillance, harassment, and incarceration for racialized persons' (Maynard, 2017, p. 47). After the release of a book entitled *The Black Candle*, which argued that drugs lead to the 'destruction of the white race' and featured racialized peoples, particularly Black men as being drug traffickers that 'enslaved white women', federal drug laws in Canada were created to combat these supposed

dangers (Maynard, 2017, p. 47). As previously mentioned, in the mid 1960s there was a drastic increase in drug convictions which was directly linked to the expansion of the prison population in Canada and issues of overcrowding in KP. The use of drug convictions alongside the expansion of the prison population demonstrates that Blackness was criminalized through intentional policies to remove Black people from society under the guise of law and order, thereby reinforcing the belief that free Black people were interfering with white progress. Put differently, Black people were perceived as being and/ or having a social disease, and a strategy to limit their contaminating influence was implemented through these drug laws.

Similarly, at this time (1964), the Department of Indian Affairs was beginning to investigate the 'Native criminal' due to negative media portrayals that depicted Indigenous peoples as criminal and reinforced the 'drunk Indian' stereotype (Chartrand, 2019, p.77). Therefore, since Black and Indigenous peoples were perceived as a public danger, removing them from the public was done under the guise of law and order and public safety⁴¹. These ongoing efforts to criminalize Black (and Indigenous) life and frame Black people as being

⁴¹ In Foucauldian (2010) terms, the criminalization of Black life functions as a form of biopower by maintaining power over docile bodies and improving them to a normal life. Previously, the privileges of sovereign power held the right to decide between life and death, which was exercised through the right to kill or to refrain from killing; put differently, sovereign power gave an absolute authority to take life or let live (Foucault, 2010, p. 259). However, since the seventeenth century, there has been a shift in this right to determine life or death, which has expanded its limits to have what Foucault refers to a 'positive' influence on life, wherein life can be administered, optimized, and multiplied. In this way, power can be exerted through total control and domination over another individual to ensure one's continued existence. Here, rather than killing Black people, they can be kept in a position of subjugation wherein they can be exploited for their labour, which is supported through the belief that they are being morally improved (Foucault, 2010). However, this must necessarily be read as an effort to maintain social and racial hierarchies through a normalizing white gaze. For those sent to KP, attempts to redeem them must be understood through the guise of redeeming them to a civilized white being, as their Blackness is read as innately immoral and irredeemable.

incompatible with Canadian purity reproduces the inferior, hyper dangerous colonial subject in need of (but incapable of) moral reformation.

Like Fanon argues in *Black Skin White Masks*, no matter what the colonized (in this context, poor, Black) person does, they can never be redeemed to a white, civilized being. Using the example of the educated black man, who goes to Europe to gain 'culture', the Black man finds himself rejected by the civilization he has nevertheless tried to assimilate into. Fanon argues that the educated, and assimilated black man is more 'civilized' than a non-educated black man, but he is still a 'Negro', and is still considered inferior to the white man; therefore, they will never be equal. Here, Fanon maintains that the Black man is perceived as needing civilization (assimilation) but is seen as a threat if he equates himself with the European. Therefore, maintaining the racial order is central to the process of assimilation and deeply embedded within it. In the context of Kingston Penitentiary, despite the argument that hard labour teaches prisoners strict discipline and is central to their reformation, like the educated Black man, the Black prisoner will never be white no matter how much or how hard they work. Therefore, within KP because the Black prisoner is read as innately evil (and the Black person in the broader societal context), it is believed that no amount of discipline or attempts at reformation can redeem them.

[Racial] Class and Moral Reform

The whiteness underpinning the larger societal context during KP's tenure was not always explicitly racist in nature and was also read through one's social class. Ideals of middle-class culture existed in contrast to the lives of poor and marginalized working-class populations

who were framed as immoral and in need of strict discipline; this culture was rooted in the success of white middle-class growth and based upon the often-arbitrary distinction (and punishment) between the 'deserving' and 'undeserving' poor. Through the development of the modern-day prison, jails were often used to hold debtors until they were able to pay their debt, thereby demonstrating how poverty was punished, and how labour was integral to this understanding of discipline and reformation. However, this distinction and criminalization of poverty can also be understood as an issue of racialized poverty. During the practice of peonage, Black peoples were arbitrarily imposed with fines to force them back to the fields under control. As a result, they were unable to escape their debt, which reproduced the idea of the 'poor Black' as a social disease with an inability to be reformed and therefore deserving poor.

This relationship between race, racialization, and labour is demonstrated in Davis' (1983) theorization of Black labour as outlined in the previous chapter. Here, the 'undeserving' racialized poor were perceived as being most in need as well as best suited to perform this oftentimes grueling labour, while white middle- and upper-class peoples were perceived as being of too high of a social order and too respectable to do menial labour but best suited to do white-collar work (Cahn, 1994). Moreover, Davis' theorization alongside an examination of the history of labour in KP reinforces the idea that certain types of [uncivilized] people are unfit for freedom, and that by doing hard labour and learning 'discipline', they are no longer a threat to society, and they have the potential to be redeemed to a [white] civilized being. The treatment and criminalization of Black people in society during this time reinforces this belief that they are not only the 'deserving poor', but that they are also in need of discipline to the extent that they

must be separated from society and treated as nonhumans. In these ways, society views Black people as both invisible (as uncivilized) and hypervisible (deservingly poor and in need of discipline).

[Racial] Class, Masculinity, and Moral Reform

The establishment of the middle class was developing while the lives of impoverished workers and immigrants seemed even further removed from the comfortable lives of white-collar workers and businessmen. Not only were growing numbers of poor, immigrant, urban workers perceived as an unruly mass in need of disciplined activity, but tensions intensified by class injustices and other social inequities led to turn-of-the-century protests that significantly challenged the existing social order. Eugenacists argued that there were threats of 'race suicide' and predicted that immigrant populations and the 'prolific poor', would soon overwhelm white, 'native-born racial stock' (Cahn, 1994, p. 28; Davis, 1983, p.209). In efforts to control them, Black and Indigenous peoples were overrepresented among those subjected to Canada's sexual sterilization policies amongst other practices to curtail reproduction from populations deemed undesirable (Cahn, 1994; Davis, 1983; Stote 2012).

Abdel-Shehid and Kalman-Lamb (2011) argue that the eugenics movement not only stated claims about racial hierarchy but about sex and gender as well. The image of 'virile athletic manhood' proved reassuring, especially for professionals, merchants, and white-collar workers whose work in the new corporate economy no longer required physical labour (Cahn, 1994, p.10); this was something reserved for the 'undeserving' poor and immigrant populations. During this time, alongside ongoing periods of industrialization taking place

beyond prison walls, there was a development in the relationship between labour and morality; this focus on labour discipline and reformation was demonstrated as the emerging middle-and-upper classes were guided by Victorian ideals of 'muscular Christianity' and 'rational recreation' (Cahn, 1994, p.9). In an antebellum society transformed by the first stages of the industrial revolution, the emerging middle class took an increased interest in developing self-discipline and a strictly regulated body, as it was believed that physical exercise helped to contain sexual energy, self-control, and helped 'strengthen a man's moral and religious fiber through muscular development' by teaching delayed gratification (which can also be understood in contrast to the perceivably oversexed Black man) (Bederman, 2008; Cahn, 1994, p.9). Strengthened by intense physical exercise, upper class men could develop their physiological superiority, restore their confidence, and regain the 'hard masculine' edge required for effective leadership (Cahn, 1994, p. 16, 27). Additionally, due to industrialization, and the emergence of the middle class, white men had newly found leisure time compared to lower classes who were generally not afforded such luxuries (Abdel-Shehid & Kalman-Lamb, 2011, p. 52).

However, for Black labourers, who were trapped in low-paying, dangerous working conditions, and degrading positions, their intense physical labour was not equated with any positive attributes, and the luxury of leisure time was not attainable to them. Moreover, their labour often required public displays of Black subjugation thereby reinforcing the belief that Black people (in part due to the intense physical labour they did) were viewed as inferior subhumans (Davis, 1983; Maynard, 2017). Therefore, as Abdel-Shehid and Kalman-Lamb (2011) maintain, athletics was synonymous with masculinity, wherein the white male athlete exerted his masculinity and superiority through his physical capabilities, but these categorizations of

gender intentionally excluded their Black counterparts. Moreover, the subjugation of Black people and association of menial labour with the undeserving poor helped lock Victorian ideas of whiteness and morality into perceivably unattainable social superior positions. Therefore, Victorian ideals of morality were a specific formation of power used to reinforce Eugenicist practices that read Black men out of what Abdel-Shehid (2017) and Batelaan & Abdel-Shehid (2020) refer to as 'the normative gender sphere'.

These philosophies of morality and bodily development are demonstrated both within society more broadly, but within prison walls through KP's policies of silence and discipline (Cahn, 1994, p.9; Hennessy, 1999). The history of Kingston Penitentiary is one centered on the relationship between (perceived) morality, labour, and discipline under the guise of prisoner rehabilitation and reformation. Across the various regimes at Kingston Penitentiary, labour was highly valued and deemed necessary for one's rehabilitation. Labour was used to ensure strict discipline and was touted as integral to building 'good' moral character by evangelically minded reformers and Agnes McPhail. At the time it was thought that moral reform was rooted in one's muscular development through physical labour and its connectedness to religious growth. However, while these ideas of labour and redemption were supposedly framed around ideas of morality, I argue that this idea of morality is underpinned by an implicit (or perhaps explicit) understanding of whiteness, as the white middle-and-upper classes were considered too respectable to do such hard labour. Moreover, since Black men were viewed as hypersexual, these ideas of self-discipline and physical labour did not extend to them since they were perceivably unable to display any kind of control and delayed gratification. In this sense, any labour they did would not offer any moral cleansing, but rather reinforced their inferiority and

the impossibility of their reformation as uncivilized beings. Overall, these societal conditions demonstrate that the relationship between labour and discipline is not only underpinned by whiteness insofar as it was used to justify the poor treatment of racialized peoples under the guise of moral reformation, but also that its apparent affect on reformation and rehabilitation is imbued in whiteness.

Collective Catharsis & The Emergence of the Modern Prison System

Given this understanding of how Victorian ideals of morality within Kingston Penitentiary were underpinned by whiteness, and its affects on rehabilitation within the prison, I would like to examine this within the larger context of this chapter, which is the emergence of the modern prison system. In the introduction of this chapter, I stated that the emergence of the modern prison system is a cathartic response to managing 'problem populations' in Canada. It is this point that I will now return to. As outlined in the previous chapter, Fanon's concept of cultural imposition describes how racial inferiority and superiority are created through social interactions and the social environment. This idea becomes apparent when examining the societal context that surrounded the emergence of Kingston Penitentiary, particularly during its earlier years with ongoing efforts to reproduce ideas of racial inferiority.

As mentioned, Black people and Black life itself were framed as unsuitable and undesirable in Canada. Additionally, public displays of Black subjugation (through physical labour) reinforced the belief that Black people were viewed as inferior subhumans; here, the culturally imposed idea that they are less than human renders them invisible. However, Black men were also viewed as oversexed and hyper deviant, and framed as rapists, drug dealers, and

thieves. Therefore, the culturally imposed ideas of them as dangerous creatures also render them hypervisible. Given this understanding, Black men were perceived as incompatible with the principles rooted in Victorian ideas of civility, morality, and progress (such as sexual gratification and discipline). In other words, Black existence was incompatible with ideas of Victorian existence [read: 'human' existence]. These various perceptions of the Black colonized subject who is believed to threaten white progress and societal purity, leads to ongoing tensions or aggressiveness within society. In response to these aggressions, society must undergo a process of catharsis to rid itself of these tensions (G. Abdel-Shehid, personal communication, 2024; Fanon, 2008).

This catharsis occurs through imprisoning those deemed problem populations, and rather, the creation of the modern prison system itself. If we consider this alongside the idea that slave ships were in fact the 'real' introduction to the modern prison system, this process of catharsis can be explored further. The different forms of dehumanization that Africans on slave ships endured, and other forms of symbolic and literal lynching they underwent, were all efforts to maintain a racial order and extract free labour. Similarly, various punitive institutions meant to punish those deemed problem populations in Canada have served similar functions- to remove certain bodies from society and maintain racial superiority through physical discipline and labour. In this way, removing the colonized subject from society removes those who are believed to be a threat, as well as allows society to redeem itself back to a civilized, moral space. Put differently, imprisoning the colonized subject is a reaction to the fear that Black people are believed to present to society. This point is exemplified by Hugh Christopher Thompson who proposed building a new jail (Kingston Penitentiary) to deal with crime rates he

believed were linked to an increase in immigration of undesirable populations. However, this process of catharsis is never complete insofar as Black people are continually criminalized through the creation of certain laws for which only Black people could be 'duly convicted'. Furthermore, Black people were supposedly beyond reform since they were viewed as a contaminating influence within Kingston Pen. In this way, efforts to keep removing them even further from society and throwing more people in jail is always ongoing. Here, one could say that racism is a form of perpetual aggression which produces tensions that always need to be released (G. Abdel-Shehid, personal communication, 2024; Fanon, 2008).

Conclusion

Overall, across the history of Kingston Penitentiary, the policies and practices of discipline and labour were rooted in an implicit whiteness that underpins its legacy. Victorian ideals of morality were built on ideas of whiteness and shaped by Eugenicist claims and policies which sought to demonstrate an innate link between Blackness and immorality/criminality. Moreover, the history and function of Kingston Penitentiary were shaped by Victorian ideals of morality and redemption. Through an emphasis on silence/ isolation and labour, those deemed problem populations were subjected to discipline rooted in manual labour under the guise of moral reformation. In the following chapter, I build on this idea of supposed moral reformation under the guise of public safety through practices of labour discipline and silence.

Chapter Four:
Mo Money Less Problems: The Superexploitation of Incarcerated Workers in Canada

It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.

Nelson Mandela (Amnesty
International, 2015)

The looks of pride on your face when I talk about school

Touch, All the Time

Introduction

In chapter two, I used the work of Frantz Fanon alongside Black critical theorists to explore the link between race, racialization, and labour. In doing so, I maintained that this relationship is underpinned by whiteness. I also demonstrated that through a history of racialized violence and coerced work, the colonized subject undergoes a double process of dehumanization, wherein they exist as both an invisible and hypervisible subject. Using Fanon's concepts of cultural imposition and collective catharsis, I examined how the Black worker is perceived as inferior and therefore unfit to labour in certain jobs, but best suited to labour in low-skilled, low-paying, undervalued/dangerous jobs; I argued that this double process of dehumanization must necessarily be understood as a form of colonial violence used to maintain colonial identities.

In chapter three, I examined this relationship between labour and the reproduction of colonial identities through the legacy of Canada's oldest prison, Kingston Penitentiary; I explored how the history of Kingston Penitentiary must be read through a normalizing white

gaze due to the subjugation of [racialized] prisoners. In KP, prisoners' lives were guided by strict principles of silence and labour under the guise of reforming offenders to an 'optimal' moral life. I also argued that various understandings of Black people (and other 'undesirable' populations) as threats to white progress led to the creation of the modern prison system (a history that can be traced back to the use of slave ships) as a cathartic response to dealing with those deemed problem populations. Moreover, this historical context of the prison system is useful in demonstrating how the prison functions as a disciplinary site wherein the use of prison labour is central to one's experience while incarcerated.

In chapter four, I build on this understanding of labour discipline through an exploration of contemporary prison labour regimes in Canada. Here, I argue that the use of prison labour in Canada is not only underpinned by whiteness but reproduces the Black (and Indigenous) incarcerated worker as an inferior colonial subject. Furthermore, I argue that the maintenance of the prison as a disciplinary site to doubly dehumanize the colonized subject occurs through the tactic of Spatial Domination. The term spatial domination refers to utilizing spaces and environmental conditions that enable one to isolate, deprive, and control prisoners; in this chapter, spatial domination is used to maintain the subjugation of the racialized, incarcerated worker. Through physically and socially isolating the racialized worker, a space is created wherein prisoners can be easily exploited with impunity. With this, the relationship between whiteness and labour in prisons reproduces colonial identities by maintaining a racial hierarchy rooted in white supremacy. While in chapter two I argued that the exploitation of Black labour was used to maintain colonial identities, here in chapter four I argue that spatial domination is a tactic central to this process within Canadian prisons, particularly given Canada's history of

racialized violence and ongoing settler colonialism. Therefore, I conclude that this tactic of spatial domination has been employed by modern prisons in Canada to control the labour of Black, Indigenous, and other racialized peoples in prisons. While it has been argued that prisons exist to ‘redeem’ supposedly dangerous and uncivilized peoples from their perceived savagery [read: ‘otherness’], in this chapter I will demonstrate that the role of labour is central to the control of the racialized, incarcerated worker and does not contribute to one’s moral reformation (or rehabilitation). Furthermore, while in chapter three I explored the relationship between silence and labour within the modern prison system, in this chapter I continue to examine this link through contemporary practices of solitary confinement and Canada’s federal prison labour program, CORCAN.

Solitary Confinement

Solitary Confinement as Torture

It has been argued that’s solitary confinement ‘is rooted in humane penal reforms’ (Struthers Montford, Hannah-Moffat & Hunter, 2017). However, this claim is untrue. Historically, practices of isolation and silence were rooted in the idea of humane punishment, however *extreme* forms of isolation have always been used as punishment. For example, in the early years of KP, prisoners deemed troublemakers were sent to ‘the hole’, which was a tactic of extreme isolation alongside abhorrent living conditions, amongst other forms of abuse they endured. Therefore, in both a historical and contemporary sense, solitary confinement has always been used to punish offenders, and has often been referred to as a form of torture, and a ‘clear’ human rights violation due to the denial of one’s civil liberties, social and physical isolation from loved ones and support networks, a lack of access to programs, and the

egregious living conditions prisoners are subjected to (Amnesty International, 2012; Casella, Ridgeway & Shourd, 2016; Hamilton, 2018; Pattison, 2019).

Prisoners can be placed in solitary confinement (which I will also refer to as solitary or segregation) for any given amount of time, and the length of their stay can span from a few days to a few decades. While there, one can spend 22-24 hours per day in their cell which is approximately seven or eight feet by 10 feet in size (or slightly bigger than the average size of an elevator). The use of solitary is meant to be punitive, and its purpose is to physically and socially isolate prisoners and keep them in a position of total domination (Clark, 2017). Some people in segregation are only allowed out of their cell to go into a small solitary outdoor cage with no recreational equipment (rather than being given yard time), and to shower a few times a week (Cloud et al., 2015; John Howard Society, 2018; Ling 2021). Prisoners are also not allowed any group activities and are offered few individual activities and programs (if any) that would help them adjust when re-entering the general prison population or society. Some prisons offer group therapy sessions, but in many facilities participants are chained to metal chairs that are mounted to the floor of a cage (Cloud et al., 2015; Iftene, 2020). Modern units are highly mechanized to minimize face-to-face interaction such as with electronic doors and intercoms (Cloud et al., 2015). With increased technological advances, prisoners are further isolated from loved ones and may have limited visitors who they can see through a thick glass barrier with no physical contact (Casella, Ridgeway & Shourd, 2016; Hamilton, 2018; John Howard Society, 2018). Additionally, there have been reports of physical torture as well as 'no-touch torture' through sensory deprivation, extreme temperatures, and permanent bright lights (American Friends Service Committee, n.d.; Casella, Ridgeway & Shourd, 2016; Hamilton,

2018;). Prisoners have little exposure to natural light, with bright fluorescent lights being used in their cells throughout the night, thereby disrupting their sleep. By isolating offenders from all social contact, depriving them of any dignity or minute human comforts, prisoners in solitary undergo even further surveillance and control than their counterparts in general population (Coyle & Omstead, 2022; Iftene, 2020). This demonstrates that individuals in segregation are subjected to heightened forms of dehumanization made possible through a space that necessitates this violence.

The use of solitary remains widespread and becomes difficult to challenge due to poor data collection and secrecy around its use (Grace, 2019); many facilities remain closed off to observers, including to Juan E. Méndez, the former UN special rapporteur on torture, who was denied access to U.S. prisons for years. The use of solitary confinement also becomes difficult to track due to the number of different names it has. Solitary, depending on the facility and/or jurisdiction may also be referred to as administrative segregation, communication management units, complex detention units, disciplinary segregation, intensive management units, involuntary protective custody, restricted housing units, security housing units, solitary, solitary confinement, special housing units, and structured intervention units (Coyle & Omstead, 2022; Iftene, 2020; Ling 2021; Lipton, 2015). While some may argue that there is no systematic use of solitary confinement, debating and discussing that claim is difficult given the various labels it has and the different understandings people have about its use (Coyle & Omstead, 2022; Iftene, 2020; Ling 2021; Lipton, 2015).

Solitary and Mental Health

Despite this lack of transparency, numerous stories of current and formerly incarcerated people have detailed the problems and abuses endured in solitary confinement quite extensively. Moreover, it has been repeatedly demonstrated by scholars and mental health experts that the use of solitary confinement can lead to several severe mental and physical health issues such as anxiety, paranoia, hallucinations, and suicide (Casella, Ridgeway & Shourd, 2016; Hamilton, 2018; Wykstra, 2019).

Clark (2017) argues that prison cells are already cramped, frigid or incredibly hot, and that basic needs like hygiene, ventilation and plumbing are often poor or do not work⁴². With the absence of any human comforts, particularly the lack of social contact, as well as clear human rights violations, solitary confinement further wears someone down and can have significant impacts on their mental health. Psychologists maintain that extreme isolation (even for a short time) can lead to long-lasting psychological harm, with many eventually self-mutilating or committing suicide (Clark, 2017). Many prisoners with mental health issues are often placed in segregation, as prison staff want to separate prisoners that are considered challenging to avoid any issues in general population. Due to the detrimental effect(s) segregation can have on an individual, the United Nations experts on torture have called for all countries to ban the use of solitary confinement on prisoners (particularly for more than 15 days), with an 'absolute prohibition in the case of juveniles and people with mental disabilities',

⁴² A well-known example of the poor conditions plaguing Canadian prisons is Toronto South Detention Centre (commonly referred to as Toronto South) which has notoriously become known as a 1\$-billion hellhole, or Guantanamo South due to its use of segregation and lockdowns, poor ventilation, restrictions on showers, family visits, lawyer meetings, and overcrowding, as well as frequent bedbug infestations and unsanitary conditions. According to DiManno a columnist at the Toronto Star, 'in one word, it is broken' (DiManno, 2019). In the legal community, the South is referred to as the 'Plea Factory' because men awaiting trial have been known to plead guilty just to get out (DiManno, 2019).

in accordance with the UN's Mandela Rules (to which Canada is a signatory) (Clark, 2017; Lazar, Latimer, & Fallis, 2020; Wykstra, 2019).

In a study of 100 individuals at Pelican Bay, a supermax prison in California, 70% of those interviewed felt like they were on the verge of a nervous breakdown, about 40% experienced hallucinations and approximately one-third reported suicidal thoughts, while almost all interviewees self-reported heightened anxiety, anger, and sensitivity to external stimuli. Psychologists have maintained that these symptoms develop and are more pronounced for those held in solitary than those in general population in prisons (Wykstra, 2019). In an article by Lacino Hamilton, who describes his experience in solitary confinement in the United States, he details how solitary is used as a form of torture; Hamilton describes an older man in a wheelchair who frequently stated how bored he was hanged and killed himself on a dare. He also states 'many of the men here with me smear themselves with feces. They mumble and scream incoherently all day and night. They descend into the horror of self-mutilation, some eating parts of their own bodies' (Hamilton, 2018). This point is further exemplified by a Florida man with mental illness being held in solitary confinement who cut off his own genitalia and flushed it down the toilet (Maul, 2019).

In Canada, the psychological trauma done unto one in solitary confinement is exemplified through the story of Ashley Smith. Smith suffered from mental health issues and was held in solitary confinement for more than 1000 days as punishment for her self-harming behaviour. In 2007, correctional officers stood idly by and did nothing while they watched her

take her own life⁴³. What becomes apparent through Smith's case is the detrimental impact extreme isolation has on an individual. Additionally, the degree of control and power exerted over Smith is demonstrated through not only putting her in solitary for so long, but in failing to intervene when she was taking her life (Grace, 2019). There are also the examples of Edward Snowshoe who took his own life in 2010 after spending 162 days in segregation, and Adam Capay who underwent severe mental health trauma after spending 1647 days in solitary confinement (White, 2019). In all three of these cases, correctional staff were not [criminally] charged, and one guard in the Smith case who was initially fired was allowed to resign after criminal charges were dropped (The Canadian Press, 2013a, 2013c). Here, the ambiguity surrounding the use of solitary confinement, as well as the lack of transparency and accountability of its use makes it such an effective tool of control⁴⁴.

The Introduction of SIUs

Despite calls for ending the use of segregation, Correctional Service Canada (CSC) provides three reasons as to why prisoners may be placed in segregation: if they jeopardize the security of the institution and/or safety of other individuals; if it is necessary for an investigation that could lead to a criminal or serious disciplinary charge; or, if the prisoner's own safety is at risk (Grace, 2019). As of December 1, 2019, solitary confinement in Canada was

⁴³ It is also important to note that Smith was incarcerated as a minor and was therefore underaged for most of her time in segregation (Grace, 2019).

⁴⁴ Another challenge raised by the use of solitary is its impact on reintegrating prisoners; the use of solitary has several consequences which include hallucinations, self-harm, and the inability to socialize, which become particularly troubling when these prisoners are eventually released from solitary confinement back into the general population or directly onto the street out of prison, as adjusting to life outside of solitary is challenging (ACLU, 2013).

eliminated⁴⁵ due to Bill C-83, an amendment to the Corrections and Conditional Release Act (Grace, 2019) following the death of Ashley Smith, and complaints that it violates the rights of prisoners under the *Canadian Charter of Rights and Freedoms* (Brinker, 2017; Grace, 2019). Section 36 of this legislation mandates that prisoners be out of their cells for four hours daily, with a minimum of two hours of daily, meaningful human contact. But section 34 of the CCRA also sets out a range of allowable exceptions to this policy, and it fails to define what ‘meaningful contact’ entails (Justice Laws Canada, 2022; Lazar, Latimer, & Fallis, 2020). In Canada, segregation cells are now called structured intervention units, or SIU’s, and have been referred to as a ‘cosmetic rebranding’ of solitary confinement by human rights organizations, since there are no limits on isolation or separation of prisoners. Furthermore, these new SIU’s continue to serve the same function and operate in the same manner (with the same practices and conditions) as segregation did previously, while using the exact same cells that were previously used for solitary confinement (CBC News, 2019; Coyle & Omstead, 2022; Iftene, 2020; Lazar, Latimer, & Fallis, 2020; Ling, 2021; Wright, 2019).

With the introduction of SUI’s, Kim Pate, an independent Senator in Canada, and former executive director of the Elizabeth Fry society, stated the following:

Government legislation billed as eliminating the damaging and dangerous practice of administrative segregation — better known as solitary confinement — is in reality, a cynical exercise that merely rebrands this cruel treatment. I am shocked by the linguistic trickery in Bill C-83, An Act to amend the *Corrections and Conditional Release Act* and another act. Rather than ending segregation, Bill C-83 rebrands administrative segregation as “structured intervention units”. It allows the Commissioner of the Correctional Service of Canada to designate any unit or penitentiary as a structured intervention unit without imposing restrictions on the nature or number of cells. This creates the risk that an ever-increasing number of prisoners will be segregated — an all-

⁴⁵ It was not the practice of segregation, but rather administrative segregation (which will be outlined in this chapter) that was ‘eliminated’.

too-easy answer to managing mental-health issues and other needs that should be addressed through community supports rather than by restrictive confinement. The government has also boasted that Bill C-83 will see prisoners in these new units spend a minimum of four hours a day outside their cell, an increase from the current two-hour-a-day requirement. The premise is that 22 hours of isolation per day meets the definition of segregation of a prisoner and attracts certain, far too limited constitutional protections — but that 20 hours of isolation per day under the same torturous conditions does not. This should make clear why we need a true end to segregation and separation, by any name...Nor will Bill C-83 change the current lack of effective external oversight of correctional decision-making. All decisions about when and for how long prisoners are to be segregated would be made by a correctional services administrator alone and without the review of any third party. This represents another step away from former Supreme Court justice Louise Arbour's recommendation that judicial oversight of corrections is necessary to prevent the abuse of segregation. Bill C-83 may also reduce the ability of Indigenous prisoners and parolees to transfer to their communities, a measure included in the current law to address the over-representation of Indigenous people in federal prisons (Pate, 2018).

This has been quoted at length to demonstrate how the cosmetic rebranding of a harmful practice like segregation in Canada continues to be misused and abused, despite the backlash from its use. When asked about the state of solitary confinement in Canadian prisons, CSC commissioner Anne Kelly responded 'we do not have solitary confinement any longer' (Ling, 2021). Kelly made this statement even though the term 'solitary confinement' still exists on certain sections of the CSC website, such as where prisoner pay is outlined.

Moreover, the use of lockdowns where prisoners are confined to their cells for 23 hours daily are common, but they are considered different from segregation, and occur frequently without much (or any) oversight. Medical observation cells and dry cells also isolate prisoners in demeaning and degrading environments (Lazar, Latimer, & Fallis, 2020). During the COVID-19 pandemic, prisoners showing symptoms of the virus were sent to the old solitary confinement cells and were let out for twenty minutes a day to shower or to make a phone call. Bill Blair

told *Maclean's* those measures were 'necessary' given the pandemic and that they 'were not intended in any way to violate anybody's rights' (Lazar, Latimer, & Fallis, 2020; Ling 2021).

Solitary Confinement as Spatialized Control

The use of solitary confinement demonstrates how this 'prison within a prison' dehumanizes prisoners by holding them within small, confined spaces with abhorrent conditions. While there, prisoners are more likely to undergo psychological and emotional trauma that is largely ignored and/ or exacerbated by prison staff and the extreme forms of isolation they are subjected to. Moreover, the use of solitary confinement reinforces the powerlessness of the prisoner and the unchecked power afforded to guards, who are given the authority to determine who is capable of redemption (who can be released from solitary, or not be sent there to begin with) and who is part of the 'problem population' and in need of heightened discipline. Moreover, I understand the use of solitary confinement as a form of spatial domination insofar as it exists outside of the law; it is a space wherein one can be psychologically tortured and abused in other ways with impunity (and little to no oversight or regulation), even though it violates the UN Mandela Rules, the Canadian Charter, as well as other forms of criminal law and human rights.

Race and Solitary Confinement

Administrative Segregation:

Prior to the introduction of structured intervention units in Canada, solitary confinement was classified as disciplinary or administrative in nature. While disciplinary segregation is punitive and can only be used when a prisoner is found to have committed

serious misconduct, administrative segregation can be used for several reasons such as for safety, but also for many trivial offences such as talking back, smoking, failing to report to work or school, refusing to return a food tray and possessing too many postage stamps (Cloud et al., 2015). Studies have repeatedly shown that administrative segregation is used most often on racialized and vulnerable groups, particularly those suffering from mental illness, under the guise of safety concerns (Anderson, 2017; Cloud et al, 2015).

In a 2013 report entitled 'A Case Study of Diversity in Correction: The Black Inmate Experience in Federal Penitentiaries Final Report' (which I will be referring to from here on out as the Black Inmate Experience Report) the Correctional Investigator found that Black prisoners in Canada were over-represented in administrative segregation (Cloud et al., 2015; Office of the Correctional Investigator, 2014, 2022). Studies have shown that racialized offenders are more likely to be viewed as a disciplinary threat by prison guards regardless of their behavior. For example, a correctional officer (CO) may be more likely to perceive contraband in a Black offender's hand than in a white offender's hand. As a result, the CO may decide more quickly that a Black offender is a threat compared to their white counterpart, which may lead to increased citations for Black prisoners. It is also possible that the threat is exaggerated for racialized offenders, who as a result may face more serious conduct reports than their white counterparts for the same type of behavior (Cloud et al., 2015; Lantigua-Williams, 2016; Rolston & Demnati, 2021). These unclear and ambiguous disciplinary standards leave rules around solitary confinement up to individual guards' interpretation⁴⁶. Moreover, white and Black

⁴⁶ There is also ambiguity surrounding other standards/ policies within prisons. In *Under the Penal Gaze* (2012), Lori Sexton examines how 'prisoners orient to and make meaning of their punishment', and how they situate their

prisoners may experience different treatment for ‘insolence’ even when acting in an identical manner, since a prison guard may be more likely to perceive Black prisoners as angry (Lantigua-Williams, 2016).

In Canada, the number of Black prisoners sent to segregation in federal prisons has doubled between 2005 and 2015; Canada’s correctional watchdog has stated that the use of solitary is ‘out of control’, and that this overuse disproportionately affects Black, Indigenous, and women prisoners (Ling 2021; White, 2015). While the Black population in Canadian federal custody grew by almost 78 percent, the number of Black prisoners in solitary confinement rose by over 100 percent (White, 2015). During this same period, segregation admission for white prisoners declined by 12.3 percent (Anderson, 2017; Ling 2021). This discrepancy in admission rates for Black and white prisoners is not only alarming, but also indicative of the anti-Black racism in the criminal justice system as it reinforces the idea that Black prisoners are considered hyper dangerous and criminal. Therefore, solitary confinement is a space where racial stereotypes about Black prisoners are reinforced and reproduced, with the increased use of segregation amongst Black prisoners suggesting they need heightened surveillance and control. Moreover, while in prison, Black offenders may be labelled as a threat by guards for different reasons. In the following sections, I examine some the various reasons that Black (and

punishment within the context of their lives (Sexton, 2012, p. 24). Male respondents frequently framed their discussions within the context of ‘pettiness’. They argued that prison was ‘petty’ through their interactions with officers, that they described as lacking two main qualities: respect and fairness, which undergird all interactions between prisoners and prison staff. Overall, then, this demonstrates that prison standards and policies are often up to the prison staff’s discretion. Similarly in Toronto South Detention Centre, in Ontario, Canada, similar issues exist (like poor interactions with prison staff), and are exacerbated by government efforts to save money (DiManno, 2019).

Indigenous) prisoners face heightened discipline and surveillance, and as a result may be sent to solitary.

Security Classifications

Across Canada, the Black (10%) and Indigenous⁴⁷ (32%) incarceration rates in federal prisons are higher than the non-Indigenous population (Blackburn & Needham, 2022; Zinger, 2022). A Black and Indigenous offender's problems begin with intake, where their risk level is often consistently over-classified by the Custody Rating Scale⁴⁸; this rating scale determines whether they belong in minimum, medium or maximum security, and almost everything else about their experience in prison. The use of the Custody Rating Scale has resulted in 'disproportionately high numbers of Black and Indigenous offenders being placed in maximum-security institutions' on admission at nearly twice the average rate of other offenders (Bellrichard, 2020; Blackburn & Needham, 2022). Auditor General Karen Hogan issued a scathing report of the correctional system in April 2022 and found that not only were 'more Indigenous offenders placed at maximum-security institutions on admission than non-Indigenous offenders, but that they did not have timely access to correctional programs, including those specially designed to meet their needs'. For years, the federal government has been ignoring repeated demands to reform these and other assessment tools used on Indigenous offenders. Hogan's audit found CSC 'failed to identify and eliminate systemic barriers that persistently disadvantage certain groups of offenders'. Part of the problem is that

⁴⁷ As a result of the disproportionate incarceration of Indigenous offenders in Canada, some have referred to Canada's prisons as the new residential schools. For more on this, see Appendix.

⁴⁸ For more on how the Custody Rating Scale affects Indigenous offenders and is imbued with anti-Indigenous racial biases, please refer to Appendix.

the marginalization experienced by some Indigenous (and arguably Black) prisoners is framed as 'risk': alcoholism, intergenerational trauma, a [lack of] education or employment, a history of abuse, employment, or even hobbies make it more likely a prisoner will be housed in maximum security and classified as 'high risk' (Blackburn & Needham, 2022; Macdonald, 2016). Moreover, CSC's classification systems which disproportionately assign Black prisoners' higher security classifications, are cloaked in race neutral language, and rely on proxies for race to frame Black prisoners as threatening. Here, the Custody Rating Scale is translated into 'proof' that Black prisoners require extra surveillance and heightened control. In doing so, the use of segregation is seen as justified and even necessary against those labelled as threats.

Institutional Labels:

Another way that Black prisoners are marked as threats are through institutional labels. According to the 2013 report from The Office of the Correctional Investigator (OCI) Black prisoners in Canada reported several examples of stereotyping, such as judgments about their character and lifestyle (Office of the Correctional Investigator, 2014; Zinger, 2022). Most of the Black prisoners' interviews described being labelled as a 'gang member', 'troublemaker', 'drug dealer, and/or a 'womanizer'. Although the 2013 report did not quantify these experiences, the 2021-2022 report stated that 23.8% of Black prisoners are labelled a security threat group (STG) or as having a gang affiliation. By comparison, 21.9% of Indigenous prisoners, 5.7% of white prisoners and 12.7% of other racialized prisoners have a gang affiliation on file (Zinger, 2022).

The report also found that, even when disproven, Black prisoners were viewed as having gang affiliations by correctional staff. The perception of involvement in gang activity increases the chances that prisoners are held in segregation, as well as prevents them from

accessing personal care products such as do-rags which are associated with gang affiliation by correctional staff; in this way, Corrections Canada makes Blackness invisible by not allowing them access to any minute comforts and/ or necessities (Office of the Correctional Investigator 2014; Zinger, 2022). They are also hypervisible insofar as access to basic human comforts are rendered too dangerous for them. These racial stereotypes reinforce the belief that Blackness and criminality are inherently linked and are used to reconstruct the Black *inmate* into the inferior racialized 'other'. Previously I argued that Black prisoners in Kingston Penitentiary were considered a contaminating influence on the general prison population due to their moral corruptness, and it was therefore believed they needed to undergo moral reformation separately. Similarly, here the use of solitary confinement disproportionately used amongst Black prisoners suggests they are a 'problem population' who needs to be separated from other prisoners and be removed from other prisoner's view (or be rendered invisible).

Perceived gang affiliation (in some jurisdictions) is based solely on a point system that includes factors such as tattoos, known associates, and possessions that suggest gang affiliation, with no regard to individual behaviour (Cloud et al., 2015). At all the men's institutions, the label 'gang member' and 'troublemaker' were commonly applied, particularly when three or more Black prisoners congregated. Of all the labels used by correctional officers (CO's), the gang member/affiliation stereotype is of particular concern for Black male prisoners. Many Black prisoners discussed how their body language, manner of speaking, use of expressions, style of dress and association with others were often perceived as gang behaviour by prison staff (Cloud et al., 2015, Office of the Correctional Investigator, 2014; Rolston & Demnati, 2021). While Black prisoners are two times more likely to have a gang affiliation, the

majority (79%) are not gang members (Office of the Correctional Investigator, 2014). Despite this, the gang affiliation label is the one issue that seems to both distinguish and define the Black 'inmate' experience in Canadian federal prisons, and as a result contributes to their over-representation in segregation. Additionally, this forces prisoners to hide any negative feelings as they may be perceived as 'anti-social' or as having 'marginal' values which may be used in the construction of their 'otherness' and lead to higher security classification and/ or denial of parole (Rolston & Demnati, 2021).

The practice of labelling Black prisoners as 'gang members' demonstrates that the STG is rooted in stereotypical perceptions of Black masculinity which are used to frame Black prisoners as threatening. Here, the stereotypical Black man is constructed as an oversexed dangerous, criminal, gangster, and drug dealer; put differently, Black men are constructed as immoral and inherently evil (Alexander, 2012). Within Canadian prisons, the point system is used to overdetermine Black prisoners as a threat and justify subjecting them to heightened levels of surveillance and control; the point system is just one example of how anti-Black racism is produced within the criminal justice system. However, given the lack of racial data available, the overt displays and celebrations of diversity and multiculturalism in Canada more broadly, and the 'elimination' of solitary confinement in Canada, it becomes easy to overlook or dismiss these blatant forms of anti-Black racism as 'safety' concerns or read them through the guise of law and order. Like the Custody Rating Scale, the STG system similarly reads racial stereotypes as proxies for gang membership which are translated into 'proof' that Black prisoners once

again require extra surveillance and heightened control. Here, the use of segregation is similarly justified and seen as necessary⁴⁹.

Institutional Charges:

Not only are Black prisoners more likely to be perceived as threats, but the Black Inmate Experience Report found that Black prisoners are more likely to be charged with misconduct that involves subjective judgement on the part of correctional officers (such as disrespect toward staff or disobeying a rule) and less likely to be charged with misconduct where correctional officers must show factual proof, such as possession of contraband. This is important because institutional charges can have serious consequences and may lead to additional time added to a sentence and/or denial of parole, as well as being sent to segregation. This evidence supports claims from Black prisoners who felt targeted with respect to institutional charges, particularly charges related to disrespect or causing a disturbance (Ling 2021; Office of the Correctional Investigator, 2014). Once again, even though there is a lack of evidence to support claims of misconduct against Black prisoners, the belief that they are deviant and unruly is used in place of actual proof to charge and punish them. Overall, this illustrates one of several manifestations of anti-Black racism in Canada's prison system which is used to justify sending Black prisoners to solitary confinement and subjecting them to increased surveillance and control while in prison. The use of solitary confinement against Black prisoners

⁴⁹ Similar trends are also found among Indigenous prisoners. In the 2022 OCI report, Ivan Zinger maintains that Indigenous prisoners were more likely to also be labelled as gang members and are over-represented in structured intervention units (which are the former administrative segregation units); this was echoed by the former Correctional Investigator, Howard Sapers. Sapers released a report in October 2022 through Public Safety Canada and maintained that Indigenous offenders make up 48.9 percent of the people in the new prison SIU system (Blackburn, 2022).

demonstrates the reliance on a system rooted in racial stereotypes and the legality of using such a system. In this way, I understand the prison, and solitary confinement as a space that exists outside the law, and a space of legalized (and necessary) discrimination and state violence.

Race, Space, and Domination

Due to the lack of standards surrounding the use of solitary confinement, the racial discrimination that necessitates its use, and the unchecked [police] power⁵⁰ afforded to guards, the use of solitary confinement reproduces racial inferiority and racialized state violence against Black (and Indigenous) prisoners (Coyle & Omstead, 2022; Iftene, 2020; Lantigua-Williams, 2016; Ling 2021). By using proxies for race, or sometimes explicitly relying on racist assumptions of deviancy, Black prisoners are more likely to be perceived as threats or labelled as ‘unruly’ prisoners; in this way, the use of solitary confinement is built on racist stereotypes of morality and criminality. Moreover, the lack of regulation and consistency in the use of solitary confinement makes it difficult to challenge its use and investigate claims of anti-Black racism.

Overall, in this section solitary confinement is a form of spatial domination used to control ‘unruly’ [read: Black and Indigenous] prisoners who are sent there, thereby acting as a form of carceral redlining (Reece, 2020). Despite the overwhelming evidence that demonstrates how harmful the use of solitary confinement is, its use is widespread in prisons across the United States and Canada. Moreover, in the face of any backlash, data surrounding its use is often unavailable or difficult to access, and efforts to re-brand it (such as with the introduction

⁵⁰ See Zahir Kolia’s (2017) “I’m Making the Streets Safer Ma’am”: Race, Coloniality, and the Redemptive Theologies of Pastoral Police Power for more on spectral police power.

of SUI's following Ashley Smith's death) are employed. The use of solitary confinement employs a form of spatialized violence unto Black and Indigenous bodies which are viewed as and/or treated like property of the state through various forms of control. This control occurs through the lack of social and physical contact, severe forms of isolation and deprivation, and being held in demeaning and degrading conditions, to remind prisoners of their powerlessness. Due to the lack of data and ambiguity/ lack of standards concerning solitary confinement, its use is framed as a public safety measure, which supports the notion that Canada is a 'human rights champion', (Lazar, Latimer, & Fallis, 2020). Therefore, segregation is a space wherein racial stereotypes are reinforced, and the perceived inferior racialized 'other' is reminded of their powerlessness. Additionally, the abuses that occur within solitary confinement demonstrate that this disciplinary space exists outside of the law as prisoners are subjected to various forms of dehumanization, torture, and racial discrimination and violence, which are deeply embedded within and required for its use. Here, I understand the use of a solitary confinement as a tool to determine who is deserving of heightened control and discipline, and who has access to more freedom, programming, and opportunities such as work.

As examined in chapter three, the emergence of the modern prison system as a disciplinary site was rooted in practices of silence [read: isolation] and labour. In this chapter, I examine how this relationship still exists, with an emphasis on how prison labour as a mechanism of control reinforces the inferior colonial subject. In the remainder of this chapter, I will outline various aspects of prison labour in Canada to provide the context needed for my analysis in my concluding chapter.

Prison Labour Practices

Given the fact that all prisons in Canada are government-run, there is often the misconception that prison labour is not used in Canada and/ or that its use is rehabilitative in nature. As a result, it remains severely understudied. Discussions on prison labour generally center around the United States, as it is well known for its use of private prison labour and exploitation of incarcerated workers, even though prison labour for private companies only accounts for one percent of incarcerated labour in the country⁵¹ (ACLU & The University of Chicago Law School Global Human Rights Clinic, 2022; Benns, 2015; Gibson-Light, 2023). In a report by the Huffington Post, it was reported that in the U.S. ‘nearly a million prisoners are now making office furniture, working in call centers, fabricating body armor, taking hotel reservations, working in slaughterhouses, or manufacturing textiles, shoes, and clothing, while getting paid somewhere between 93 cents and \$4.73 per day’. However, many prisoners are not paid for their work, such as in Racine, Wisconsin, where incarcerated workers receive time off their sentences rather than pay⁵² (McCormack, 2012). For the companies that do pay their workers, they can get up to 40 percent of the money back in taxpayer-funded reimbursements (McCormack, 2012).

⁵¹ In the United States, prison labour falls into one of the following four categories: maintenance work (the work that keeps the prison facilities running), state prison industries (these are jobs in state-owned corporations that produce goods and services that are sold to other government agencies), public work assignments (these typically involve public works projects off prison grounds), and work for private industries. In the U.S. incarcerated workers can also do agricultural work, which fits into multiple categories of prison labour (ACLU & The University of Chicago Law School Global Human Rights Clinic, 2022).

⁵² Many Southern States such as Alabama, Arkansas, Florida, Georgia, Mississippi, South Carolina and Texas offer zero compensation to most of their incarcerated workers. Prisoner’s who refuse to work may be sent to solitary or be given institutional charges amongst other punishments ((ACLU & The University of Chicago Law School Global Human Rights Clinic, 2022). This pattern draws parallels to other practices of coerced labour in The South (particularly) such as enslavement and convict leasing.

In 2018, California was suffering record-breaking wildfires, and relied on prison labour to combat the fires. The California Department of Corrections and Rehabilitation (CDCR) boasted about the use of prison labor for firefighting on Twitter: 'Today, more than 2,000 volunteer inmate firefighters, including 58 youth offenders, are battling wildfire flames throughout CA. Inmate firefighters serve a vital role, clearing thick brush down to bare soil to stop the fire's spread' (Lopez, 2018b). While this news came as a shock to some, it is not a new practice, as more than 3,700 adult prisoners, as well as some youth offenders make up California's firefighting force; this firefighting program reportedly saves California 90-100 million dollars a year (Ebrahimji & Moon, 2020; Lopez, 2018b). Prisoners collectively make up about one-third of the state's wildfire-fighting personnel and work an average of 10 million hours each year responding to fires and other emergencies, as well as handle community service projects like reforestation, and park maintenance. While prisoners are compensated for their work, they only get paid one dollar an hour plus two dollars a day, as well as endure long shifts, with the possibility of working 72-hour shifts (Lopez, 2018b). This program is also reported to be voluntary and an opportunity that is reserved for prisoners who earn a minimum-custody status through good behaviour, while offenders with certain offences, gang affiliations, and those serving life sentences are formally excluded from participating in the program⁵³. (Lopez, 2018b).

⁵³ Legislation has recently been introduced to help expunge the records of prisoners who worked as firefighters while incarcerated, to allow them to become firefighters after serving their sentences. Being employed as a firefighter following their release was previously something they were unable to do (Mossburg & Almas, 2020; Romo, 2020).

The exploitation of incarcerated workers is also witnessed in the United States through one of Walmart's suppliers, Martori Farms, who was the subject of an article by Truthout in which one female prisoner described her typical day working for the private company, stating that workers were forced to toil in the blazing sun for eight hours a day without water, sunscreen, or any protection. Women regardless of background checks (to see if they are medically fit) were forced into this work and were reprimanded if they tried to take any breaks. In response to these allegations, Joseph Oddo, Martori Farms' human resource director, told the Guardian that the company is no longer using prisoners because prisons are not always able to provide workers on call the way they need. Oddo also maintained that workers were provided enough water, but the prisoners did not sip it slowly enough (McCormack, 2012).

Similar abuses of incarcerated workers were witnessed throughout the Covid-19 pandemic. Prisoners were often forced into making hand sanitizer (but unable to use it due to its alcohol contents), PPE, digging mass graves, along with other tasks, but were not provided any protective equipment while doing this work (Burnett, 2022). I argue that the work incarcerated people did during the pandemic was significant for two reasons. First, it highlighted how dependent the economy is on incarcerated labour. Secondly, and perhaps more importantly, it demonstrated how poorly incarcerated people and workers are treated, and how few (labour and human) rights they are afforded, if any. Put differently, it demonstrated the degree to which incarcerated workers are dehumanized and treated as disposable nonhumans. Prisoners were treated as disposable insofar as there was no concern for their safety when doing this work; this suggests that if offenders were to get injured or die on the job, they would have easily been replaced. Moreover, prisoners were treated as invisible

as they were not instructed to follow the same precautions that other *people* were instructed to during the pandemic, such as social distancing and using various protections such as masks and hand sanitizer; the very design and function of a prison makes it impossible for prisoners to practice social distancing and protect themselves in other ways. Furthermore, by denying prisoners access to hand sanitizer, this suggests that they are so barbaric to the extent that during a deadly pandemic, their primary concerns would be to get drunk rather than protect themselves from a potentially fatal disease. Lastly, forcing prisoners to dig mass graves, particularly when they are living in spaces and conditions where death rates are amongst the highest with no efforts to protect them, and with no regard for the impact of doing this work on their psychological well being is inherently problematic (to put it ‘unacademically’, asking PEOPLE to dig graves for others who have died from a disease that they are more likely to catch simply because *people* don’t care about their lives is fcked up).

Overall, the use of incarcerated labour during the pandemic, and the various other ways that prisoners work in the United States demonstrates that prisoners do a lot of work. Often this work is done through coercion and/ or for poor pay, and the work itself is oftentimes physically gruelling and dirty. Moreover, the work they perform is oftentimes unlikely to help them find a job upon release. However, the uses of and abuses associated with incarcerated labour is not just an ‘American problem’. In Canada, prison labour programs often have many of the same problems but tend to be less well known by the public and/ or likely to garner public support because they are framed within the context of rehabilitation. However, prison labour programs in Canada do not offer any rehabilitative value to prisoners, as well as have been critiqued by many for being coercive. Moreover, unlike its American counterpart, prison labour

programs in Canada have not been examined as an issue that is underpinned by and one that reproduces race. In the remaining sections of this chapter, I will focus on Canada's federal prison labour program CORCAN to address these issues I have raised.

Prison Labour in Canada/ CORCAN

An Historical and Contemporary Overview

Prisons in the United States are a mix of both [largely] federal/ state-run and private prisons. In Canada, the prisons are state run except for Central North Correctional Centre in Penetanguishene Ontario, which was contracted from 2001-2006 by Management and Training Corporation Canada (MTCC), after which the facility was turned over to the government on November 10, 2006. According to Ontario Community Safety Minister Monte Kwinter, this was due to a study that found 'in basically every single area, the outcomes were better in the publicly run facilities,' (CBC News, 2006). However, as described, although private prisons are less accountable to ensuring the wellbeing of prisoners, government run facilities are still rampant with issues, particularly when it comes to the use of prison labour (CBC News, 2006).

An understanding of prison labour in Canada was transformed through the 1977 MacGuigan Report⁵⁴ which outlined the dominant approach to 'rehabilitation' in corrections (House & Rashid, 2022, p.103); this had previously been envisioned as a social issue and shifted responsibility for 'reform' away from prison authorities and onto individuals. The report covered issues of work and employment training in detail and emphasized that coercion alone

⁵⁴ The report also stated 'We do not recommend imprisonment for the purpose of rehabilitation. Even the concept is objectionable...it implies that penal institutions are capable of adjusting an individual as if he were an imperfectly-operating mechanism...we prefer to approach the problem with a new term- "personal reformation"- which emphasizes the personal responsibility of prisoners instead (House & Rashid, 2022, p.3)

was ineffective in meeting correctional aims. Instead, it was argued that prisoners also needed to be offered 'incentives' to change their mindsets, lifestyles, and behaviours. Work remained key to the rehabilitative process: '

...there is little chance of reforming an inmate who, upon his release, is unwilling, unable, or unfit to accept employment. In most cases, it is only by inspiring the inmate to pursue creative and productive work habits that any lasting value will be obtained from the expense of imprisoning him. We therefore believe that every inmate who is physically capable of working should be required to work, and the situation in which large numbers spend most, or perhaps all, of their time in enforced idleness should not be permitted. The employment facilities in the institutions should, so far as possible, be designed to meet the individual training needs of inmates and should duplicate the production methods of industry in free society, so that an inmate, upon his release, will have a reasonable hope of being a competitive member of the labour market (House & Rashid, 2022, p.103).

The report stated there should be meaningful correlation between the amount of work done by a prisoner and the pay they receive. Deducting pay for poor performance was also recommended, as well as the belief that any refusal to work should be treated as a disciplinary matter (House & Rashid, 2022, p.106).

In Canada, prison labour was implemented in part to help offset the costs of incarceration by having prisoners perform much of the maintenance work in and around the prison. However, in the late 1980s federal prison work programs were made available to CSC staff for their personal use through their 'hire a prisoner program', such as shovelling snow, landscaping and more (House & Rashid, 2022, p.106). This program was criticized for the coercion that prisoners faced because although they were not forced to do the work, it was unlikely that one would refuse this work, as the COs are responsible for the privileges and treatment one receives while incarcerated (House & Rashid, 2022, p.106). For those deemed troublemakers, the potential for abuse or coercion is increased as it is unlikely they would be

believed, or their poor treatment would be justified. Through this program, one's work performance was predicated on their willingness and ability to submit to the COs who had the power to determine their success in the program. Here, prisoners work within a space that reproduces power dynamics insofar as they are coerced into doing work for correctional officers, and they can be punished for refusing this work.

Over the years, Canada has, much like the United States, become increasingly reliant on prison labour. Prisoners in Canada's federal and provincial institutions can get hired on several different jobs, but prisoner employment in Canada falls under two categories. The first is labour intended to support everyday prison functions, such as cleaning, general maintenance, or staffing the canteen; most incarcerated workers hold these jobs^{55, 56}. The second category is for those who work under CORCAN, Canada's federal prison labour program, which helps offenders acquire employability skills for after their release. The CORCAN program⁵⁷ is an agency of Correctional Services Canada (CSC) that offers a wide variety of products and services; most (90 percent) of CORCAN's products and services are sold to departments within the federal government and include products such as office cubicles or welding material for tents for the Department of National Defence (Brownell, 2017). These are just two examples of the many products and services incarcerated workers produce through the CORCAN program.

Prisoner Pay

⁵⁵ Institutional work is the lowest rung on the job ladder because it indicates being further from release, while prison industry jobs, such as those with CORCAN, are theoretically geared toward preparing prisoners to re-enter society (House & Rashid, 2022).

⁵⁶ Like its U.S. counterparts where most prison jobs involve maintenance work (ACLU & The University of Chicago Law School Global Human Rights Clinic, 2022).

⁵⁷ Most prisoners (around 6775) work in institutional maintenance while 1400 work for CORCAN (House & Rashid, 2022).

While the work that prisoners do may vary greatly, the pay rate(s) that prisoners earn falls within six categories. There is a basic allowance of \$1 a day for prisoners who refuse participation in all program assignments, including those who are unemployed and refuse to complete the Inmate Application for Employment Form. This allowance is only available on weekdays, and not given on weekends. Additionally, for those placed in disciplinary segregation⁵⁸, they will not receive pay for their first ten days in solitary confinement and will be placed on a basic allowance for the remainder of their time in segregation. The second type of pay is an allowance of \$2.50⁵⁹ (Correctional Service Canada, 2016; Zinger, 2023). This pay is for those who are scheduled for a program assignment but have an authorized absence⁶⁰ (including an injury sustained during work, sick leave, absences due to religious reasons, private family visits or temporary absences) or for someone unable to participate for reasons beyond their control. The third payment level is Payment Level D (\$5.25 a day). This level is for prisoners who participate in work assignments but refuse to participate in (or are suspended from) another program assignment in their Correctional Plan, or in the absence of a Correctional Plan refuse to participate in any other program assignment offered to them by the Correctional Intervention Board (Correctional Service Canada, 2016; Zinger, 2023). Payment Level C, which is \$5.80 a day is for prisoners who participate in the programs specified in their Correctional Plan and in assignments recommended to them by the Correctional Intervention Board before their Correctional Plan has been finalized. Payment Level B, \$6.35 a day, is for

⁵⁸ This language still exists on the CSC website even though solitary confinement ostensibly 'no longer exists in Canada'.

⁵⁹ Pay levels below Pay Level D are just referred to as 'basic allowance' and 'an allowance' with \$1 and \$2.50 pay respectively.

⁶⁰ Indigenous prisoners with authorized absences for spiritual and cultural ceremonies as part of their Healing Plan or Correctional Plan will not receive payment level reductions (Correctional Service Canada, 2016).

those who have been earning a Level C rate for at least six months, or have been at Level B for the previous six months while meeting the following criteria: good attendance and punctuality, no convictions for disciplinary offences or positive urinalysis (or refusing to complete a urinalysis), full and active participation in their Correctional Plan, have a 'moderate' level of accountability, motivation, and engagement, and have met all the expectations of their program assignment as well as the expectations for interpersonal relationships, behaviour and more (Correctional Service Canada, 2016). Lastly, Payment Level A (\$6.90 a day) is for those who have been at level B for the past six months or are already earning a Level A rate while having no unauthorized absences, late arrivals or early departures, no convictions for disciplinary offences or been placed in a specialized unit, demonstrate a 'high' level of accountability, motivation and engagement, full and active participation in their Correctional Plan, as well as have exceeded all expectations with their program assignment, interpersonal relationships, behaviour, and more (Correctional Service Canada, 2016; Zinger, 2023).

Prisoner Pay and Race

These varied pay rates and the criteria to determine who is eligible for each pay rate are rather subjective. Given that Black and Indigenous prisoners are more likely to be perceived as unruly, dangerous, and in need of heightened surveillance, it is unlikely that they would be able to 'exceed' program expectations while displaying high levels of accountability and motivation, as well as the fact that no tools to define or measure these criteria exist; particularly for Black prisoners who are often portrayed as lacking personal responsibility and are often perceived as being lazy, it becomes increasingly difficult to display 'accountability and motivation' when their very existence is constructed in opposition to these characteristics. For prisoners more likely to

be perceived as gang members and a result being disproportionately sent to segregation, it becomes highly unlikely that they would be able to hold these positions due to the disciplinary offences they receive. Therefore, these ostensibly objective pay rates and criteria to obtain them must be understood alongside the negative stereotypes and perceptions of Black, Indigenous, and racialized prisoners. Here I also understand prisoners' earnings alongside this tactic of spatial domination. Prisons create a space wherein criteria for different pay rates are rooted in racist stereotypes and conceptualizations of criminality. Additionally, there are no mechanisms for prisoners to challenge these pay rates or the whiteness that underpins them. Moreover, the prison also creates a space wherein exploitative pay rates have public support, as it is often believed that prisoners are overpaid and/or should not be paid at all (CTV News, 2012).

Pay As 'Accountability'

Other issues with pay include the fact that less than nine percent of prisoners make the maximum amount of \$6.90. Thirty-seven percent make \$5.80 a day before deductions, and 30 percent make only \$2.50. The average earnings before deductions is \$3 per day, and about half of this is deducted for 'room and board', telephone, and other costs⁶¹ (Brownell, 2017; House & Rashid, 2022, p. 56). With a 30-per-cent cut to the \$6.90 or less prisoners received for a day's work, plus other deductions, their daily take home pay is approximately \$1.95 or less (Brownell, 2017). Over the years, pay for prisoners has declined as the correctional system tries to keep costs down (Ling, 2019). As mentioned, prisoners are paid a daily maximum of \$6.90 to work

⁶¹ The telephone deduction is in addition to the very high rates federal prisoners pay for each phone call (Chan & Lin, 2021; John Howard Society & Legal Aid Ontario, 2017).

within the CORCAN program or run various parts of the federal institutions where they are incarcerated (Chan, Chuen and McLeod, 2017). This salary has been frozen since 1981, when it was set as 15 percent of the federal minimum wage (Sapers, 2016; Zinger, 2014). Those that were able to secure a job with CORCAN received an extra two dollars an hour as incentive pay. However, in 2012, the federal government, under Public Safety Minister Vic Toews, announced that prisoners with CORCAN will no longer be given incentive pay because these jobs are in high demand, and that this was part of a move to increase 'offender accountability' (CTV News, 2012; Fitzpatrick, 2012; Radia, 2012). Both categories of labour benefit the institutions and the Government of Canada, and both jobs pay equally now that the CORCAN incentive pay has been cut (Ling, 2019).

Another measure to increase accountability and 'save taxpayer dollars' was to start automatically deducting 30 percent from a prisoner's pay for room and board. This new move was made even though prisoners' pay was already being deducted for room and board. Those making between \$52.50 and \$69 biweekly would see 30 percent of their pay deducted, with the cost of accommodations, utilities, and food ranging between \$1.58 to \$2.08 for those prisoners. Toews stated that these cuts will lead to 10 million dollars in savings which can be reinvested in education, training, and mental health services (CTV, 2012). However, these initiatives to 'increase offender accountability' have failed to adequately address the lack of resources available⁶², lengthy waitlists, and to adequately prepare prisoners for release (CTV, 2012).

⁶² For example, in my own experiences providing literacy lessons in a men's maximum detention centre in Toronto, prisoners were often unable to get a request form from guards despite several attempts to ask for one (or were

The CORCAN Program

Not only are there problems with pay, but there are issues with the CORCAN program itself. CORCAN is a program with two mandates. Its goals are to operate like a for-profit business that makes as much money as possible, and to provide prisoners with skills and work experience that will help them find jobs upon release from prison (Brownell, 2017). However, if CORCAN competes too aggressively or are offered government contracts, private sector companies may complain (Brownell, 2017). One of the issues with the CORCAN program is related to its mandate to run like a for-profit business. Though CSC reported 57 million dollars in revenue in 2018 (coming mostly from the sales of goods and services produced by low-cost prisoners) the CORCAN program is not profitable. According to a detailed report from the Financial Post, it costs between \$32-51 million a year to run, which is more than CSC spends on education, violence prevention, and substance abuse programs; in 2015-2016, they spent \$21.2 million, \$10 million, and \$8.3 million respectively on them (Brownell, 2017; Ling, 2019). The report concluded that the program needed a total overhaul or must be shut down. Furthermore, the agency has never posted a profit in all the time that it has existed⁶³, and in fact regularly costs more to run than it produces – money that advocates say would be better put into improving education, food, and housing for incarcerated people. Instead, the Canadian government insists on keeping the program running in what appears to be an attempt to

oftentimes blatantly ignored/ dismissed), and if they were able to fill out a form, would spend months on a waitlist, and would often be transferred to another institution before getting the chance to do any programs.

⁶³ CORCAN has officially reported profits in about one-third of its fiscal years since 1993, however that calculation counts an annual payment from CSC, which is meant to offset the cost of providing training and supervision to prisoners, as revenue (Brownell, 2017). This annual fee comes from CSC's budget and is therefore funded by taxpayers. When CORCAN reports a loss, it is covered by money from a revolving fund, also covered by taxpayers (Brownell, 2017).

exploit people for profit. The workers, meanwhile, have no real power of recourse, with the program itself being referred to as a rehabilitative failure (Ling, 2019).

Another issue CORCAN faces for acting too much like a for-profit business is through their hiring practices. The offenders who would most benefit from the work are the ones with the least experience and the fewest skills. However, this is the opposite of what a hiring manager would be looking for in an employee within the private sector (Brownell, 2017). Moreover, without the monetary incentive to take a CORCAN position over a relatively easy institutional job such as pushing a broom, it is likely that prisoners who are at a low risk for reoffending and looking for a way to occupy their time and stay out of trouble, will be more likely to apply for these jobs (Brownell, 2017). Correctional investigator Ivan Zinger said cutting prisoner's pay makes it even less likely that the offenders with the highest need for employment training will receive it through CORCAN (Brownell, 2017). These cuts have occurred even though approximately 60 percent of prisoners have an 'identified employment need', while prison industries employ less than 10 percent of the prisoner population at any given time (Office of the Correctional Investigator, 2017). Therefore, if the focus of CORCAN is to train prisoners to be productive⁶⁴ labourers, it is failing to do so because the training for those most in need of learning these skills is inaccessible, even though these skills are needed

⁶⁴ Here, one's value as a prisoner is rooted in their potential to be a 'productive' member of the labour force upon their release. Therefore, their value is inherently attached to their productive work. However, this idea of productivity is rooted in understandings of race and citizenship. As was examined in chapter two, the racialized worker is viewed as best suited to do low-paying, dangerous, and dirty work, and is perceived as an undervalued, less-than-human noncitizen. Therefore, to be valued as a reformed 'productive' member of the labour force, one must be able to prove that they are capable of labouring in particular ways. Like the migrant worker who is sent back to their country of origin when their contracts expire because they are no longer considered to be of value (because their labour is no longer required), prisoners must prove their worth through their labour and if they are unable to do so they are perceived as unproductive and therefore incapable of reform.

to become qualified and experienced enough to get a job upon release. With this, CORCAN effectively traps unskilled, undervalued prisoners in menial labour jobs. CORCAN's failure (and unwillingness to change) reinforces the belief that prisoners cannot exist or succeed in certain spaces (beyond prison walls), which is reproduced by one's inability to gain successful employment upon release.

CORCAN's efforts to act like a for-profit business also reproduces racialized and gendered expectations of work. It reproduces racialized expectations of work as prisoners are forced to do menial work devoid of any labour rights with the systemic exclusion of Black and Indigenous prisoners in better-paying jobs and development of employable skills upon release. Moreover, this work reproduces gendered expectations of work insofar as men do work that is often physically gruelling and perceived as 'men's work'. Therefore, not only do Canadian prison labour practices maintain the prison as a space that reproduces power dynamics between the guards and prisoners through the exploitation of prisoner's work, but these programs (through the criteria for pay earnings, and the nature of the work itself) are rooted in racist stereotypes of immorality, criminality, and labour.

CORCAN's other mandate is to provide prisoners with the skills and experience needed to help them find jobs upon release from prison, with the goal of reducing recidivism. According to a 2014 study by CSC, the report found pressure to employ as many prisoners for as many hours a day as possible, which led the agency to put offenders in high-cost, low-productivity industries with few job prospects on the outside, such as manufacturing and textiles⁶⁵ (Brownell, 2017). The report also found that prisoners who participated in a CORCAN program

⁶⁵ In this way, Canadian prison labour regimes can be conceptualized as legalized sweatshops.

were more likely to gain employment upon release than those who had not participated in a CORCAN program; prisoners who worked for CORCAN were nine percent more likely to find work in the community than those who worked other institutional jobs. Notably, however, it was participating in the Community Employment Centre and obtaining vocational certification that significantly enhanced the likelihood of obtaining employment (those who attained vocational certification had 1.54 times greater success securing a job post-incarceration). The report did not examine CORCAN work program participation and duration of employment post-release (Brownell, 2017). The report also did not find a relationship between the CORCAN work program and reduced recidivism. Put differently, CORCAN's own research indicates that working while incarcerated does not necessarily translate into reduced risk of recidivism (Correctional Service Canada, 2013). According to the same 2014 study by CSC, the report found that former CORCAN employees were just as likely to reoffend (Brownell, 2017). Therefore, not only is CORCAN unable to uphold its mandate to act like a for-profit business, but it is also ineffective in offering skills and job training to help support from re-offending after release.

The practices employed by CORCAN demonstrate that the program's key focus is not to make money, or help rehabilitate offenders, but rather to force prisoners to work in dangerous, dirty, and denigrating jobs. Moreover, the program has contradictory outcomes that seek to increase accountability by docking prisoner's pay and making them 'pay' for their incarceration but fails to be accountable to their own program mandates while also neglecting to provide adequate vocational training and job opportunities.

Prison Farming in Canada

Under the CORCAN program, prisoners can also work on prison farms. In June of 2018, the federal government announced that ‘the cows are coming home’: closed nine years earlier by the Harper government, the prison farms at Joyceville and Collins Bay institutions in southern Ontario, just outside of Kingston would be opening again (Innes, 2019; Neufeld, 2021). In 2010-11, under Stephen Harper’s government, Canada’s prison farms were closed as it was argued that they were not financially sustainable and did not reflect current and future labour market demands. Between 2016-2018 Justin Trudeau’s government began to restore the prison farms after pressure from nearby residents and promised ‘the best possible model...that will build essential skills for employment’. Justin Trudeau’s government also stated that this program would help with ‘successful reintegration and rehabilitation into the community’ (Evolve our Prison Farms, 2017; Fitzgerald et al., 2021; Mehta, 2016; White, 2018).

Evolve Our Prison Farms (EOPF), an advocacy group calling for ‘alternative, ethical and environmentally friendly prison farm programs through plant-based agriculture and animal assisted therapy’ hope to help transform the future of Canada’s prison farms. The prison farms used to produce food such as eggs, meat, and dairy for prisoners and local communities, which included an abattoir that was recently closed in September 2022. With the old model of prison farms, prisoners could learn different skill sets such as culinary skills and baking. However, the new prison farms (announced in 2018 to be implemented within five years) will be used for the commercial production of goat milk for infant formula and be sold to China. Harper’s ‘tough on crime’ policies effectively closed the kitchens and privatized food services in prisons, handing lucrative contracts to private companies under CSC’s 2014 Food Services Modernization Initiative (Correctional Service Canada, 2019; Evolve Our Prison Farms, 2017).

Currently, CSC has purchased enough equipment to handle more than 3,000 goats, and has allocated \$4.3 million into its 2018 budget, despite internal documents indicating that they will use nearly ten million dollars. However, EOPF believes that there is no benefit for incarcerated people in working with animals that are destined for milk production and, ultimately, slaughter. EOPF also objects to the way the dairy farm will be run when the program is reinstated. As with any industrial dairy operation, cows and goats will be bred on a regular schedule, often with artificial insemination. Previously, male offspring, as well as females who were not producing enough milk, were slaughtered for meat. Even with modern equipment, there is still a lot of labour on a dairy farm: incarcerated workers will take on the day-to-day care of the animals, such as feeding, cleaning barns, bringing animals in for milking, and seeing to the animals' day-to-day health and safety needs. Instead, the EOPF would like to see animals on the farms performing an animal-assisted therapy role, wherein the animals are treated more like pets than livestock, which is a practice that has been proven to be more effective in some U.S. prisons (Langat, 2016; Payne et al., 2022).

The key objectives of the farm programs are to provide vocational training and rehabilitation, thereby reducing recidivism. But the rehabilitative goals of this dairy goat program are unlikely to be met for several reasons, including the fact that there is no empirical evidence that working in a major livestock operation has any rehabilitative impact (unlike animal-assisted therapy) (Fitzgerald et al., 2021). Moreover, prisoners will likely not receive specified vocational training, such as certifications, and the labour being done does not match the needs of the labour market beyond prison walls (which is one of CORCAN's mandates). Not only is dairy goat farming not in demand by the labour market, but the dairy goat industry is

facing an over-supply issue (Fitzgerald et al., 2021). It is also likely that many prisoners come from urban communities where these skills would be even more obsolete. Additionally, the nature of the work itself is dangerous with elevated rates of illness, injury, and turnover, and can impact the physical and environmental health of community members (Fitzgerald et al., 2021).

Additionally, for Indigenous prisoners, factory farming does not take into consideration the relationship Indigenous peoples have with land or animals. As Coulthard (2014) maintains, land can be understood as 'land-as-resource central' to their material survival, land as identity, and land-as relationship (Coulthard, 2014, p.62). However, being forced to interact with the land for commercial farming purposes, translates this complex reciprocal relationship into the 'language of property' (Coulthard, 2014, p.78); here, land becomes a material resource to be exploited for capital (Coulthard, 2014). In this context, Indigenous peoples who have already been dispossessed from their land, are forced to engage in (un)paid labour on stolen land, (therefore reproducing the colonial subject).

There is a lot of uncertainty surrounding the future of these prison farms, as CSC has been unable to secure contracts, there have been delays in building and production of the farms and infrastructure, and there remains uncertainty regarding different production factors. There is also an issue with the contracts in relation to CORCAN's own policies. Regardless of what company the goat milk is being sold to⁶⁶, using CORCAN to create a product sold to private companies is a change from CORCAN's policy which on their website states:

⁶⁶ Both the federal and provincial governments have offered millions of dollars in funding to Feihe International, a Chinese-government-owned corporation registered in the Cayman Islands, to build an infant formula processing

'CORCAN has traditionally marketed itself to federal departments. Departments such as CSC, the Department of National Defence, and Public Works and Government Services Canada had traditionally bought the bulk of CORCAN's products. In recent years, CORCAN has moved to a more diversified product line and begun to market its products and services to a greater number of departments. Also, CORCAN has begun to explore new markets in a more systematic way than before. This has been accomplished with the help of an increasing number of private-sector partners' (Fitzgerald et al., 2021, p. 12).

Following the publication of a report in 2021 entitled 'Canada's proposed prison farm program: Why it won't work and what would work better', CSC announced a 'temporary pause' of its plans for an industrial goat farm at Joyceville (which are reportedly 'to fully assess the effects of the Covid-19 pandemic on the dairy goat program'), but all other Penitentiary Farm Program plans⁶⁷ at Joyceville and Collins Bay are moving forward (Evolve Our Prison Farms, 2017; MacAlpine, 2021). Evolve Our Prison Farms has proposed moving forward with a prison farming model that considers protecting farm and food system infrastructure that prioritizes sustainability, human health, food security, and fiscal responsibility. Their proposal also includes providing work and learning opportunities that are relevant for reintegration into society, providing a coherent model of rehabilitation and therapeutic activity for prisoners, feeding prisoners with food grown and processed by their fellow prisoners, and enhancing community partnerships with ecologically responsible community members (Evolve Our Prison Farms, 2017). Evolve Our Prison Farms proposal would help transform prison farms into a space

plant in Kingston, Ontario, just a few kilometres from the farm at Joyceville (Innes, 2019). As much as 85 percent of the formula produced at the Feihe plant will be shipped back to China to feed an anticipated boom in demand as the country's one-child policy expires (Innes, 2019).

⁶⁷ This includes crop production, beekeeping, forestry management, maintenance, maple syrup production, and livestock operations (MacAlpine, 2021).

conducive for rehabilitating prisoners, while simultaneously making the nature of the work less exploitative in nature, as well as allowing for community engagement.

Organic farmer Dianne Dowling points out that while the dairy operation ramps up, honey and vegetables are currently being produced for the use and benefit of those incarcerated at the farms⁶⁸ (Innes, 2019). Workers at the farms have personal gardens and maintain a large garden for donation to the local food bank and food providers. But the bulk of the production on the newly reinstated farms has been for international markets (Innes, 2019). There is a lot of potential with having prisoners work on a farm and with animals that would be beneficial to the animals and prisoners, but the nature of prison farms in Canada currently does not allow for that.

Overall, then, prison farming under the CORCAN program presents a set of challenges such as not being financially sustainable, not reflecting current and future labour market demands as well as not offering any rehabilitative value to prisoners while simultaneously inflicting harm on animals. Prison farming practices highlight some of the systemic issues with CORCAN itself, as it demonstrates the inability of the program to meet its mandates. Not only does the prison farming program appear to be unprofitable, but it also does not provide prisoners with the necessary job skills and training needed upon release. Moreover, prior to the closure of the abattoirs, the prison program was a place that was in part rooted in the practice of slaughtering animals; here, prison farming quite literally reproduces a space that necessitates [physical] violence. After the abattoir's closure, the program still requires prisoners

⁶⁸ A small pilot project involving two beehives managed by incarcerated workers was conducted in 2018, and there are now 20 hives at Collins Bay and Joyceville Institutions (Innes, 2019).

to treat animals as objects and in this way is still a space that reproduces prisoner's dehumanization. Alongside these issues of poor pay and obvious program failures, problems with CORCAN also include coercive labour practices.

Prison Labour: A Continuation

CORCAN Coercion & Legal Loopholes

Despite claims that participating in the CORCAN program is voluntary, the conditions under which incarcerated individuals participate can be coercive. Prisoners who work for CORCAN have reported being forced to do so against their will. Prisoners have reported that CSC staff have told them that refusing to work for CORCAN could affect their chances of parole or getting transferred to a lower-security institution (Brownell, 2017). Michael Flannigan, a prisoner at Collins Bay stated that he 'was quietly "warned" by a high-ranking manager here at Collins Bay that the warden would consider any decision to quit work because of pay cuts as going against my Correctional Plan and charges may be levied against me'. He also added that 'essentially I have been coerced into continuing to carry out labour for CORCAN industries' (Brownell, 2017).

One of the reasons that prisoners argue that working for CORCAN is coercive is due to the lack of labour rights and protections they are afforded. Incarcerated workers in Canada⁶⁹

⁶⁹ In the U.S. incarcerated people do not have the constitutional right to refuse to work. If they do not volunteer to participate in a certain type of labour, they can be assigned to work in another area that would offer significantly less pay or even no pay, depending upon the state. Additionally, prisoners are not protected by the Fair Labor Standards Act (FLSA), the federal law establishing minimum wage and overtime pay eligibility for both private sector and government workers. Courts have also ruled that the National Labor Relations Act, which guarantees

are not legally recognized as workers but are rather considered participants in a rehabilitative program. Therefore, prisoners are not entitled to any labour rights that workers in the free world are afforded; here the focus on rehabilitative programming is used to reduce or remove labour standards and protections (and I would argue, their humanity) (Burnett, 2022; House & Rashid, 2022). In response to the abuses and coercion faced by incarcerated workers, prisoners took the government to court over pay cuts, arguing that they should be making minimum wage in their respective provinces, by claiming that these cuts infringe on their rights within the *Canadian Charter of Rights and Freedoms* and the United Nations' international labour standards (Brownell, 2017). According to Jared Shook, a former prisoner at Collins Bay Penitentiary 'people end up becoming essentially slaves, or exploited... 'We're not asking to become millionaires while we're in prison, but we need this money' (Brownell, 2017)⁷⁰.⁷¹In a normal workplace, such sudden and drastic wage cuts would likely inspire a union drive.

Prisoner David Jolivet requested permission to visit cells in the facility to get prisoners to sign

the right of private sector employees to collective bargaining, does not apply to prisoners. Moreover, prisoners are excluded from the U.S. Occupational Health and Safety Administration protections that require employers to provide a safe working environment (Eisen & Seabrooks, 2020).

⁷⁰ The 2001 Correctional Investigator R.L. Stewart argued that the situation regarding 'inmate' pay was of concern for two reasons: 1) inadequate pay promotes and maintains an illicit underground economy and 2) inadequate pay does not allow prisoners to save sufficient funds needed to successfully reintegrate to life outside of prison (Stewart, 2001). It should be noted that this issue, and a 'solution' to this issue (the possibility of prisoner's getting an additional \$4.00 pay credit for food and health items from the canteen) was echoed across different annual reports from the Office of the Correctional Investigator. Corrections Canada regarded this matter as 'resolved' (Stewart, 2001).

⁷¹ For starters, prisoners often need to seek out extra food from the canteens (these costs had doubled by 2001) to round out their diet (Stewart, 2001). The quality of prison food has gone from bad to worse in the past decade, as the federal government sought cost savings inside. There are also routine expenses. In 2016, the federal government finally implemented a long-planned 'national inmate purchasing catalogue'. According to a report from the Correctional Investigator of Canada that year, 'the quantity and quality of items offered is inadequate and the prices are far frequently more expensive when compared to those in the community'. Additionally, prisoners must buy their own soap and shampoo as CSC no longer provides them (Stewart, 2001). These government cuts not only affect people while they are incarcerated but upon their release as well. With no resources upon release, former prisoners face significant challenges in transitioning to a crime-free life after incarceration.

union cards. The institution refused, so Jolivet took his case to both the Federal Public Sector Labour Relations and Employment Board and the Canadian Industrial Relations Board (House & Rashid, 2022, p. 132). His case argued that offenders in federal penitentiaries retain the same fundamental rights and privileges as ordinary citizens, including the right to participate in organized labour. The public service labour board found that prisoners are not technically employees, and if they were, they would not be considered public sector employees. The industrial board also came to a similar conclusion (House & Rashid, 2022).

One of the applicants of the lawsuit, Claude Joly, told the court that he felt the prison pressured him to work in CORCAN because it was understaffed. He argued that federal prisoner workers 'exist in a very vulnerable condition where they may be subject to discipline by their jailer-employer if they are seen to be unreasonably refusing directions of their employer, which can impact their rehabilitation score and their release date', When Joy refused, he claims, correctional officers placed him in solitary confinement. Prisoners not participating in programs must remain in their cells with the doors locked during business hours and this is not considered 'isolation' under the *Corrections and Conditional Release Act* (another legal loophole regarding the use of segregation) (Ling, 2019). Other prisoners alleged that the cuts to their pay made it impossible to afford over-the-counter medicine and reduced their ability to support their family. Marie-Claude Lacroix, of Simao Lacroix, who acted as counsel for one of the prisoners filing for the judicial review, noted that in some institutions, participation in CORCAN is required for some length of time, 'You have to. It's not an option,' she says (Ling, 2019).

Despite reports of coercion and exploitation by prisoners who work under CORCAN, the program is still framed as rehabilitative. While forced or coerced labour is not legal in Canada,

these legal loopholes enable those viewed as noncitizens to be exploited without any recourse. As an issue of spatialized violence and control, CSC's ability to flout labour laws and Canadian Charter violations reproduces the prison as a space that exists outside of the law and/ or wherein Canadian law operates differently or does not apply. Moreover, the prison functions as a space wherein the Black and racialized 'criminal Other' is reproduced as a noncitizen to whom these laws do not apply.

Conclusion

Throughout this chapter, it becomes apparent how the practice of prison labour in Canada is inherently violent, and that spatial domination is central to this process. In the first section of this chapter, I examined how solitary confinement is rooted in a form of spatialized violence as a tool of control and dehumanization. This occurs through the extreme forms of physical and social isolation prisoners undergo, the abhorrent conditions they are held in, and the power of correctional officers to enact these forms of violence with impunity, particularly upon Black and Indigenous offenders. In this section, I demonstrated how the practice of solitary confinement seemingly exists outside of the law, insofar as various forms of abuse and discrimination necessitate its use. Later in this chapter, I demonstrated that prisoners who are sent to segregation do not qualify for higher pay and are unable to work entirely while held there. Moreover, prisoners who refuse to work are threatened with being sent to solitary confinement. Therefore, I argue that the use of segregation may be interpreted as a filtration system/ tool that determines who has access to CORCAN jobs and who is perceived as being undeserving of work opportunities entirely (and in a sense, who is deserving of and/ or should be prepared for release from prison). My central argument in this first section then, is that the

use of solitary confinement is a mechanism of control that reinforces the inferior colonial subject, and that part of this control determines who has access to better (or any) work opportunities.

In the latter half of this chapter, I examined prison labour practices in Canada with a particular focus on the CORCAN program and the challenges associated with it. Not only has CORCAN never posted a profit, but they have not been successful in reducing recidivism. Moreover, the nature of the work (such as the prison farming program) is dangerous, and it does not appear to be rehabilitative or useful for finding employment upon release from prison. Moreover, those labelled as threats, particularly those perceived as gang members, are more likely to be excluded from higher paying and more skilled job opportunities, which disproportionately impacts Black and Indigenous offenders.

In this chapter, I also examined how the practice of prison labour must be understood through spatial domination. In conjunction with dangerous work, abhorrent conditions, the lack of [labour and human] rights, and poor pay, prisoners who refuse to work are punished in different ways, such as being sent to solitary confinement. Additionally, prisons are rooted in coercive labour practices under the guise of public safety, while reinforcing the idea that Black [and Indigenous] *inmates* are dangerous, and that this work is good for them insofar that it teaches them responsibility, a good work ethic, and offers them the chance to be redeemed to a moral [white] being. This tactic of spatial domination highlights how the law operates or does not operate within these spaces insofar as the conditions in which people live and work, or the abuse they endure while in there would not be permitted beyond prison walls. Overall, in this chapter, an examination of prison labour demonstrates the relationship between race,

racialization, and labour, and reveals how the logic of spatial domination in prisons is central to maintaining this relationship. In the next chapter, I examine this relationship between prison labour in Canada and whiteness more closely, as I return to the work of Frantz Fanon.

Chapter Five:

JB to KB for THE 1-2...3!: Time to Wrap Up and Get This Degree

A system can never fail those it was never built to protect

Vann Newkirk (Rotham, 2014)

Chaque fois qu'un homme a fait triompher la dignité de l'esprit, chaque fois qu'un homme a dit non à une tentative d'asservissement de son semblable, je me suis senti solidaire de son acte

Frantz Fanon, 1952

I was reading your work and kept thinking 'Krystal is a brilliant theorist'

JB, Personal Communication, 2024

Introduction

In the previous chapters I used the work of Frantz Fanon alongside other critical theorists to examine the lived experiences of, and challenges faced by racialized workers, which includes little to no pay, poor working conditions, and various other forms of dehumanization while often being coerced into the work they are doing. Using Fanon's concepts of cultural imposition and collective catharsis, I argued that the racialized worker undergoes a double process of dehumanization wherein they are viewed as both invisible and hypervisible subjects, which in turn reinforces their supposed inferior colonial identities. This relationship between race, racialization, and labour is one that exists in the free world but is also apparent within prisons as well and underpins much of the labour that happens behind bars. In this chapter I return to Fanon's work on cultural imposition and collective catharsis to examine these concepts alongside prison labour practices in Canada to understand how they are used to construct the racialized incarcerated worker as an inferior colonial subject.

As demonstrated in the previous chapter, the CORCAN program within Canadian prisons raises several concerns around its effectiveness due to its inability to fulfill its mandates. Not only is the CORCAN program not profitable, but it is also unsuccessful in its ability to develop job skills and/or prepare prisoners for employment opportunities upon release from prison. The program's inability to deliver on these mandates suggests that CORCAN is not motivated by profits or rehabilitation, and that the program exists solely as a punitive measure and/or to inflict violence on those deemed inferior. Moreover, the inherent contradictions within the CORCAN program itself creates confusion around its function as a for-profit business and its use as an employment and rehabilitative tool. In other words, the existence of the CORCAN program appears to make no sense.

Therefore, the continued use of the CORCAN program and (in particular) its use of prison farms raises the following questions concerning the use of prison labour in Canada: How can the disproportionate incarceration of [primarily] Black peoples in Canada be understood in relation to CORCAN's function and/or purpose, particularly since they are less likely to be hired in these jobs? How can the use of racialized labour for an unprofitable system be understood alongside a history of enslavement and racialized violence? How does framing incarcerated Black peoples as violent and then requiring their labour for arguably violent work (such as in the abattoir before it closed) justify their over-incarceration under the guise of rehabilitation? If this is not a profitable system, does CORCAN exist [primarily] as a punitive measure? Who is profiting from the CORCAN program and why has it not been shut down? What are the long-term consequences of using a system like this? And lastly after answering these questions, I return to the question that underpins this entire dissertation, which is: how does the work of

Frantz Fanon help inform my understanding of prison labour in Canada? In the concluding section of this chapter, I will seek to provide some way of making sense of these questions by returning to Fanon's work.

Prison Labour as a Racializing Process

Access to Good vs. Bad Jobs

With the absence of publicly available data on Canadian prisons, and even less available racial data on Canadian prison labour, I turn to the United States context to examine some of the problems that incarcerated workers within American prisons face in accessing jobs. According to sociologist Arne Kalleberg's study of 'good and bad jobs' within the U.S. economy, job quality may be assessed by 'rate of pay, skill level, degree of worker autonomy, security and stability, opportunities for advancement, and available perks or fringe benefits' (Gibson-Light, 2023, p.33). Within the broader context of the labour economy (beyond prison walls) the relationship between race and labour has been witnessed across 'good' and 'bad' jobs, with those perceived as being superior represented in 'good' jobs and those perceived as being inferior represented in 'bad' jobs (Gibson-Light, 2023, p.33).

To examine the distinction between 'good' and 'bad' jobs within United States prisons, I turn to the work of Michael Gibson-Light. In *Orange-Collar Labor* (2023), Gibson-Light argues that carceral structures reproduce and exacerbate social inequalities between groups along the lines of race, ethnicity, and class. Through an empirical study of prison work in an anonymous United States prison referred to by the pseudonym 'Sunbelt State Pen (SSP)', Gibson-Light maintains that criminal punishment (and prison labour) both maintain and justify a violent

system of racial hierarchy. One of the ways this is reproduced is through access to 'skilled' jobs and better pay. In Gibson-Light's study, the best jobs were also the best paying (50 cents an hour for the better paying jobs, with the worst jobs being nine cents an hour); higher paying jobs were contextualized as work that allowed one to enough money 'to survive in there' (Gibson-Light, 2023, p.34). After pay, skill level of jobs carried significant weight, with jobs being classified as skilled or unskilled; skilled jobs were described as mentally demanding and helpful in passing the time more quickly, with unskilled jobs being described in contrast to this (Gibson-Light, 2023, p. 34-43). Any jobs offering more autonomy and mobility around the workspace (and where workers could take breaks) were also highly valued since typically freedom of movement is restricted within prisons and prison workplaces. In prison it is common to be transferred (within the prison or to a new institution) without notice, and therefore any sense of stability or consistency in a job was valued by prisoners (Gibson-Light, 2023, p. 34-43). Additionally, opportunities for advancement, and jobs where there were small perks (such as access to snacks in the kitchen) were also important. Work sites such as the call center and the sign shop which were overseen by civilian staff members rather than correctional officers contributed to what workers described as 'feeling less like prison and more like the free world' (Gibson-Light, 2023, p. 41). Prisoners maintained that 'it's not the job, it's the environment that matters', and that time spent at such jobs was considered 'doing good time' (Gibson-Light, 2023, p.41).

In contrast, some positions could cause conflicts for workers. Positions such as shoeshine or staff barber were perceived by many as requiring significant levels of submission by those in positions who attend directly to the personal needs of correctional staff. These jobs

also often required interacting one-on-one with correctional officers for longer than usual periods of time (Gibson-Light, 2023, p.37). Men who expressed interest in these jobs were often perceived as being informants due to heightened interactions with CO's, and some groups collectively refused to work in such positions for this reason (Gibson-Light, 2023, p.37). Workers in less desirable jobs often reported feeling trapped with little hope of gaining better opportunities. Certain jobs like 'cigarette butt collector' and 'rake pusher' were typically reserved for 'guys that screw up'; on formal disciplinary paperwork, this work was listed as 'extra duty' (Gibson-Light, 2023, p.38). Prisoners who worked as car washers were often frustrated at their powerlessness against random officers who ordered them to do work that exceeded their job descriptions; officers who happened to pass by often ordered working prisoners to perform additional duties like clearing trash and debris from their surrounding grounds, even though these jobs were beyond the scope of their responsibilities (Gibson-Light, 2023, p.38).

The Hiring 'Process'

For the various job opportunities in Gibson-Light's study, the hiring process was straightforward in theory: a prisoner had to fill out an application indicating their preferences and qualifications and wait for an opening at their preferred worksite. In the interim, they might be assigned to another open position elsewhere. However, in practice, this process rarely, if ever, happened in this way. First, acquiring a one-page application for work was often difficult to do (Gibson-Light, 2023, p. 50). According to one worker, 'you really gotta ask around to get an app'; in one case, it took one worker two months to obtain an application (Gibson-Light, 2023, p. 50). Once obtaining an application, different processes were used to invalidate

applicants who were deemed unfit to work there. Those who did not or were unable to indicate specific preferences were often automatically sent to unpopular facility support jobs. By limiting access to applications, this process helps ensure a steadier supply of labour for necessary but undesirable worksites within the prison (Gibson-Light, 2023, p. 50-51).

The hiring process also varied in practice (versus on paper) insofar as people were more likely to get jobs or be promoted within jobs if they knew someone already working there. Prison labour programs are oftentimes justified on the basis that they help to teach or develop skills prisoners may lack. However, in Gibson-Light's study, skilled work assignments were often given to those who already had the preferred skills or training, and prisoners with prior experience were more likely to be hired in those jobs (Gibson-Light, 2023). As one CO maintained, although it might benefit prisoners with little or no skill and experience to be trained, it was faster and more efficient to use people who already possessed those skills. For workers who were hired with prior experience, they would be monitored during a trial period to make sure they had the skills they claimed to (Gibson-Light, 2023, p. 52-54). Therefore, by providing jobs to those more likely to access opportunities outside of prison, these processes reproduce economic inequalities by excluding those in most need of the work experience which will likely leave them unable to attain employment upon release. Here what becomes apparent is that the formal expectation of prison labour hiring practices differs from the reality that workers face in practice.

Access to 'White' Jobs and Whiteness in Hiring

The hiring processes in practice were also impacted by race. Compared to other groups, it was presumed that white workers were more likely to possess the necessary skills and work ethic behind bars. While Blackness is often linked to racialized perceptions of criminality and lower job market potential, whiteness was inversely coded as a positive credential and disproportionately associated with desirable job applicants. This in effect, turns prison labour hiring practices into a racializing process that reproduces stereotypical understandings of whiteness and Blackness, and rewards or punishes each respectively. In *Orange-Collar Labor (2023)*, this racializing process is maintained by administrators and CO's who permitted white workers to refuse menial jobs such as shoe shining, which was perceived as too degrading for them. However, these positions were supposedly best suited for members of other (racialized) groups, and more readily available to them (Gibson-Light, 2023, p. 78). All workers had to undergo an evaluation of their skills or resources, and throughout these assessments, Black and Brown⁷² prisoners were at times overtly labelled as 'too ghetto' to possess desired characteristics. Moreover, prisoners with accents or those that spoke certain dialects were likely to be categorized as 'incorrect, improper, or unprofessional'⁷³ (Gibson-Light, 2023). Here, the role of language is significant and one I examine through Fanon's concept of laccification. If prisoner's attempt to change their speech to 'sound white' (read as: intelligent and 'American' or 'Canadian'), incarcerated workers may be more likely to gain employment both while serving their sentences and upon their release. However, this demonstrates that to be perceived as

⁷²Reflective of how the U.S. categorizes race

⁷³ I have similarly witnessed this in people wanting to access jobs and educational programming within Canadian prisons. These are patterns we see reflected in the workforce beyond prison walls more generally (Collie, 2019).

having any rehabilitative potential (and in this way viewed as ‘a life worth saving’ via release from prison), one must be read as white. In doing so, the prisoner is framed as intelligent, moral, and as taking personal responsibility (or more than their white counterpart) by demonstrating desired employment skills such as sounding ‘white’ [read: intelligent]. In failing to lactify oneself through one’s language (and presumably other factors), prisoners are more likely to be perceived as immoral, lazy, and failing to take any responsibility ergo- they are viewed as irredeemable (as read through a normalizing white gaze).

This is further exemplified in Gibson-Light’s (2023) work by those who worked in the call centre wherein adhering to ‘valued language norms’ was very important since workers were required to ‘speak like white corporate America’ (Gibson-Light, 2023, p. 58). Those in the call centre were excluded if they sounded like they were ‘from the ghetto’ or had certain accents, and therefore the call centre was predominantly staffed by white workers (Gibson-Light, 2023, p. 58). Similarly, in the sign shop, the more desirable jobs were also held by white workers who demonstrated desired skills (Gibson-Light, 2023).

Another desired quality for workers was motivation and integrity. According to one CO, skilled workers were described as more dedicated to learning and as having more integrity,

‘ a place like the food factory- that’s used as like a punishment. Who wants to wrap sandwiches all day? Or grounds crews- most of those guys don’t want to work. They hide their rake under their bed and go watch Tv all day. You gotta chase em down. They say “oh yeah I’m sorry I’ll go work now”, then do the same thing tomorrow. Some people just- I hate to say it this way- they just come in here more ghetto, they want to exploit the system, to get over on somebody. But if you come in with no skills except pushing a rake, then that’s what you do! Whereas these guys [holding skilled jobs], they grew up working. They like coming here and working (Gibson-Light, 2023, p. 86-87).

In this case, those lacking skills are seen as lacking integrity, which if understood through discourses on personal responsibility vis-à-vis the War on Poverty, characteristics such as motivation and integrity can be understood as a proxy for race and whiteness; on the other hand, a lack of integrity and motivation are perceived as indicative of poor character and Blackness (which is viewed as being synonymous with immorality and poor work ethic). Overall, then, Gibson-Light's work on prison labour hiring practices informs my project in three distinct ways. Firstly, it demonstrates how the prison system has expanded to contain a surplus population of those who, lacking employment and social supports, have been pushed out of or kept within the margins of the formal labour market (Burnett, 2022). Secondly, it demonstrates that informal hiring and mobility practices tend to privilege white workers, and that the exclusion or undervaluing of racialized workers maintains a hiring process wherein a distinction between the superior white worker and inferior Black and racialized worker is maintained. Lastly, Gibson-Light's work is significant as it demonstrates how ideas of Black inferiority are bound up in ideas of gender, specifically how Black masculinity is reproduced through and informs incarcerated labour. For example, the use of the word 'ghetto' is often synonymous or coded for Blackness and draws on racial imagery that invokes stereotypes of the Black welfare cheat or drug dealing womanizer. Black men have historically and continue to be perceived as immoral due to the belief that they are innately hyper dangerous and oversexed creatures. These perceivably innate characteristics are used to reinforce the idea that Black men have no integrity and are incapable of change because it is *who they are* as Black men. Moreover, these stereotypes lock them into certain types of jobs because it is believed that they do not have the motivation or the intelligence to do more skilled and/ or valued work, thereby suggesting that

Black men are best suited to labour behind bars. Within the Canadian context, the reproduction of race through prison labour programs extends well beyond hiring practices and extends to issues such as pay and access to jobs, risk and devaluation of work, punishing prisoners who speak out against labour practices and public support for such practices.

Pay and Access to Jobs in Canada

In the opening of this chapter, I asked a series of questions to gain an understanding of prison labour regimes within the Canadian context. Here, alongside this understanding of the American context, I examine the first two questions I posed: How is the disproportionate incarceration of [primarily] Black peoples in Canada understood in relation to CORCAN's function/ purpose? How can the use of racialized labour for an unprofitable system be understood alongside a history of enslavement and racialized violence? To start, in drawing from the United States context to examine how prison labour regimes reproduce social and racial inequalities, an exploration of the Canadian prison system can help identify and situate challenges faced by incarcerated workers in Canada within this broader context. As mentioned in chapter two, the colonized person is perceived as an inferior being. The *inferiorization* of the colonized subject is maintained by and justified through their 'invisible' and 'hypervisible' qualities, and these conceptualizations are underpinned by Fanon's ideas of cultural imposition and collective catharsis. In Canadian prisons, the incarcerated worker is treated as an inferior subject through the various forms of dehumanization they endure, which similarly reaffirms their inferior position. To better examine this, I return to the work of Frantz Fanon to help contextualize prison labour regimes in Canada through the same racializing processes used to maintain colonial identities witnessed within U.S. prisons.

Challenges With Pay

To address my first question about how the disproportionate incarceration of [primarily] Black peoples in Canada can be understood in relation to CORCAN's function/ purpose, I consider the way their identity as an *inmate* is reproduced through their labour through various efforts to dehumanize them. First, incarcerated workers in Canada are stripped of their humanity due to the exploitation that occurs through the pay they receive and the [lack of] access to jobs. There are several 'hurdles' that one must be able to jump through to achieve Pay Level A in Canadian federal prisons, just to make a fraction of the minimum wage (\$16.55 an hour in Ontario) afforded to workers outside of prison. In Ontario, the average living wage is now \$19.72 an hour for one person (Balintec, 2023). For a prisoner making pay Level A, they make just over one-third of the average living wage in Ontario before deductions. After deductions, prisoners may still support their family, pay court and other legal fees, as well as buy necessities from the canteen⁷⁴.

However, incarcerated workers are oftentimes unable to afford necessities such as food and hygiene products while in prison (one is also stripped of their humanity by making it so difficult to access these necessities). According to the 2021-2022 OCI report, Black prisoners are less likely than other prisoners to have their earnings fall under Pay Level B and Pay Level A. Since Black prisoners are more likely to be in jobs with lower earnings, these challenges are heightened for them. Therefore, Black prisoners face heightened dehumanization through the

⁷⁴ A 2018 CBC investigation revealed that prisoners regularly paid twice as much as what the public pays for the same products (House & Rashid, 2022, p. 56).

increased likelihood of being unable to afford necessities while incarcerated. For those sent to solitary confinement (which is more likely for Black and Indigenous prisoners), they are more likely to be living off a 'basic allowance' in prison, which hinders their ability to supplement the inadequate diet they receive, or to buy other necessities, such as hygiene products. Particularly during the Covid-19 pandemic, prisoners were unable to protect themselves from a rapidly spreading virus that could have been better addressed through basic hygiene practices, but this was not possible due to the high cost of soap and other products. Moreover, charging prisoners for their stay in prison imposes a burden on them, and disproportionately affects indigent and racialized populations all of whom are disproportionately represented among the prisoner population. Furthermore, these 'pay-to-stay' policies create barriers to re-entry and encourage a cycle of poverty that is difficult to escape. Family members often pay these fees and deposit funds in prisoner commissary accounts, so their loved ones do not leave jail or prison with debt from their stay; for families already suffering from the financial loss of having a family member incarcerated, their financial stresses are intensified. An article in the National Prison Project Journal noted, '[o]ften prisoners will do without hygiene items or medical treatment rather than have their families deposit funds that will be immediately confiscated to satisfy prison charges' (Eisen, 2014). Therefore, prisoners are also dehumanized through being forced to choose between burdening one's family or not having necessities needed for survival. Upon release, while prisoners may no longer be paying for room and board and other 'accommodations', it is unlikely they were able to save any money yet would still have obligations to take care of.

From a public safety position, incarcerated people who re-enter society are less likely to successfully reintegrate while being hundreds of dollars in debt (Eisen, 2014). In the United States, administrative costs to determine prisoner fees is typically more expensive than the revenue each county would generate in collecting them (Eisen, 2014). Similarly in Canada, the CSC spends more on CORCAN than they do on various education and rehabilitative programming (CTV, 2012). Despite CORCAN's dismal failures in turning a profit and promoting rehabilitation and reducing recidivism, the program continues to run, and prisoners continue to have their pay cut under the guise of 'accountability measures'. Therefore, efforts to maintain the CORCAN program alongside an inability to meet their mandates appears to be an attempt on behalf of CSC to dehumanize prisoners to ensure their indigent positions and forced labour, rather than to ensure accountability or provide rehabilitation.

Gatekeeping Whiteness Through Access to Job

Not only is prison labour a racializing process with respect to pay but also because prison labour regimes gatekeep more desirable jobs from Black and racialized prisoners. In Canada, Black prisoners reported difficulties in finding employment while incarcerated⁷⁵. Many felt that these difficulties were due to being stereotyped and labeled as a 'gang member' or 'troublemaker', which appear to be reflected in unemployment rates for Black prisoners. The prison unemployment rate in 2012-13 in Canadian federal correctional facilities was 1.5

⁷⁵ Through my own informal observations while volunteering at a men's maximum prison for years, most of the prisoners I encountered that were employed on the work range/ floor, or that I saw working within the facility were white passing. This observation was also reinforced through informal conversations I had with other prisoners who complained about the difficulties in finding employment, which they believed was due to their race and/or ethnicity. Moreover, Jamaican prisoners were often specifically overlooked for literacy lessons as it was believed by prison staff and program volunteers alike that they were 'too stupid' to participate in educational programming (Anonymous, Personal Communication, 2023).

percent; however, for Black prisoners this rate was 7 percent (Office of the Correctional Investigator, 2014). In Canadian federal prisons, Black prisoners are also considerably less likely than the general prisoner population to be employed in a CORCAN job. CORCAN jobs are in high demand as they are expected to provide prisoners with vocational skills and experience in a particular trade. Between 2012- 2013, 29 percent of all prisoners were working in some CORCAN capacity compared to only 22 percent of Black prisoners; these findings remained consistent between 2002-2003 and 2011-2012 (OCI, 2014). Here again, by invoking stereotypical understandings of Black men as drug dealers and gang members, they are immediately read as incompatible and incapable of working in CORCAN jobs. In this way, the Black [male] prisoner is reproduced as inherently angry, dangerous, and as a threat to the CORCAN program. Additionally, they are once again locked into lower paying, devalued, and dirty work because they are perceived as best suited to do those jobs. This problem is exemplified through the fact that at two men's institutions, Black prisoners felt that they were discriminated against and could not get a job with CORCAN even after applying on several occasions. They reported that the only Black prisoners that worked at CORCAN were those that had previously worked there; it was rare for new Black prisoners to be recruited. At one of the institutions, CSC staff recognized this as an issue and worked with the job coordinator to ensure more Black prisoners were put forward and considered for CORCAN jobs which eventually resulted in a few Black prisoners being hired (OCI, 2014).

In the 2014 Black Inmate Experience Report, it was stated that despite issues in accessing jobs, Black prisoners were essentially on par with the general prisoner population

with respect to pay⁷⁶; in fact, Black prisoners were slightly more likely than the general population to be at the highest level of pay (28 percent versus 26 percent) and slightly less likely to be at the lowest level of pay (four versus five percent respectively) (OCI, 2014). Even though Black prisoners were at slightly higher levels of pay, given their difficulty in accessing CORCAN jobs, this means that Black prisoners were more likely to be found in institutional jobs. These jobs are often less skilled and indicate that prisoners doing these jobs are further away from release (as CORCAN jobs are understood to be for people preparing for release). Therefore, Black prisoners were more likely to be concentrated in less skilled and less desirable jobs and were less likely to be approaching their release date than their white counterparts. In the 2022 report by the Office of the Correctional Investigator which provided an update on the 'Black Inmate Experience', the top five jobs for Black prisoners were: cleaner, food prep worker, inmate committee, dishwasher, and recreation worker (Zinger, 2022). Moreover, the report states that, 'while the majority of prisoners earn Level C pay (\$5.80/day), Black persons are less likely to be earning the highest levels of pay (Level A pay: \$6.90/day and Level B pay: \$6.35/day)'. The report also states that as of 2022, 3.7 percent of Black prisoners were earning level A pay compared to 6.2 percent of white prisoners, and 18.1 percent of Black prisoners were earning level B pay compared to 21.7 percent of their white counterparts (Zinger, 2022). What is demonstrated across these reports is that not only has CSC failed to address this issue of access to better jobs and pay rates, but that they have become increasingly

⁷⁶ It is unclear from the report if this is with respect to all prison jobs or CORCAN jobs specifically.

worse in doing so. This in turn suggests that Black prisoners are facing heightened discrimination which is impacting their employment while incarcerated.

Overall, the function and/ or purpose of CORCAN alongside the disproportionate incarceration of Black peoples in Canada is demonstrated in the reproduction of their inferiority through the various ways they are dehumanized including practices of poor pay and [lack of] access to jobs. Workers are dehumanized and reminded of their inferior status as they are not provided with a living wage but are still expected to take care of their financial obligations, as well as supplement their diet and any other necessities while incarcerated, with any inability to do so being framed as a personal failure and/or as an issue of irresponsibility. These challenges have a negative impact particularly for racialized prisoners who are more likely to be sent to solitary (which impacts their wages or ability to get work), and Black prisoners who consistently reported difficulties in finding prison employment, particularly within CORCAN, thereby reinforcing stereotypes that Black people are lazy and unwilling to work, when in fact they are systematically excluded from obtaining jobs due to being labelled as threatening and unruly. Here, the practice of locking Black and racialized prisoners out of better jobs can be read as a process of gatekeeping whiteness itself within the Canadian prison system; in this way the white world⁷⁷ and the privileges associated with it are impenetrable, and one's chances at

⁷⁷ Some work also reinforces stereotypes about Indigenous peoples and culture. Additionally, some Indigenous prisoners have been forced to make dream catchers as well as other 'stereotypically Native' products for commercial value (Personal Communication, 2018, 2020, 2023). Here, not only are Indigenous peoples forced into contributing to the cash economy but through being forced to enact stereotypical portrayals of Indigenous peoples, they are in essence forced to reproduce their assumed inferior colonial identity. In contrast, the Native Extraordinary Line of Furniture (NELOF) is an Indigenous prisoner-run organization in British Columbia (House & Rashid, 2022, p. 115-117). While other attempts have been made to provide 'culturally specific' employment programming to Indigenous offenders (such as CORCAN's fur and shearling program) lack of prisoner control has rendered such efforts vulnerable to accusations of cultural exploitation (House & Rashid, 2022, p. 115-117). The

freedom and success upon release become illusory. Here, the exclusion of Black prisoners from more skilled jobs while incarcerated quite literally sets them up for failure upon their release.

At the beginning of this section, the second question I asked was: How can the use of racialized labour for an unprofitable system be understood alongside a history of enslavement and racialized violence? Historically, enslaved peoples in Canada were forced to labour in poor conditions with no pay while being subjected to various forms of abuse(s). Moreover, it was considered natural because Black people were perceived as unfit for freedom and in need of control by a white *master*. Additionally, under the convict lease system in the United States⁷⁸, ‘convicts’ were arbitrarily arrested when their labour was most needed, and they were held in conditions so horrific that their death was merely a consequence of their supposed disposable value. Here, the incarcerated worker is also regarded with such low value wherein their bodies exist outside the law as inferior nonhumans; by this I mean they are subjected to abuses without recourse or protections. What becomes apparent across both historical and contemporary practices of coerced labour, is that both systems are underpinned by ideas about Black criminality and white superiority. Within these systems, Blackness [read: sin] is framed as a perverse, immoral characteristic of inferior peoples in need of labour discipline, wherein Black peoples exist in contradiction to the very notion of freedom itself. This historical context is important for a contemporary examination of prison labour practices in Canada insofar as prison labour regimes seemingly replicate or reimagine historical systems of coerced racialized

success of NELOF in providing prisoners with challenging work they enjoy (as well as the fact that it has been profitable) shows the importance of prisoners’ control over their labour, as well as programming more generally⁷⁷ (House & Rashid, 2022).

⁷⁸ See Appendix for more on the convict lease system.

labour, as prisoners are dehumanized through dismal pay, poor working conditions, and are punished if they speak out about or refuse this dangerous work.

Risk and Devaluation of Dangerous Work

The next question I asked in the opening of this chapter is: How does framing incarcerated Black peoples as violent and then requiring their labour for arguably violent work (such as in the abattoir before it closed) justify their over-incarceration under the guise of rehabilitation? To answer this question, I return to the idea that Black peoples are believed to be better suited to do low-paying, dirty, and dangerous work. As mentioned, Black prisoners are continually perceived as being more [inherently] violent and dangerous than their white counterparts. Within Canadian prisons, perceptions of Black criminality are reinforced through various disciplinary tactics to construct Black 'otherness', which is witnessed through their overclassification in the Custody Rating System, overrepresentation in solitary confinement, disproportionate institutional charges gang-member classification. When examining prison farming in Canada, these constructions of Black criminality must be necessarily considered given the absence of racial data for prison farm work in Canadian prisons, to examine who may be considered best suited to do this work⁷⁹, and the impact this has on prisoners who do these jobs.

Prison Farm Potential

The work that prisoners do is often dangerous, undervalued, and can take a toll on one's mental health, particularly for those who work on the prison farms. Certain prisoners who have

⁷⁹ However, in 2019, prisoners who worked for Wallace Beef (the company operates a public-private partnership with CORCAN and was responsible for operating the abattoir) made three dollars an hour. Wallace beef hires about ten prisoners to work in its operations (House & Rashid, 2022, p. 65).

worked in the recently closed abattoir at Joyceville have detailed ‘dangerous and denigrating working conditions’, as well as trauma related to inflicting or witnessing violence against animals. One prisoner who worked on a Canadian prison farm in the 1990s reported the following:

When I had to go in and take a baby calf away from her mother, I was putting my life at risk, because them cows were wanting to kill me when I would go in and try to take the calf. They knew what we were doing, and they were going to do whatever was in their power to stop that. So I mean that affected me. Of course it affected me. It was like, whoa man, what am I doing here? They would cry, the mother and the baby would be talking to each other, and it's – oh my God. And you know that hurt, that affected me. (Evolve Our Prison Farms, 2021)⁸⁰

Within the criminal justice system, human-animal relations have been encouraged among prisoners to reduce recidivism, increase psychological wellbeing as well as to help incarcerated people get vocational qualifications and employment to improve the overall prison environment. The benefits for prisoners have been witnessed in programs where offenders work with or train animals, as opposed to just using animals for a therapeutic aim. There are a variety of prison animal programs (PAPs) which include: wildlife rehabilitation, service animal socialization, pet adoption, and livestock care programs with a focus on animal care and crop cultivation (Cooke & Farrington, 2015; Payne et al., 2022; van wormer & Hamilton, 2017). Additionally, several studies have argued that prison farms are useful in reducing recidivism and increasing employability skills (Moore, Freer & Samuel, 2015; Payne et al., 2022). But the impact of farm animal work has largely remained unstudied. In research that focused on care

⁸⁰ This same prisoner reported that some of the cows were abused, and chickens went missing.

farms, most studies did not explore the impact of working with farm animals specifically. In one study that focused on short-term offenders working on a prison farm, the impact of animal work was not explored separately. In another study it was found that direct and indirect contact with animals reduced some negative aspects of prisoner's incarceration and improved the relationship between prisoners and guards (Elsey et al, 2018; Hill, 2020). One former prisoner was quoted as saying 'the cows taught me so many skills and they taught me patience, compassion' (Payne et al., 2022, p. 1297). However, Fitzgerald et al, (2021), maintain that there is no rehabilitative or therapeutic benefit for prisoner's interacting with livestock because the nature of commercial farming requires the animals to be objectified and an emotional distance must be maintained between prisoners and animals (for example, animals are numbered rather than named). While some prisoners may have positive experiences of working with livestock, Fitzgerald et al (2021) argue that 'meaningful engagement with individual animals is impractical, and indeed, not encouraged' and that 'interactions with animals that are commodified and objectified are likely not conducive to facilitating empathy and rehabilitation' (p. 14-15). Additionally, Montford ([2019] as cited in Payne et al., 2022) stated that there was the potential for traumatic stress if farm animal work involved slaughtering or butchering.

While the effects of livestock operations on incarcerated peoples is unknown, the immediate and long-lasting effects of working in intensive livestock operations may impact some people negatively. There remains the possibility that those whose employment involves harming animals may suffer psychological consequences. Butchers for example were significantly more likely to experience depression, anxiety, anger-hostility among other harmful

psychological consequences (BBC; 2020; Evolve Our Prison Farms, 2020; Slade & Alleyne, 2021).

As one butcher maintains, ‘

As I spent day after day in that large, windowless box, my chest felt increasingly heavy and a grey fog descended over me. At night, my mind would taunt me with nightmares, replaying some of the horrors I'd witnessed throughout the day.... One skill that you master while working at an abattoir is disassociation. You learn to become numb to death and to suffering. Instead of thinking about cows as entire beings, you separate them into their saleable, edible body parts. It doesn't just make the job easier - it's necessary for survival. (BBC, 2020).

There is also some evidence that slaughterhouse work is associated with increased crime levels (particularly for sexual offences including rape⁸¹, but there was no significant relationship found for violent crimes) (Slade & Alleyne, 2021). Moreover, the impact of slaughtering animals, dehorning goats, or taking a baby away from its mother may be devastating for anyone, let alone someone who is locked in a cage all day, with limited (if any) social interactions, and poor mental health services. Additionally, if prisoners refuse to do this work, they may be placed in segregation which may then worsen their mental health condition(s) and heighten the negative impact that animal work has on them. Therefore, what must be asked is: how is work wherein one is required to harm an animal meant to be rehabilitative? How is one performing this work expected to display appropriate or desired behaviour? Put differently, how is it expected that this work does not affect someone negatively? Are there resources provided for those who are challenged by this work? If not, why not? How do any changes in one's behaviour due to performing this work affect their eligibility for parole or release?

⁸¹ In Canada, rape (termed aggravated sexual assault) would be considered a violent crime.

As mentioned, these questions must also be further complicated when thinking through the various ways that Canadian prison labour regimes produce race and reproduce racial inequalities. Firstly, Black, Indigenous, and other racialized prisoners are typically perceived as being more [inherently] violent. While they are less likely to access CORCAN jobs, employing them to perform arguably violent/dangerous work, may reinforce the idea that they are in fact violent, or best suited to do this work (and in this sense hypervisible). Furthermore, any negative impact that this work may have on their behaviour or mental health may lessen their chances to be released and/ or paroled which perpetuates narratives that they are inherently dangerous and that because they are doing such dangerous work, they must be kept away from the public.

Punishing Workers Who Speak Out

Prisoner Grievance System

Workers are also dehumanized and reminded of their perceived inferiority through the reprisals they face when trying to push back against these exploitative practices. In 1979 the Supreme Court of Canada stated that prisoners maintain the right to have institutional decisions reviewed by the federal court. However, prisoners face barriers through the requirements that they must first utilize internal grievance systems before trying a case in court. For example, in the case of *Lauzon v. Canada*, prisoners at Joyceville Institution who designed and produced shirts with inverted Canadian flags for Prisoner Justice Day had their shirts confiscated by CSC on the grounds that the design was disrespectful to police officers and soldiers (House & Rashid, 2022). The prisoners responded with a class action lawsuit, arguing that their rights to freedom of expression under the *Charter* were violated. When the case was

heard by the Ontario Superior Court, the court dismissed the lawsuit due to the existence of an 'alternative procedure', namely the inmate grievance procedure, and stated that this course of action needs to be used as the primary means to challenge CSC decisions or actions. However, as is well known, this procedure is slow, ineffective and lacks a third-party adjudicator. Many previous and current prisoner grievances have also been dismissed due to the argument that they must utilize this ineffective grievance system (House & Rashid, 2022).

Speaking Out Against Pay Reduction

In 2012 after Stephen Harper's Offender Accountability Initiative (OAI), which subjected all prisoners to a 30 percent room and board fee (which the government failed to explain was already accounted for in the existing pay scale introduced in 1981), prisoners responded by suing the government on the grounds that the policy violated the *Corrections and Conditional Release Act* (CCRA) by creating unnecessary barriers to community integration. In a rare instance of support for prisoner demands by correctional staff, the president of the British Columbia section of the Union of Canadian Correctional Officers, argued that the reduction in pay had increased the danger of 'an already volatile situation' (House & Rashid, 2022, p. 60). The elimination of incentive pay was also a serious concern for the CORCAN Advisory Board, although all evidence indicates their objections went unheeded (House & Rashid, 2022, p. 60). Mary Campbell, the retired director general of the Corrections and Criminal Justice Directorate at Public Safety Canada, stated that the Harper government's criminal justice reforms represented a 'deep, visceral nastiness' that 'do nothing to reduce or address crime' (House & Rashid, 2022, p. 60). Despite these concerns, the wage cut still went into effect. In response, prisoners immediately organized one of the largest strike actions in Canadian history, with

eighteen institutions across all five of CSC's regions participating in the strike against pay cuts. However, prisoners were unable to leverage this into change and slowly returned to work (House & Rashid, 2022, p.58-60). Importantly, these attempts to protest the pay cuts and address other prisoner grievances also occurred in the prison strikes of 2018.

Prisoner Action: Prison Strikes

In 2018 prison strikes⁸² took place in institutions across the United States and in Nova Scotia, Canada, between August 21st to September 9th of that year. The strikes occurred in conjunction with a list of ten demands that included an end to prison slavery, racial over-charging and over-sentencing, and improvements to conditions and policies that recognize the humanity of incarcerated men and women, as well as offering more rehabilitative services (Incarcerated Workers Organizing Committee, 2018). These strikes followed what was then (in 2016) the largest prison strike in United States history. The strikes were organized around September 9th to commemorate the 45th anniversary of the bloody riot at the Attica Correctional Facility in New York. In the United States, the demonstrations were broadly centered around poor prison conditions, but generally focused on prison labour practices in both private and public prisons, and egregious living conditions including poor [access to] health care, poor ventilation and hygienic situations, violence, and the use of solitary confinement. In Canada, prisoners at the Nova Scotia Correctional Facility maintained that, 'the

⁸² In January 1989 prisoners at four federal institutions engaged in sporadic work refusals to protest their wages. Hundreds also filed formal grievances challenging their low pay and increasing cost of living. Because of this, correctional officers purchased 500 prisoners McDonalds at a cost of \$1500. In response to this work stoppage, CSC told the media that wage scale was under review, but wages remained unchanged (House & Rashid, 2022, p. 55).

organizers of this protest assert that we are being warehoused as inmates, not treated as human beings' (Jones, 2018). Like their U.S. counterparts, prisoners in Nova Scotia had a list of ten demands which focused on better rehabilitation programs (which include work programs), healthcare and conditions, and the allowance of contact visits and being able to wear their own personal clothing (Jones, 2018). As with both the 2016 and 2018 strikes, different facilities varied in their approach and in their demands (as it is not possible for those in prisons to gather and create a list of unified demands), but one issue that they seemed united on was that of prison labour and the consequential impact of a [in]justice system rooted in systemic racism (Eisen & Seabrooks, 2020; Lopez, 2016; Lopez 2018a, 2018b).

Like the 2016 protests, demonstrations in 2018 included work stoppages⁸³ and hunger strikes but varied according to the facility in which they took place. Prisoners also used sit-ins, and called for boycotts against companies that benefit from prisons and prison labour (Lopez, 2018b). This is particularly important especially considering prisoners do not have much control or autonomy over anything else. Amani Sawari, a spokesperson for the protests maintains that,

'The main leverage that an inmate has is their own body... If they choose not to go to work and just sit in in the main area or the eating area, and all the prisoners choose to sit there and not go to the kitchen for lunchtime or dinnertime, if they choose not to clean or do the yardwork, this is the leverage that they have. Prisons cannot run without prisoners' work' (Lopez, 2018b).

⁸³ During the Covid-19 pandemic, most deaths were after December 2020, during the 'third wave' of the pandemic- a fact that shows a lack of improvement in protections despite warnings. Despite their work being essential, 'prisoners were forced to complain, beg, and engage in work refusals to ensure basic safety on the job'. For example, they had to use their own personal towels to clean surfaces (House & Rashid, 2022, p.68).

In response to these demonstrations, silencing occurred through reprisals against prisoners who were involved in organizing the strikes or have spoken out against actions by officials. It has been reported that people, especially those seen as organizers, were subjected to solitary confinement, long-distance transfers, and revocation of communication privileges in attempts to weaken the effects of work stoppages and to stop any other forms of protest (Johnson, 2018). One organizer of the action stated that all recreation was suspended, and prisoners were kept in their cells 24/7. They also stated, 'They turn back our mail, threaten anyone found to be associated with the strike with solitary, and they've painted windows in our cells black so we have no idea whether it's night or day' (Pilkington, 2018a). Other retaliatory moves have been reported against prominent prisoner activists and strike organisers. Kevin Rashid Johnson, who is currently being held in solitary confinement described being held in a cell on death row, despite not being sentenced to death (Johnson, 2018). Johnson has been told that he faced transfer to a different penitentiary, following a pattern of already being moved around the country. Not only are his transfers a form of control, but they must be read as a form of retaliation to isolate him, prevent him from informing others, and exposing the injustices of the system (Pilkington, 2018b).

Overall, the retaliation against prisoners involved in the strike action of 2018 (and 2016) demonstrates how prisoners are punished for speaking out about what they refer to as prison slavery, as well as highlights the systemic racism within prisons and the justice system more broadly (by the very fact of ignoring complaints about it and denying the occurrence of the strikes, as well as other forms of neglect and violence). Additionally, in Canada, CSC maintains they are committed to fight racism within their prisons. However, CSC refuses to admit that the

Canadian penal system is deeply rooted within (or underpinned) by racist policies and practices. This demonstrates that not only are prisoners punished for speaking out about unfair treatment, but that the Canadian government's efforts to tackle racism within its prison system are superficial at best given the fact that they will not even admit systemic racism exists beyond 'exceptional' cases (Rolston & Demnati, 2021). Not only does this government [in]action fail to address systemic issues within its penal system, but it raises questions about Canada's federal prison labour program, CORCAN.

Public Support for these Practices

The next question that I asked at the outset of this chapter that I would like to address is: who is profiting from CORCAN and why has it not been shut down? Again, since CORCAN is not a profitable system, and most of the contracts that CORCAN has are with the government, it would seem as though the program is beneficial to the government. Additionally, for the private companies that have contracts with CORCAN such as Wallace Beef (which employs few workers), the exploitation of incarcerated workers does in fact benefit these private companies.

Public Comments About Race

When considering why despite its dismal failures, CORCAN has not been shut down, an understanding as to why CORCAN continues to operate can be read alongside public support for prison labour and a 'tough-on-crime' approach. As mentioned, one of the demands of the prison strikes surrounded the racial over-charging that occurs within the justice systems as well as other forms of systemic racism within the justice and prison systems. However, support for prison work and the treatment of prisoners as inferior subjects is also demonstrated in the way that they are dehumanized by the public. On different Youtube videos that examined issues

pertaining to the prison strikes and the disproportionate incarceration of Black people in the United States and Canada, viewers left the following comments (CTV Your Morning, 2018; Democracy Now!, 2016; Democracy Now!, 2018; The Atlantic, 2015; The Real News Network, 2018; WRAL Docs, 2019; Vice News, 2016):

You do the crime you get the time, doesn't matter if a social group doesn't like the general statistic, maybe reduce crime, stick with work, and stop ignoring safety for fun./It doesn't have to do with race it affects everyone/I guess cops just shouldn't arrest criminals if they are black./Ok so now explain why all the popular music of black youth praises criminal activity if increase prison and jail population is just all persecution. If you go and do crime, you will be caught and put in jail, it's not about oppressing a certain class of people, it's about protecting the innocent victims from monsters who make it their lifestyle to prey on others/I think that the blacks in America have been treated awful bad for a long time. But today there has been major progress. Lynching Jim crow laws are things of the past. People be they white black Hispanic Indian Asian need to stop blaming and whining. I think if you can't do the time don't commit the crime/Sorry but no one put your head down and forced you to take those drugs/Stop spreading hate. We as humans need to hold people accountable. Not by their skin color but by their lazy work ethic/Why a person goes to jail? Because he or she breaks law, this is so simple why does it have anything to do with race/Some demographics commit crimes at higher rates than others. Don't push the narrative that people are generally in jail not because of a crime but merely because of their skin colour./Low IQ. It's not the system, it's the people./Sorry not sorry but if ur dangerous you should rot in jail, idgaf frankly/Stop committing violent crime then you won't go to prison it's that easy/how can african americans dropping out in the late seventies justify thier actions when i REMEMBER clearly growing up in the seventies and seeing countless numbers of african americans getting VERY well paying jobs as cops, postal workers, bus drivers, working for con-ed, construction, transit authority was/still african american, school teachers, etc, etc, etc. i think the ONLY job not dominated by african americans was fire-fighters. and as far as poverty, u do have the same numbers, NOT percentage as whites who do grew up poor./Its not because they committed crimes, that has nothing to do with it right?...lol DONT BREAK THE FUCKIN LAW AND YOU DONT GO TO JAIL ITS SIMPLE. Stop trying to make excuses./Stop having 4 babies with 3 different fathers. That would be a start../a good portion of these criminals in jail are from single mothers. if we as society stop rewarding teen pregnancies we wont have this many criminals. baby mommas can have several kids out of wedlock by many diff men and we have to feed all these babies until they are old enough to be arrested for their life of crimes. it is a revolving door same cycle of illiteracy and poverty being on welfare just having babies left and right. my question is — how many years people are gonna do this until they figure out to change something for the better?/RACE is not the basic problem. MALEness is not the

basic problem. TESTOSTERONE is the basic problem. The solution is CASTRATION. Freeze some semen for those who are able to find a woman who wants to bear their child./Good- keep them all there! I love Democrats — they get all the black votes and in return give them a good place to spend quality time...in jail! LOL/The problem we have to solve is that of upbringing. The Black community has to solve this themselves, though the white community must be supportive. Throwing money at people will not solve this. Using money to create education and opportunity is critical. They commit disproportionate number of violent crimes so there will be more of them in prison period/ Bad parenting , irresponsible “baby mamas”/It’s cause they don’t want these guy to repopulate with 7 different baby mamas/I was in this prison for 2 years. It's called Polk in butner Nc or (gladiator school) all youthful offenders in that state like I was go there. if your white like me, you have to fight sometimes 3 or 4 Black people at once everyday all-day untill the police break it up. Most guards just watch the fights then after the fights they come in. Very racist blacks. My charge was armed robbery. I stayed in D4 C-POD they call it "the hood"”/Ugh such a mess and they keep reproducing/There's a "disproportionate" number behind bars because there's a disproportionate amount committing crimes in the first place. There's no mystery to that. SMH.../Because sooo Many Black Men DECIDE To Commit Crimes!/Why is it when I was in high school blacks made up the least population of school, but they were always body boxing and doing school fights? Seriously what's up with that?/They do not fall far from the tree, do they? I feel sad for the children. What is wrong w/ blacks?/is this the headquarter of the black lives matter community?

These comments demonstrate a wide range of ideas including that incarceration rates have nothing to do with race (but rather with personal responsibility), and that Black people are more violent and/or commit more crimes. Additionally, these comments reinforce ideas about Black inferiority being bound up in gendered expectations of immorality; Black masculinity is framed as being innately linked to a supposed [hyper]sexuality and promiscuity, and the ‘problem’ with the Black family/ household which was referenced through all the comments about ‘baby mommas’ and single parent households is believed to be inevitable to Black family structures/ values. Here, language is used to reinforce the idea that Black people need to be saved and are to blame for their own problems. A recurrent theme across most of the comments is that Blackness is synonymous with crime; this association inspires fear of ‘the Black’ as ‘the criminal Other’ – a fear that Fanon illustrated 50 years prior. Additionally, comments about

castration and impregnating women who *want* to carry their children implicitly refers to the myth of the Black rapist (Davis, 1983; Fanon 2008; Hill-Collins, 2000). Here, the various explicitly racist comments made about Black prisoners reinforce the idea that Black people are perceived as morally corrupt and inherently evil. This can be understood alongside the portrayal of the oversexed, hyper criminal Black man as well as alongside the several accounts of police violence against Black men which reinforces the idea that Black people are unfit for freedom and that they are in need of control under the force of a White Master (in this case a police officer or a judge who delivers a sentence that would be far less severe if they were white). The killings of unarmed men also reinforce the idea, which was highlighted in the Rodney King case, that they are so primitive and violent, that if they are not beaten or killed, their Blackness will *inevitably* lead them to cause harm. The negative portrayal of Black men in the media continue to depict them as sinful and perverse, which reproduces the idea that Blackness is inextricably linked to enslavement, immorality, and crime, and therefore justifies the violence done unto Black bodies, and the need to silence their voices and delegitimize their experiences which are reinforced through the public comments left on the video. Rather than being recognized as a man among other men, Fanon, like the Black *inmate* is recognized as an object among other objects; he is dehumanized due to his *Blackness*.

Prisoners have also reported dehumanizing comments from correctional officer's including being called 'monkeys', the n-word, and for one prisoner who asked for a temporary absence to take his family to the zoo, a CO asked if he wanted to go because he 'was from Africa'. Moreover, prisoners have also reported that this verbal abuse remains largely unpunished, and if they complain, they will be threatened to withdraw their complaints and/ or

punished by CO's and/ or the administration (Rolston & Demnati, 2021). Here, prisoners are invisible insofar as their voices are silenced, they are not seen as legitimate victims of colonial and state violence, and the violation of their rights are often overlooked and unaddressed. Paradoxically, they are fetishized in other contexts, and made hypervisible in the way that they are criminalized or seen as threats to the safety of the public or the nation (and Canadian national identity), while their white counterparts who commit heinous and/or discriminatory acts are not.

These comments reinforce the association of certain characteristics with racial or ethnic groups, which has been an essential tool in the colonialization of racialized populations and the ongoing settler-colonialism of Indigenous peoples within Canada. Here, stereotypical portrayals of the oversexed, dangerous Black man help to maintain 'truths' about the threats they pose to society and the need for them to be locked in cages like the animals they are believed to be. These comments demonstrate how racism is often seen as a single phenomenon, or an exception to an otherwise 'orderly society', because these 'truths' are not considered racist.

The comments also exemplify that racism does not always need to be a 'big event', but rather it can occur in the everyday practices/microaggressions such as leaving comments on videos which may be dismissed or interpreted as a mild form of racism, and therefore not *real* racism. This idea of mild and 'real' racism within the penal system is examined in the work of Tetrault, Haggerty & Bucerlus (2020); their study(ies) exemplifies this conceptualization of racism within Canadian prisons. In their research of interviewing prisoners about Canadian multiculturalism in a broader societal context and within provincial prisons in Western Canada, prisoners reported that they were in environments that were 'committed to maintaining an

atmosphere of racial tolerance’, and that unlike the U.S., structural racism did not pervade the prison system due to racial colour-blindness (Tetrault, Haggerty & Bucerlus, 2020, p. 544). However, within this study, most participants conceived racism as overt expressions of racial hostility or violence and maintained that it was only enacted by hate groups. Moreover, prisoners stated that racial slurs and other forms of racist microaggressions may be tolerated in certain contexts, and that race politics have little direct impact on daily life (Tetrault, Haggerty & Bucerlus, 2020). Here, given that the portrayal of Canadian multiculturalism and assimilation has ‘diverse and accepting’ policies, more ‘mild’ forms of racism (particularly in contrast to the United States context) are often overlooked and/ or dismissed as not being racist. Through these public remarks, race is deployed as an indication of crime and culpability under the guise of multi-cultural liberal racism and colour-blindness.

Public Comments About Prison Labour

With respect to videos that examined prison labour and the prison strikes specifically, viewers left the following comments:

I think it hard to defend the living conditions of people who made the choice to break the rules that everybody else follows. a prison sentence isn't a vacation, it's a prison sentence/ I think it's good the prisoners are working, they are doing something productive and not sitting around doing nothing. they look healthy and don't look over worked or under fed/ So convicts treat others with harm but do not welcome the reciprocated acts while incarcerated?/ Well, another reason not to commit crimes/ It is messed up but I can't help from thinking "Did you care about the 'conditions' when you raped and murdered?"/ I live in Alabama and have many friends who are correctional officers with the worst of the worst types. I wish they would focus more on veterans and the pay and benefits of the officers. Convicted murderers want to complain about their rights? You obviously don't care about the rights of the life you TOOK. Or the rights of those they trampled to be in there. I have no pity for them. I had less rights and access to facilities as a Marine than these prisoners do as murderers/ These people need to remember that they are in PRISON. They are not in a hotel resort in the Bahamas. They

are there for a reason and are not victims/ what does two twelve hour shifts mean? twelve today, twelve tomorrow? Prisoners would die in a week if they really weren't allowed to sleep/ I think I support a certain amount of forced labor for legitimate prisoners (not imprisoned drug users etc), but only so they can pay for their accommodation, security, and food (but not for some silly revenge). I don't see how it's fair to make the society pay for it. Outside of prison, people have to work to pay for food and rent, so why shouldn't it be the same inside the prison? Besides, this would eliminate the financial argument for death penalty. If the prisoner is no longer a burden to the society, that's one less reason to kill them. (and imo that was the only half-legitimate argument for it - which was still outweighed by the risk of innocence)./ Whatever happened to " if you can't do the time don't do the crime"/ Apart of me feels that as soon as you commit a violent crime towards another person that's not in self defense you forfeit your right to be treated like a human. You took that right away from the person you killed or attacked and that's real justice. Criminals should suffer for their crimes, not be given a comfortable life/ dude took a life , now is trying to fight for his own ? wtf/That shit should make one think twice before committing crimes but it seems like it does nothing!/ the prison system isn't harsh enough/ In the modern sense, It's actually a privilege to do prison labor. For example, they bring the most well-behaved inmates to work at parks and other public works. They actually enjoy the fresh air and social activity because they're still human. This in turn incentivizes good behavior while helping the public./You don't go to prison to make a fair wage. Everything about prison is that you're in prison. The best part of the day is going to work regardless if you get paid/ When you get out of prison people say, "They have paid their debt to society." Maybe the work they do is them literally paying off their debt to society/

And one comment that read:

Get real here, you do the crime and YOU do the TIME, end of strike. Go hungry it is a matter of choice, hard labour is what you should be doing, no crime is worthy of benefits, count yourselves lucky you get food, if it were up to me, I would teach you a lesson on BEHAVIOUR that is appropriate for the Populations safety, you want to murder, steal, LIE, and you think you can be forgiven, think of it, what if YOU were to take a step into the person with whom led you to be incarcerated, what would you do, let him go free, feed him steak or would YOU like to see him in the exact place where YOU deserve to be. I would send YOU ALL to Chernobyl or even Syberia to cool you down a bit or I would offer a chance to go where it is hot and comfy, Chernobyl is highly radiated and then you would have no choice but to clear the land and feed your little tummies because it would be a land where you die of ill health or die of hunger for your lack of ability to find food and survive the harsh conditions that are set before you, that would be severe punishment that would be dependant on your health, the healthy would survive longer and those in poor health would die a chosen death because of the crime you committed and that would be a just and fair way to staunch the flow of crime. May God show you the way to his heart because yours have become frozen in crime and time.

As demonstrated throughout these comments, the poor treatment of prisoners is often justified through an emphasis on personal responsibility and morality. According to Mills' *Racial Contract* (2022), not only are colonized peoples of an inferior political status, but they are also deemed to be of an inferior moral status; therefore, the rules and laws meant to govern society are meant for people who are viewed under a particular moral code to which the racialized person is believed to not be capable of adhering to, since their very existence contradicts the concept of [white] morality. Shelby & Mills argues that 'the Racial Contract creates a racialized moral psychology' and because of this, the racism of white people is rooted in the belief that they are acting morally which operates alongside the justification that Black people were morally improved through their enslavement (Shelby & Mills, 2022). By using Shelby & Mills' work, this can be applied to the examination of prison labour as well as public sentiment about the use of prison labour. Given this logic, the public comments perpetuate the idea that prisoners are of an inferior moral status and therefore not only deserving of the treatment they endure, but that incarcerated workers are being morally improved through the work they are forced to do. Moreover, the racial undertone (or perhaps even overtone) of the comments suggests that this belief is intensified for racialized prisoners and perpetuates the idea that non-white people are inherently dangerous and criminal, and in need of moral reformation. Lastly, these comments stress the importance of personal responsibility rooted in the belief that the treatment they are subjected to is their own fault and therefore any claims of poor treatment are really attempts to shift their blame or responsibility for what is happening to them. Across these videos, the racist nature of the comments are justified because the authors of those comments believe themselves to be acting morally.

Many of the comments were various iterations of ‘don’t do the crime if you can’t do the time’, and praise corrections officers for being ‘heroic’, even if their actions entail treating prisoners with no dignity, respect, or humanity under the guise of safety and security. These comments also imply that the systemic racism and the racialized nature of the labour incarcerated workers do is justified since they are prisoners and therefore considered undeserving of rights and/or humanity. Overall, these comments demonstrate that the discrimination and dehumanization that prisoners and incarcerated workers endure is justified through the belief that not only are they deserving of this treatment, but that this will instill a ‘moral code’ within them to redeem them to a civilized white being. Additionally, the poor conditions they work within are seen as natural for an environment they ‘chose’ to be in. These comments suggest that they are viewed as objects, and property of the state, and that their working conditions reflect their supposed inferior status.

Conclusion

At the opening of this chapter, I posed a series of questions, and I would like to return to the ones that remain unanswered. The first question I return to is: If this is not a profitable system, does CORCAN exist [primarily] as a punitive measure? Given the fact that CORCAN’s mandates (to act like a for-profit business and to provide prisoners with skills and work experience to prepare them for their release), appear to work in contrast to their actual practice (insofar that CORCAN is not a profitable system, and that prisoners who worked for CORCAN were just as likely to reoffend), the long-term employment effects of working for CORCAN are unknown. Moreover, the very purpose of the CORCAN program itself remains unclear. Since CORCAN is both unable to turn a profit, and is also unable to impact recidivism

rates, why does the government continue to operate a program whose existence contradicts its very purpose? On both an 'academic' and 'common sense' level, the operation of the program does not benefit the criminal justice system, is fiscally irresponsible, and to be frank, it makes no sense at all. Additionally, given the inherent contradiction of the CORCAN program itself (through its inability to meet its program mandates), it also appears as though CORCAN continues to run to seemingly cover up the incompetent implementation and maintenance of the program; if I were to put this 'unacademically', I would describe it as a 'bureaucratic hot mess'.

Alongside these issues, CORCAN's hiring practices appear to be discriminatory in nature, and the work prisoners are performing is often not rehabilitative or reflective of current labour markets. Additionally, the CCRA (*Corrections and Conditional Release Act*) and the Corrections and Conditional Release Regulations (CCRR) do not define what 'rehabilitation' is or entails, nor do they adequately address prisoner rehabilitation in a meaningful way, thereby suggesting that the use of prison labour in Canada serves a punitive function (House & Rashid, 2022).

Next, I asked: what the long-term consequences of using a system like this are? Some known problems with prison labour and CORCAN are that many workers are performing work that is arguably punitive and not rehabilitative in nature. As House & Rashid (2022) ask, how is cleaning a toilet or making furniture for government departments rehabilitative? In doing work like this, prisoners are arguably not provided with job skills or training to find employment upon release, and are only being trained for low-paying, devalued jobs. The poor conditions that prisoners work in, and the dismal pay they receive arguably put them in a position that makes it difficult for them to succeed upon release due to their inability to afford necessities or save any

money while incarcerated. Additionally, given the poor impact CORCAN has on recidivism rates, the current prison labour regime in Canada clearly does not offer any rehabilitative value. Moreover, given the lack of data regarding the impact of prison farming, and other types of prison labour on one's physiological and mental health, it is possible that the labour incarcerated workers perform could negatively impact their well-being.

Throw Some Fanon Back in This B[ook Chapter]

Throughout this chapter, I have examined a series of questions that help inform my understanding of prison labour practices in Canada. By using these questions as a guide, I examined how prison labour reproduces racial inferiority wherein Black prisoners are more likely to be given poorer pay and excluded from better paying, higher-skilled jobs by reproducing racial stereotypes and credentializing whiteness; by this I mean, desired employment characteristics and/ or skills such as 'integrity' were read through a normalizing white gaze wherein race and Blackness were used as [non] indicators of professionalism and job readiness. Moreover, I examined how this understanding of race is rooted in a historical context, and how the use of prison labour in Canada fails to offer any rehabilitative value. By demonstrating how the use of prison labour in Canada (particularly through the CORCAN program) reproduces race by safeguarding whiteness and reinforcing racialized conceptions of labour, I argue that [Black] incarcerated workers are doubly dehumanized as both an invisible and hypervisible subject. It is with this conclusion, that I return to the last, and most central question for this chapter and project more broadly, which is: how does the work of Frantz Fanon help inform my understanding of prison labour in Canada?

Thus far, I have examined how Fanon's concepts of cultural imposition and collective catharsis can be read through a history of racialized violence including enslavement, and in the creation of the hyper criminal and sexual Black subject. With this, the everyday conditions, and actions one is subjected to and does respectively, re-legitimizes the culturally imposed ideas about their inferiority through a process called collective catharsis. Here, the culturally imposed ideas about Black inferiority maintain the perception of the doubly dehumanized colonized person who exists as both invisible and hypervisible subject. This conceptualization is one I understand as necessary to examining the use of incarcerated labour within Canadian prisons.

While Fanon does not examine 'prisons' in his work per se, I argue that he does examine imprisonment; Fanon's work describes how using a psychopathological approach demonstrates how Black people are trapped, or to use my language, 'imprisoned', within the white imagination. By this he means that the colonized subject exists through a normalizing white gaze, wherein societal understandings and efforts to maintain racial subjugation not only lead to an internalization of Black inferiority, but also reproduce it (and trap, or imprison Black peoples within these culturally imposed ideas). This idea is what is central to my work. Fanon maintains that according to the European, Blackness and sin are inextricably linked – these perceptions about Black subordination are manifested in tensions and feelings of aggression (Fanon, 2008). As a result, Black men have been enslaved, ostracized, and imprisoned through efforts to maintain white progress and 'manage' peoples who are deemed unfit for freedom – these efforts to lynch them can be understood as the cathartic responses to feelings of white aggression. However, since racism is a form of perpetual aggression that is always

[re]produced, this process of catharsis is never complete, and the need to release these tensions is ongoing.

In chapter three I argued that the creation of the prison system itself is a form of catharsis for managing those deemed 'problem populations' as it was believed that Black people were a contaminating influence both within society and the prison itself. While the creation of the prison system helped redeem society back to a civilized [white] space, Black prisoners were perceived as too immoral, or as having an excessive immorality which impeded the moral reformation of other prisoners. Here, the perpetual need to release these aggressions is demonstrated in the way that Black people are continually reframed as criminals and immoral to the extent that they are subjected to ongoing forms of control, discipline, and heightened forms of exclusion and isolation from those they are believed to be a threat to and/or contaminating influence on. To put this another way, the ongoing perpetuation of racist aggressions is demonstrated in the fact that imprisoning Black people was not seen as a sufficient way to 'manage' them, since they were later separated and imprisoned from other prisoners (both historically and in a contemporary sense through solitary confinement). However, this need to separate Black prisoners from other prisoners was still not seen as sufficient. To use the language of Fanon, due to the nature of racism, this cathartic process is not complete because these tensions and/or aggressions continue to occur.

Therefore, within Canadian prisons, I understand the use of prison labour to be a mechanism of reproducing culturally imposed ideas of Black inferiority, as well as the ongoing need (but inability to) undergo a process of catharsis. Like the Black man that Fanon describes, prisoners reaffirm the culturally imposed ideas about their inferiority through their labour,

which is demonstrated in their treatment as an invisible and hypervisible subject. The incarcerated worker, like the colonized subject, undergoes a double process of dehumanization; they are perceived and treated as both invisible and hypervisible nonhumans. Fanon describes the Black man as one who is perceived as inferior in society because he will never be accepted in the white world. However, the Black man is also overdetermined as a threat, and draws attention to himself wherever he goes, and in this sense is read as hyper visible. Similarly, the incarcerated worker also undergoes a double process of dehumanization wherein they are socially and physically isolated from society, they are paid dismal wages, live and work in poor conditions without any recourse, and are punished if they speak out or fight back against this exploitation. With this, incarcerated workers are not seen as legitimate victims of colonial and state violence, and the violation of their rights are often overlooked and unaddressed, and in this sense, they are written out of understandings of citizenship and therefore personhood.

Through prison labour practices in Canada, the racialized worker is invisible insofar as they are afforded less employment opportunities and are perceived as deserving of the systemic racism they endure. Incarcerated workers are not legally seen as employees but are rather seen as participants in rehabilitation programs, thereby framing any claims of poor pay as an issue of individual failing and personal responsibility. The pay they receive is categorized as a stipend or as a form of social assistance for participation in programming with the work itself framed as a privilege rather than remuneration for work (House & Rashid, 2022, p.128). When the work of prisoners is framed as being rehabilitative⁸⁴, minimum employment

⁸⁴ This is a distinction from how prisoner pay is framed in the United States (as 'program participants' versus 'workers').

standards and rights required for employees are lost. Here, the belief that Black prisoners are undeserving of opportunities to develop job skills (and in turn, be more successful upon release), are deserving of the racism they are subjected to, alongside issues of poor pay, re-legitimizes culturally imposed ideas of Black humanity and personhood (or lack thereof). Moreover, the invisible Black incarcerated worker is continually dehumanized as the *object* of white aggressions.

Paradoxically, while the incarcerated worker is not viewed as a worker, the work they do is *necessary* for the everyday functioning of the prisons, such as working in the kitchen, cleaning, doing clerical work, and maintenance work. In contrast, the incarcerated worker is hypervisible because their easily exploitable labour is sought out by different levels of government and private companies. Additionally, they are perceived as being less deserving of access to jobs, and are viewed as hyper criminal, lazy, dangerous, and best suited to do certain types of work to help with their supposed moral reformation; here, their very existence as Black people [and men particularly] is rooted in the justification for these exclusionary employment practices. Their supposedly innate *ghettoness*, and 'improper' ways of speaking (for those with accents and/ or who spoke certain dialects) reinforce the idea that Blackness exists in contradiction with ideas of morality, professionalism, and more skilled jobs (which is often associated with preparation for release, and in essence, freedom). The hypervisible subject then, is similarly reproduced through the culturally imposed beliefs about the supposed threats that Black people pose to white people and white progress. Here, the various attempts to label Black prisoners as dangerous, and/or unsavable, once again show that this process of catharsis is ongoing and never complete. In this way, no matter how many labels are imposed on the

Black prisoner, they will continue to be perceived as being too criminal, threatening, and dangerous through new categorizations, or manifestations of white aggressions and/ or tensions. Moreover, no matter how many beliefs there are about Black people, they will continue to be systematically excluded from prison labour practices within Canadian prisons based on supposed issues of institutional and/ or public safety. Furthermore, as both invisible and hypervisible subjects, the incarcerated Black worker will continue to be the object of fear, resentment, and aggression under the illusion that their very existence contradicts white progress and whiteness itself.

Concerning issues of pay, working conditions, hiring conditions, and access to jobs, it remains likely that these issues will continue, due to the lack of government accountability and the widespread belief that not only is prison labour rehabilitative, but that prisoners are deserving of what is often referred to as the 'consequences' of incarceration. Moreover, despite the existence of a federal ombudsman (the Office of the Correctional Investigator) and the [legislative] abolishment of administrative segregation, Black prisoners particularly continue to be dehumanized and subjected to various abuses while incarcerated. Like the conclusions drawn in the previous paragraph, these practices remain unchecked and Black prisoners remain the object of white aggressions and/ or tensions. Additionally, no matter how many forms of dehumanization Black prisoners endure, there will likely remain the belief that they need heightened control and punishment, and new manifestations of these tensions will reproduce the culturally imposed ideas of inferiority on them.

What becomes apparent through an examination of prison labour in Canada, is that the whiteness that underpins Canadian prison labour regimes determines who belongs and who is

seen as superior, and discerns them from the inferior, racialized incarcerated worker. What also becomes clear through an examination of prison labour practices in Canada is that the shift from retributive justice to rehabilitative reform in Canadian prisons has helped foster and maintain an environment wherein the racialization of prison work can develop. This has helped reframe overtly racist policies to ones focused on personal responsibility, morality/ redemption where desirable employment qualities (such as a 'professional' image and voice) are used as a proxy for race, thereby credentializing whiteness. In this era of personal responsibility, prisoners who are unable to 'better' themselves, are seen as unmotivated, undeserving, and unwilling to do what is necessary to redeem themselves and secure their freedom. To put it simply, what becomes apparent when examining the use of incarcerated work within Canadian prisons is that: prison labour is a form of colonial violence that reproduces inferior colonial identities. Through using Fanon's concepts of cultural imposition and collective catharsis, I argue that incarcerated workers undergo a double process of dehumanization wherein they are reproduced as invisible and hypervisible colonial subjects.

The Conclusion Forreal

Overall, then, in this project I have demonstrated how Canadian prison labour practices are entrenched with systemic racism and built on the relationship between race, racialization, and labour. Given that the bulk of what is known about prison labour is rooted in a United States context and formal policies in the absence of (largely) private prison practices, an emphasis on rehabilitation and lack of available data, prison labour practices in Canada are rife with several problems. However, by framing these problems within the Canadian multicultural context, wherein a history of enslavement has been romanticized, the problems faced by

incarcerated workers are framed within the context of personal responsibility, morality, and redemption. Through an examination of how labour and workers are racialized, I have demonstrated how historical and contemporary understandings and practices of labour are underpinned by whiteness and how certain groups of people are perceived as being better suited to labour in certain kinds of work.

In chapter two, I used Fanon's concepts of cultural imposition and collective catharsis to demonstrate how the racialized worker undergoes a double process of dehumanization; they are perceived as inferior because they are treated as both invisible and hypervisible. They are deemed invisible insofar as they are read as less than human, and underserving of dignity, and humanity. They are also perceived as hypervisible because they are seen as excessively criminal, dangerous, and possessing the qualities to do this labour. In chapter three I examined how moral reformation alongside the emergence of the modern prison system in Canada was underpinned by whiteness, and demonstrated how the Canadian prison system has and continues to reproduce the relationship between whiteness, silence, and labour. Moreover, I examined how the emergence of the modern prison itself is a cathartic response to managing those deemed 'problem populations'. Next, in chapter four I continued to explore the relationship between silence and labour through examining the use of solitary confinement alongside prison labour practices in Canada. Additionally, I examined how Canadian prison labour practices are enacted through forms of spatial domination, which are used to redeem prisoners to a moral [civilized, white] being. Lastly, in chapter five, I return to Fanon to examine how prison labour practices in Canada are a racializing processes wherein poor pay and difficulty accessing jobs, public support for the various forms of systemic racism incarcerated

workers endure, and the dangerous, dirty work prisoners may be subjected to *inferiorize* the doubly dehumanized incarcerated worker, thereby demonstrating how culturally imposed ideas about the colonized subject are reproduced and this ongoing process of catharsis is never complete.

Chapter Six:

I'm Too Tired of This Degree to Come Up with A Creative Title

Most people don't even get a participation ribbon Kryz

Ja, Personal Communication, 2024

I'm proud of you Kryz

My mum, Personal Communication, 2024

Your work is so important and I'm so proud of you

Kerry, Personal Communication, 2024

Underlying Themes Throughout My Work

Gender and Prison Labour

While in the previous chapter I offered my concluding remarks about prison labour practices in Canada and how they are informed by the work of Frantz Fanon, there remains unanswered questions that necessarily inform my work and studies of Canadian prison labour more generally. Importantly, one of these questions is around the role of gender within Canadian prisons, and prison labour practices. Throughout this dissertation, I focus on the challenges that Black men encounter within the Canadian prison system and describe how stereotypes of Black masculinity are reproduced through exclusionary prison labour practices underpinned by whiteness. This focus on Black men is intentional, as the experiences of Black women's labour within the Canadian prison system have been marginally documented at best. By offering some historical (and contemporary) context about the racism that underpins the experience of Black women in Canada, I can draw some parallels but important differences between how anti-Blackness manifests uniquely for Black men and women respectively.

Gendered Racial Terror During Enslavement

Historically, Black women in the United States and Canada were subjected to many of the same forms of racial violence and coerced work as their male counterparts. However, they were reminded of their 'femaleness' in the forms of gendered racial terror they endured. The sexual abuse of Black women has been romanticized, with enslaved women often being depicted as their enslaver's mistresses, rather than victims of rape. This portrayal of Black women has been used to legitimize the argument that they are promiscuous and hypersexual *creatures*⁸⁵ to the extent that their sexuality is believed to incite all sexual acts committed against them and perpetuates the belief that they cannot be victims. However, as Davis (1983) maintains, although Black women were perceived as genderless, they were constantly reminded of their *femaleness*⁸⁶ through the sexual abuse that they endured. Davis maintains that enslavement relied on sexual abuse as much as it did floggings, and that this abuse was central to the control that enslavers had over enslaved people. Sexual violence was considered necessary to control women's⁸⁷ economic exploitation and was a 'direct expression of their presumed property rights over Black people as a whole' (Davis, 1983, p. 175). Institutionalized sexual abuse became so prevalent that it continued after the abolition of enslavement. Group rape, perpetrated by the Ku Klux Klan and other terrorist organizations of the post-Civil War period, was used as a political weapon to curtail the movement for Black equality (Davis, 1983, p. 175). The use of sexual violence and rape reflects the assumption that white men (especially

⁸⁵ My emphasis added.

⁸⁶ My emphasis added.

⁸⁷ And men who were forced to have sex and used as a 'bulls' to impregnate Black women.

those with economic power) possess and control the right to Black women's bodies⁸⁸ (Davis, 1983, p. 175). Davis's central argument in *Women, Race & Class* (1983) is that the hypersexualization of Black men and women was used to strip them of any sense of gender to dehumanize them (Abdel-Shehid, 2017b; Batelaan & Abdel-Shehid, 2020).

Drawing on the work of contemporary Black writer Calvin Herton who states that the '...Negro woman became 'promiscuous and loose' and could be "had for the taking"...she came to look upon herself as the South viewed and treated her, for she had no other morality by which to shape her womanhood', Davis demonstrates how people strongly associate Black femininity with hypersexuality and poor morale (Davis, 1983 p. 182). Furthermore, this demonstrates how Black women's bodies are perceived as belonging to white men, and the belief that they were (and still are) unable to define their womanhood for and by themselves. Sharpley-Whiting echoes Davis' arguments in *Black Venus: sexualized savages, primal fears and primitive narratives in French* (1999) by arguing that the European slave trade was a system built on conquests and exploitation, and that one of the primary tools used to achieve this was rape and sexual coercion. Acts of sexual violence are romanticized, and the bodies of Black women were commodified into resources for white male pleasure: Black women were seen as complicit in their sexual commodification by 'enjoying the "burning kisses" of men who disdain, exploit, and enslave them' (Sharpley-Whiting, 1999, p. 59). Therefore, Sharpley-Whiting maintains that Black women are not considered legitimate victims, as they are viewed as encouraging these acts of sexual violence (but they are not considered violent acts due to this

⁸⁸ My choice of the word 'bodies' reflects the belief that Black women were seen as and treated as 'bodies' used for sexual pleasure (versus rape), breeding, voyeurism, and labour, rather than being treated as women or humans.

perceived provocation). Here, if black men view white women as sexual objects, then Black women must welcome the sexual attention of white men, and any cries of rape on their part are seen as illegitimate, and they are therefore unable to be victims (Davis, 1983 p. 182).

Fanon on Gender

According to Fanon, Black women are also trapped in the white imagination, and as a result have a desire to whiten themselves and their race through relations with white men. A 'coloured' woman is never quite considered respectable to a white man, even if he loves her. Rather than acknowledging that she is Black, she turns this fact into an accident after learning that her grandmother is white. For the mulatto⁸⁹ woman, it is an honour to be the daughter of a white woman and this fact reinforces the idea that there is a white potential in everyone. That is why they argue that lactification must be striven for, to whiten, and therefore liberate the Black race. The mulatto woman wants not only to become white but also to avoid slipping back. Given this logic, marrying a Black man would not only be illogical, but would stop the progress of whitening the race, and diminish the white potential in others (Fanon, 2008, p. 37). As Patricia Hill-Collins (2000) argues, the portrayal of Black women through various controlling images such as the Mammy, the Matriarch, the Black Lady, the Jezebel, and the Welfare Queen are used to maintain the belief that Black women are not *real* women and are therefore unsuited for white men and the white world. These images exist and are used as an instrument of power to portray Black women as 'unfeminine' alongside Eurocentric understandings of gender and beauty, as well as to justify *why* Black women are believed to be undeserving of

⁸⁹ Here, I use the same language as Fanon to emphasize the importance during this time of differentiating oneself from being 'fully Black' and to highlight the white potential that this term symbolizes.

white men (because they are believed to be missing 'traditional' markers of femininity and womanhood).

However, when a white man confesses his love for a mulatto girl, she conflates this with recognition and acceptance into a community that seemed impenetrable; this acceptance disappears feelings of inadequacy and hopelessness for a better and valued [human] life. Not only does she believe this is a step for her, but a step for her race as she has gone from the rank of a slave to a master overnight; she no longer wants to be white, but rather believes she is white and is entering the white world (Fanon, 2008, p. 40). It is because the black woman feels inferior that she aspires to gain admittance to the white world. For 'coloured' women who claim to be accepted into the white world by a white man, not only do they now believe they embody virtue, but beauty as well. Fanon argues that efforts to whiten oneself are rooted in a desire to assimilate into a normative gender existence. The hypersexualization of Black women's bodies allows them to wish to be white, but to be positioned within the normal (white) perception of gender⁹⁰ (Abdel-Shehid, 2017b; Batelaan & Abdel-Shehid, 2020). By

⁹⁰ Fanon is often critiqued for being 'sexist' due to the gendered nature of his writing (his use of the word 'man' in his writing), but also his 'treatment' of Mayotte Capécia. However, easily dismissed is Fanon's understanding of Eurocentric standards of beauty and morality that Black women were subjected to, as well as the impact of this inferiority complex on a Black woman's psyche. This can be understood in her desire to find a white man which is motivated by acceptance into the white world rather than love itself, and in doing so she hides who she really is. Rebecca Hall's film 'Passing' (Hall, 2021), is a great example of this. In the film, in 1920s New York, a light-skinned Black woman (Irene) runs into a childhood friend at a hotel dining room, who 'passes' for white (Clare). Irene is married to a Black doctor, while Clare is married to a white man named John (who openly detests and degrades Black people), who unknowingly believes that Clare is a white woman. Over time, Clare becomes more involved in Irene's life, as she misses associating with Black people, but must keep this a secret from John, who eventually finds out and calls Clare a 'dirty liar'; the film ends with Clare's death as she is pushed from a balcony. While it is unclear who pushed her, it is possible that it was her husband, John. This film highlights Fanon's argument that due to the nature of a colonized society, Black women try to 'pass' and assimilate themselves into white society to whiten the race and enter the white world; both the perceived benefits of being white, and the dangers of being Black in a white world speak to Fanon's central argument in Chapter Two of BSWM, which at the time there was very little attention being paid to Black women's political subjectivity.

putting Fanon's work in conversation with Angela Davis (1983), what becomes apparent is that Black women have been particularly written out of what Abdel-Shehid (2017) terms the normative gender sphere, where the construction of masculinity and femininity are centered on ideas of whiteness, and as a result this contributes to our understanding of Blackness, or an inferior being or existence (Abdel-Shehid, 2017b, Batelaan & Abdel-Shehid, 2020). Moreover, this critique of Fanon must be read outside of Eurocentric understandings of sexuality. To do so, Abdel-Shehid argues that Fanon must be read alongside the work of Black feminist scholars, particularly Angela Davis. Davis argues that 'racism draws its sustenance from its ability to encourage sexual coercion' (Davis, 1983, p. 177; Abdel-Shehid, 2017b). Both Davis and Fanon maintain that one's hypersexualization must be understood alongside feelings of desire across races. Using the example of Mayotte Capécia, Fanon argues that her desire for assimilation into whiteness must necessarily be understood as a desire for assimilation into a normative gender existence, and this desire into a normative gender existence is a form of sexual coercion. By reading 'gender as a racialized form' one cannot read assimilation as solely a racial event but as a gendered event as well. Therefore, in Fanon's work, he was consistently making an argument about the link between racism and sexuality (Abdel-Shehid, 2017b). Overall, this understanding of Black women's experiences that are both gendered and raced in nature, offer important contexts to examine [Black] women's experiences in Canadian society more broadly, and particularly within the modern prison as it emerged.

Gendered Differences in the Modern Prison

As the nature of punishment was changing within society, women made up a significant percentage of the population of bridewells; in London during the seventeenth and eighteenth centuries they often housed more women than men. Although bridewells were largely used for vagabonds and thieves, they were also used for offences against public morals and disturbing the peace, with a particular focus on sex work⁹¹ (or those referred to and labelled as 'prostitutes', what Cahn [1994, p. 14] refers to as the ultimate 'female degradation') and other acts deemed sexually immoral. By the beginning of the eighteenth century, women could be kept in bridewells for various 'moral offences', including 'bearing bastard children', 'lewdness', or 'failure to maintain their families' (Matthews, 1999, p.14). Black women were also seen as sexually immoral and 'unrapeable', as well as were criminalized due to the belief that they were prone to promiscuity, which made them easy targets for vagrancy and prostitution laws (Maynard, 2017). These institutions became highly profitable brothels, with several instances of women being encouraged or coerced to provide sexual services. It was these overt displays of 'immorality' and 'lewdness' which evangelical reformers found so problematic, and this in turn motivated them to campaign for separate prisons for women. They argued that separate prisons would improve morals, reduce exploitation, and address women's gender-specific needs (Matthews, 1999, p.15).

⁹¹ This term signals a valuation of the exchange of sexual services and protections as a labourer that the term 'prostitute' does not consider. Additionally, the modern use of the term sex work is often considered more respectful and 'respectable' than 'prostitute'.

For women, punishment emphasized penitence and religious instruction, while work was designed to be educational, reformatory and 'cleansing' (Matthews, 1999, p.15). Their tasks focused on textile manufacture, handicrafts, and domestic service, as well as cleaning and laundry (Matthews, 1999); in contrast, the only work available for Black women in Canada was domestic service (Maynard, 2017). In this way these 'fallen women' were being given the opportunity to save themselves and be regulated with the intention of returning them to their 'proper' female role (Matthews, 1999, p. 15); this role was a role bound up in Eurocentric expectations of femininity and included traits such as docility and morality (Cahn, 1994; Hennessy, 1999; Matthews, 1999). In the nineteenth century it was widely believed that women required different treatment from men, and that a system of silence and separation was best suited for women since they were believed to be more impressionable and in need of more protection from the contaminating influences than men. However, labour was considered less important for women, and as a result they were excused from some of the more physically demanding tasks (unlike Black women who were not considered 'real' women and therefore well suited for strenuous labour). Therefore, while the emphasis in men's prisons was on disciplinary reform, women's prisons were regulated primarily through interpersonal relations, the power of religion, and forms of 'medicalization' (Matthews, 1999, p.16). In both men's and women's prisons, disciplinary reform was a central feature of state power and control.

Gender During Kingston Penitentiary

Beyond prison walls, the ideal image of womanliness was rooted in notions of refinement, self-restraint, and efficiency, all of which were core attributes of 'respectable' middle class culture; these practices were rooted deeply in the social implications of female

athleticism, with the belief that strenuous physical activity would lead to a loss of sexual control in women (Cahn, 1994, p.21, 29; Haley, 2016). White women also had leisure time, and this 'new woman' was portrayed as white, middle-class and doing activities like shopping, socializing and other leisure activities; a process known as the ideology of femininity (that severed white women from the realm of productive work) (Abdel-Shehid & Kalman-Lamb, 2011, p. 53). With the emergence of sports among upper class men, upper class women also wanted to participate in athletics. However, there was a fear that sports would take white women away from their roles as wives and mothers, and doing sports would make white women 'too manly', so moderate activity was introduced to mediate this perceived problem (Abdel-Shehid & Kalman-Lamb, 2011, p. 55). This association of womanhood with motherhood and fragility was not extended to Black women, as Black women's strength had been proven during enslavement (Abdel-Shehid & Kalman-Lamb, 2011, p. 56). Therefore, this specific category of woman that athletes must fit within, has always been inaccessible for Black women due to the way that racism has been used to frame them outside of these categories. Furthermore, the pseudoscience of Eugenics positioned Black men and women as inferior and due to their 'lower status' stated there were nothing that distinguished men from women (Abdel-Shehid, 2017b). This pseudo-science claimed that superior (white) races had distinct differences between men and women, but *inferior* races did not.

Similarly for Indigenous women, the Victorian ideal of womanhood was seen as proof of civilization, whereby European women had been 'liberated' of their burden of hard public labour and could now reserve their labour for a docile, feminine role (Sunseri, 2011, p.89). Hence Indigenous women were judged according to European standards of morality and

womanhood, were portrayed as 'squaws', as 'savages', or as being burdened by the physical demands imposed on them (Sunseri, 2011, p. 89). For Indigenous women in Canada who were perceived as being savage-like, missionaries attempted to (cleanse them to) change the assumed gender relations of Indigenous societies so that they paralleled the patriarchal relations of their European counterparts.

Women Within Kingston Penitentiary

In 1853, a woman's ward was finally built at Kingston Penitentiary. While floggings were no longer used, women were still chained, submerged in ice water, put in a dark cell, fed bread and water, or sometimes forced to shave their heads, suggesting that stripping them of traditional markers of femininity was rooted in their punishment (Fogarty, 2021, p.24; Hennessy, 1999). Although a women's prison had been included in the original plans, it was not considered a priority (Fogarty, 2021, p. 18). Women also laboured within KP, but it was not physically gruelling, and as a result they were tasked with work such as needlework.

Prisoners at the Kingston Prison for Women (P4W) endured poor treatment and abuses. For example, in 1994, eight women were illegally subjected to strip searches by a male Institutional Emergency Response Team. Following the incident, the federal government went to court to prevent public disclosure of videotaped evidence. In a subsequent inquiry into the Kingston incident, Justice Louise Arbour determined that the CSC not only violated the women's human rights but also broke its own institutional policy regulations. Arbour highlighted several systemic issues in prison operations that required change, including the unjust duration, conditions, and use of segregation; the ill-equipped grievance system; the inappropriate use of

force; and the need for a separate governance stream for women's corrections. The Arbour inquiry found the CSC failed to respond to grievances filed by the women involved in the 1994 incident at P4W, and those that were answered were 'almost always' answered late, with some coming 'several months after the answers were due' (Kilty & LeBlanc, 2012).

Women Within Canadian Prisons

Within contemporary Canadian prisons⁹², women face similar challenges as their male counterparts. Today, Indigenous women make up 65 percent of the prisoners who are classified as maximum-security offenders. Indigenous prisoners are placed in minimum-security institutions at just half the rate of other offenders. The gendered nature of these classifications is illustrated through the work of Brock, Glasbeek and Murdocca (2014) who argue that Western ideas of normative femininity are incompatible with our understandings of crime, thereby positioning Indigenous femininity as being inherently evil, which is an idea that can be traced back to several colonial policies on the 'Native criminal'. In other words, white middle class heterosexual women are not associated with violence and criminal behaviour, whereas Indigenous women are perceived as inherently dangerous and violent to the extent that they warrant extra surveillance and control both within the prison and from society. This belief is demonstrated in the fact that they are more likely to be placed in segregation, accounting for

⁹² Within U.S. prisons, inconsistency was frequently cited as a major form of punishment or a factor that structured or exacerbated their punishment; consistency and fairness were reported as being intricately linked to one another, and often implicated in the experience of punishment. Inconsistency was discussed in terms of staff expectations and applications of rules and included medical services, visitation, scheduled trips to the prison store, and programming. Respondents also argued that prisons were run on how the guards felt on any given day or in any given moment, rather than being run on rules and regulations; they maintained that the only consistency in their lives was the inconsistency. Other respondents alike also expressed a desire for stability over things like leniency and harsher structures (Sexton, 2012).

31 percent of cases; once in isolation, they will spend 16 percent more time there (Macdonald, 2016). Nine in ten of those sent to solitary are held to the end of their sentence, versus two-thirds of the non-Indigenous prisoner population (Macdonald, 2016).

Michael Ferguson, the auditor general of Canada stated that during an audit of CSC's security designations, auditors found that 'CSC's tool to assign women offenders to security levels was designed to assess men, not women', and that CSC also used this tool to refer female offenders to different correctional programs even though this tool was not designed for that purpose (Mochama, 2018). The auditor general also noted that over a three-year period corrections staff overrode the classifications 31 percent of the time, despite best practice suggesting that overrides should not be used in more than 20 percent of reclassification cases (Mochama, 2018). Additionally, Ivan Zinger the correctional investigator stated that the security levels system is akin to discrimination and likely illegal, 'the level system is a gender-based discriminatory restriction unique to the women's sites ...The level system used to manage maximum security women exists outside the law'⁹³(Mochama, 2018).

Even programs aimed at helping women in prison seem to exclude Indigenous women. The 2022 OCI report recommended the Correctional Service of Canada (CSC) concentrate on several key areas including expanding healing lodge programs, increasing early releases, appointing a deputy commissioner of Indigenous corrections, improving custodial and community-based programs, and increasing the number of Indigenous employees within

⁹³ Jeffery Ewart, a 53-year-old Métis man, sued the Canadian government claiming that the security assessment tools violated his Charter rights; the court ruled in his favour but CSC is appealing the case (Mochama, 2018).

corrections. However, Ivan Zinger, the Correctional Investigator of Canada says the CSC has done little despite decades of recommendations. Zinger maintains that 'A corporate culture and a prison system that are resistant to change can only serve to keep Indigenous Peoples marginalized, criminalized and over-incarcerated' (Blackburn & Needham, 2022).

For Black women, like their male counterparts, the label 'troublemaker' was also prevalent at the women's institution again when Black women gathered (Cloud et al., 2015, Office of the Correctional Investigator, 2014). However, this is most if not all the information we have on the experience of Black female prisoners in Canada.

Prison Labour in Canada

Additionally, what we know about female incarcerated workers is also limited. According to a 2014 report by the Office of the Correctional Investigator, only 20 women (3 percent) are working in prison industries (Zinger, 2014). Moreover, many female offenders have expressed a desire to learn skills outside of 'domestic work' such as washing, sewing, and ironing clothes (Sapers, 2013). The CORCAN jobs available to women, such as sewing underwear for male prisoners, are even more likely to be gendered and in outdated industries with few job opportunities in Canada (Brownell, 2017; Office of the Correctional Investigator 2014; Office of the Correctional Investigator, 2017). Additionally, those working in CORCAN did not experience any gains in terms of finding employment upon release (Office of the Correctional Investigator 2014; Office of the Correctional Investigator, 2017).

Overall, given this limited information about the experience of Black [working] women within Canadian prisons (but the historical context to root this in), we can likely make similar inferences to the experience of their male counterparts. It may be likely that they have

difficulty in accessing better paying, more skilled, and CORCAN jobs because they are perceived as lacking the professionalism and motivation (amongst other qualities) to do so. However, more research on their experiences is needed.

Future Work: Prison Labour, Punishment, and Race

Alongside an exploration of gendered differences in Canadian prisons (particularly as it pertains to prison labour), following this project I aim to further examine the relationship between prison labour, punishment, and race, to understand the rehabilitative function of prison farming, and to examine prison labour in the context of punishment and criminal justice policy. I aim to better understand the impact of prison farming on those who work in livestock operations, and to understand the relationship between race and prison work in Canada more broadly by engaging in empirical research. This work will expand public knowledge about prison labour in Canada, particularly around the 'dangerous and denigrating working conditions' of prison labour, the use of prison farming, and the impact of this on one's health. Moreover, I am interested in seeing how participants believe their race factors into their punishment or performance of this work both on the farms and in other CORCAN jobs to better examine internalized colonial violence in Canadian prisons. This future work aligns with other punishment scholars such as Erving Goffman (1961) Émile Durkheim (1900) and David Garland (2001) and Lori Sexton (2012).

I argue that many punishment scholars contribute to our understanding of prisons and punishment but fail to account for the role of race in punishment, thereby leaving a significant gap in this research. Therefore, in my future work, I would like to address this relationship between race and punishment, as it pertains to prison labour in Canada. Traditionally, work on

prison labour examines the relationship between systemic racism and prison labour insofar as Black peoples are disproportionately arrested, sentenced, and incarcerated compared to other populations. Moreover, it examines how the racialization of crime conceals the structural racism of the United States economy through the exploitation of Black labour both in prisons and cuts to social services (particularly welfare) alike. My departure from these traditional frameworks explored in this dissertation will build from the social and material effects between systemic racism and prison labour and rather examine how the internalization of whiteness influences one's experience in prison and the work they do while incarcerated; to do this I will consider questions that ask prisoners how they interpret their work in relation to their race, if at all.

By using Fanon's theory on the white gaze, I am hoping to situate Sexton's work within the context of race and explore not only how prison labour is an exploitative practice, but how the penal gaze (read through the white gaze) is used to shape expectations of prison work. In doing so, I will demonstrate how the white gaze not only shapes expectations of prison labour, but how the white gaze makes it impossible to get to the zone of non-being, a place of freedom. Using Fanon's language, the incarcerated worker makes sense of their work itself as being necessary to their freedom. In this sense the incarcerated worker is unable to move to the zone of nonbeing because they ultimately understand that they are powerless, both as a Black and incarcerated person. Despite recognizing and protesting the poor conditions in which they work (such as through the prison strikes), the worker's demands are ultimately left unanswered, and they return to work using various tactics (such as solitary confinement and other punishments) to remind them of their powerlessness. This internalization of their

powerlessness is what maintains this racializing process. Overall, in my future work I am interested in examining race and prison labour alongside questions of [un]freedom using a Fanonian lens.

Appendix

Canada's Prisons: The New Residential Schools

- a) In Canada, criminologists have been referring to prisons and jails as the nation's 'new residential schools' (Macdonald, 2016). Across Canada, the Indigenous incarceration rate is ten times higher than the non-Indigenous population. The most recent report by the Office of the Correctional Investigator (OCI) shows that 32 percent of the prison population is Indigenous (Blackburn & Needham, 2022). According to a 1999 report, which is the most recent report available, Indigenous people in Saskatchewan are 33 times more likely to be incarcerated. While admissions of white adults to Canadian prisons declined through the last decade, Indigenous incarceration rates were surging, and are up 112 per cent for women (Macdonald, 2016). Indigenous women, who comprise of less than five percent of the population in Canada, represent 50 percent of the women locked in Canadian prisons (Blackburn & Needham, 2022). In some Prairie courtrooms, Indigenous defendants now make up 85 percent of criminal caseloads. Across various Manitoba prisons, as many as nine in ten women were Indigenous, while Indigenous men make up 65 percent of the prisoner population. Often, Indigenous offenders are incarcerated because they failed to comply with a curfew or condition of bail, or are a low-level drug offender, being targeted under Canada's harsh new mandatory-minimum sentences (Macdonald, 2016).

b)

Anti-Indigenous Biases Through Security Classifications

One example of anti-Indigenous bias in the Canadian justice system is using security classifications. Auditor General Karen Hogan issued a scathing report of the correctional system in April 2022 stating that the problems highlighted over decades are being ignored by CSC. Hogan found that not only were 'more Indigenous offenders placed at maximum-security institutions on admission than non-Indigenous offenders, but that they did not have timely access to correctional programs, including those specially designed to meet their needs'. For years, the federal government has been ignoring repeated demands to reform these and other assessment tools used on Indigenous offenders. Hogan's audit found CSC 'failed to identify and eliminate systemic barriers that persistently disadvantage certain groups of offenders'. Part of the problem is that the marginalization experienced by some Indigenous prisoners is framed as 'risk': alcoholism, intergenerational trauma, a [lack of] education or employment, a history of abuse, employment, or even hobbies make it more likely a prisoner will be housed in maximum security and classified as 'high risk' (Blackburn & Needham, 2022; Macdonald, 2016). However, I argue that the use of the Custody Rating Scale and its conceptualization of risk factors are imbued with racial biases. To explain this, I turn to the case of Paul Bernardo, one of Canada's most notorious serial killers and rapists. Bernardo was sentenced to life in prison in 1995, and his security level has been assessed fourteen times during his stay behind bars. According to the Custody Rating Scale, he produced a score that recommended he be classified as medium security. That recommendation was overridden 13 times over 23 years, keeping Bernardo in a maximum-security prison. However, the reason his classification was ignored was for his own

personal safety, despite accumulating several institutional charges, and raping and murdering several women before his capture (Burke, 2023). Here, rather than treating Bernardo like a threat or risk, he is constructed as a potential victim. Therefore, this demonstrates that the Custody Rating Scale is used to code whiteness as low risk and in this case Indigeneity or proxies for Indigeneity (such as trauma) as high risk.

Disparities in Sentencing

Alongside the Custody Rating Scale, Indigenous peoples are targeted through the country's increasing use of the dangerous offender designation; only 3.7 percent of dangerous offenders ever leave prison, according to the latest corrections' data, with a growing number of Indigenous offenders being jailed for life this way (Blackburn & Needham, 2022; Macdonald, 2016). The number of annual dangerous-offender designations has doubled in the last decade, to an average of 40 per year, and the proportion of Indigenous designations is 29 percent. In Saskatchewan, which has the highest number of dangerous offenders per capita in the country, 80 percent are Indigenous, with several of them being incarcerated for trivial offences (Macdonald, 2016). For example, in 2005, Andy Peekeekoot, a 25-year-old man from central Saskatchewan's Ahtahkakoop Cree Nation, was charged for his role in a bar fight with two white men in Shell Lake, Saskatchewan. No one was seriously hurt; one of the men involved even ordered another beer after the 90-second fight ended. However, during the fight Peekeekoot waved a knife and as a result was given a dangerous-offender designation, even though he had never served a penitentiary term of two years or more (Macdonald, 2016).

The case of Peekeekot can be explored alongside the cases of Bruce McArthur or Alek Minassian who both brutally murdered several people and are serving life sentences but did

not receive dangerous offender designations. Moreover, the murders committed by Bruce McArthur were particularly gruesome as he dismembered his racialized victim's bodies. Prior to the murders, McArthur had been previously convicted of assaulting a man with a metal pipe in 2003 and was classified as having a 'very minimal' risk for violence (Brockbank, 2018). However, despite this history of clearly violent behaviour, and the particularly violent murder of eight people, McArthur is, under the eyes of the law, less dangerous than Andy Peekeekoot since he is not classified as a dangerous offender. Therefore, Peekeekoot's Indigeneity must be read as inherently threatening and dangerous to the extent that he was given a DO designation, with the possibility of never being released to protect the public from the danger he supposedly poses (read: Indigenous). In this sense, Peekeekoot is read as irredeemable, or unsavable insofar as he given a designation, or label, that suggests he cannot be rehabilitated and therefore cannot be released. In contrast, McArthur's and Minassian's whiteness is read as inherently nonthreatening, innocent, and redeemable. Despite their horrendous crimes and violent backgrounds prior to these murders, they will both be paroled after serving their sentences, and will likely be paroled before their sentences are finished.

I also read this idea of redemption in line with the recent transfer of Paul Bernardo to a medium security prison. Despite being given a dangerous offender designation, Bernardo (read: his whiteness) has proven that he is capable of being redeemed and is no longer considered such a threat to the public, or he has been transferred in a way that ensures his safety and protection. The Bernardo case also reinforces the myth of the Black rapist; despite the evidence leading up to Bernardo's arrest, police seemingly found it inconceivable that he could commit the Scarborough rapes and murders as they failed to run his DNA through the system after

interviewing him (more than once) and collecting samples, and failed to act on tips from the public that identified him as being the culprit multiple times. Since his arrest and conviction, they have failed to prosecute crimes he has since admitted to, and he has been afforded protections, as well as the ability to go in front of the parole board every two years, even though violent offenders are only allowed to do so every five years (Brean, 2018; Butts, 2018; Rankin, 2021). By examining the case of Paul Bernardo, Bruce McArthur and Alex Minassian alongside the case of Andy Peekeekoot, what becomes apparent is that Peekeekoot is convicted based on the supposed threat that his Indigeneity poses to the public rather than the offense he committed. Bernardo, McArthur and Minassian on the other hand are convicted on presumptions of their innocence and redemptive potential based on their whiteness rather than their actual offenses⁹⁴.

⁹⁴ This poor treatment of Indigenous offenders and the anti-Indigenous racism that pervades Canadian prisons extends beyond their disproportionate incarceration rates and danger offender designations. Indigenous prisoners are often denied their right to cultural and religious/spiritual practices, although other prisoners are allowed their cultural and religious rights. Indigenous prisoners are also more likely to be restrained in prison, to be involved in use-of-force incidents, to receive institutional charges, and to die there (Ling 2021; Macdonald, 2016).

The use of space to punish Indigenous offenders can also be examined alongside the inclusion of Healing Lodges and other Indigenous-centered prisons (Government of Canada, 2021). In Canada, Indigenous (and non-Indigenous) offenders may be placed in a healing lodge if they meet a set of criteria which includes being classified as minimum security, or medium security on a case-by-case basis. On the CSC website, they maintain that at a healing lodge, offenders can interact with nature and state that prisoners have a *Charter* right to participate in spiritual practices, and that land is part of this (Correctional Service Canada, 2021). On my tour of KP, guards **proudly** highlighted Indigenous centered healing lodges as part of their efforts to offer culturally focused rehabilitation. (I think about this alongside stereotypical understandings of what Black 'culture' entails and how this is reflected in the lack of available resources for Black prisoners). However, Indigenous rights to land are often criminalized, treaty rights are challenged, and land defenders are arrested (Coulthard, 2014). But here, access to land is allowable so long as it is mediated through the state. What this demonstrates is that dispossession and land theft are ongoing aims of settler colonial project, but multiculturalism diversity and reconciliation often mask these violent practices and repackage them as rehabilitative features of a progressive prison system. However, since Indigenous offenders are more likely to be classified as maximum security, this limits their ability to be admitted to these lodges.

Put simply, the prison relies on a system built on Eurocentric understandings of morality, crime, and masculinity. This classification system is rooted in the assumption that whiteness is associated with moral behaviour and the racialized 'Other' is associated with criminality. Additionally, nonwhite masculinity is read outside the normative gender sphere, which in turn determines who is deserving and undeserving of their legal rights under the *Canadian Charter*, criminal law, and human rights law. Moreover, the justification for the existence of such a space is not only to redeem the prisoner, but to protect, and redeem society from the racialized, inferior, criminal 'Other'. The use of these classifications pre-determines who needs heightened surveillance and punishment and is therefore most likely to be sent to solitary confinement.

c)

Convict Leasing

After slavery formally ended, the enactment of the Thirteenth Amendment in 1865 sought to abolish enslavement in its traditional sense but allowed for its perpetuation in other forms. The Thirteenth amendment states, 'neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States'. Therefore, the Thirteenth amendment legalizes the enslavement and exploitation of people as punishment for a crime; this clause was immediately exploited, and African Americans were arrested in mass for extremely minor crimes (DuVernay, 2016). The Thirteenth Amendment allowed for continued enslavement in the U.S., whereas in Canada it had been abolished through the Slavery Abolition Act, 1833 (Henry-Dixon, 2014).

After the emancipation of enslavement, the Black Codes were implemented to combat the loss of enslaved labour on plantations and were used to force freed African Americans back to the fields under control. These new laws were enacted immediately after the Civil War to regain control over formerly enslaved peoples, maintain a racial order, and ensure the continued supply of free labour (Wacquant, 2001). Following the abolition of enslavement, white southerners were determined to keep African Americans in a position as close to enslavement as they could by forcing generations of Black southerners into labour against their will. As the primary drivers of the cotton economy, the loss of enslaved labour devastated plantation owners and the southern economy. Therefore, a new means of extracting free labour from African Americans was considered necessary for capitalist growth (Davis, 1998; DuVernay, 2016). The economic opportunities of African Americans were severely restricted by limiting them to the most dangerous and dirty 'nigger work' not only in the cotton fields but also in the emerging mining and industrial sectors; violence against Black peoples was supported since enforcing racial hierarchies was above the rule of law (Wacquant, 2001, p.101).

Immediately following Emancipation, southern prisons which were overwhelmingly filled with white prisoners, 'turned black overnight as thousands of ex-slaves were being arrested, tried, and convicted for acts that in the past dealt with by the master and for refusing to behave as menials and follow the demeaning rules of racial etiquette' (Wacquant, 2000, p. 385). Southern states had a history of placing prisoners with industries that would cover the cost of guarding and housing them in exchange for their labour. States also began to charge fees for renting prisoners to companies for a month. The highest rates were for the strongest

prisoners with the highest sentences; lessees were given complete control over ‘convicts⁹⁵’ and their bodies (Blackmon, 2009; Blackmon & Pollard, 2012). Prisoners could be rented for \$9 a month, while the profits for the businesses were significant. For example, the state of Alabama earned \$14,000 in its first year of convict leasing in 1874. By 1890, revenue was \$164, 000 (roughly \$4.1 million today). By then states throughout the south and hundreds of counties were engaged in some form of leasing prisoners to private industries; more than 15,000 prisoners worked across southern industries in 1886 and this number was rising quickly (Blackmon, 2009; Blackmon & Pollard, 2012). In Southern states, there would be sweeps of mass arrests for trivial offences in cotton growing counties when cotton was in season; days before businesses were coming in to pick up convicts, there would be a surge in new arrests. More than two-thirds of arrests were convicted under vague and/or trivial offences of burglary or larceny (Blackmon, 2009; Blackmon & Pollard, 2012). There were deliberate attempts and successes in incarcerating African Americans to maintain what Marx refers to as the ‘reserve army of labour’⁹⁶ for when their labour was most needed. In this way, African Americans were hypervisible and perceived as the most suited and easiest to force into menial, exploitable labour.

⁹⁵ My use of the word ‘convict’ in certain parts of this section is intentional to replicate the language that was used to describe these prisoners

⁹⁶ This contextualization of African Americans as unfit for certain jobs has helped create what Marx refers to as the *reserve army of labour*; this describes a segment of the labour force held in reserve and used when the need arises. Marx maintains that those that belong to the reserve army can be classified under one of the five categories: the unemployed, part-time workers that want full-time work, those doing various or occasional jobs while looking for full-time work, workers in jobs likely to be lost soon (in other words those who know they are in a precarious position due to reasons such as a poor economy or work being relocated to the Global South), and those not considered as an active population in the economy, but available for work under changed circumstances, in other words the ‘lumpenproletariat’ (such as prisoners) (Marx, 1990; Rafieyan & Garcia, 2020).

After emancipation, industrialists replaced enslaved Africans with prisoners for railroad lines in Alabama by stating that 'you can't drive free labour the same way you can force prisoners to mine 5 tonnes of coal a day'; incarcerated African American's rights were frequently violated, but industrialists did not have to worry about labour disputes (Blackmon, 2009; Blackmon & Pollard, 2012). In an essay about convict leasing, Mary Church Terrell maintains that within some Southern States, convict leasing was more inhumane than enslavement. Under the institution of slavery, it was in the interest of enslavers to provide *some* degree of clothing, shelter, and food, because the death of a slave meant an economic loss to the *owner*, whereas the death of a convict did not result in an economic loss (Davis, 1998, p. 90; Litchenstein, 1996). There are reports of the conditions of the coal mines at this time being described as 'beyond primitive'. 'Convicts' would wake up at 3 am and return at 8pm after walking three miles each day while working for weeks or months at a time without seeing daylight. The caves in which they worked had water past their feet; this water was also used as drinking water albeit being dirty and diseased. Furthermore, prisoners were subjected to violent explosions, poisonous gases, whippings, being chained up, physical torture and mental abuse, all of which was overseen by former enslaver J.W Comer. In some Alabama mines, prisoners died at a rate of 30 to 40 percent a year, and for each one that died another convict would be picked up replace them (Blackmon, 2009; Blackmon & Pollard, 2012; Litchenstein, 1996). The level of abuse that African Americans were subjected to under convict leasing, and the way in which they were treated like animals, illustrates the way that they were perceived as being built for dangerous, physical work.

Matthew Mancini, author of *One Dies, Get Another* points out that the rate of economic exploitation (defined in Marxian terms as the value of unpaid labour) was greater with the lease system than with enslavement. Enslavers were not only responsible for the maintenance of the 'labouring subjects', but the entire community including children and elders who were unable to work. However, lessees were only responsible for individual prisoners (Davis, 1998, p. 86; Litchenstein, 1996). Moreover, the death or release of a convict was easily replaceable and not seen as a loss, whereas the loss of an enslaved woman for example, who was responsible for childbearing and rearing leads to potentially lost 'commodities'. Here, the convict was perceived as being so disposable insofar they were seen as having no value and are deemed to be less than human to the extent that providing them with basic care is more work than finding someone to replace them. In this way a *slave* is valued not only for their labour but as a form of property that can be exploited, abused, and used to elevate the enslaver's social status. With enslavement, dehumanization is central to both controlling the enslaved and dignifying the enslaver. A *convict* on the other hand, is used solely as an instrument of labour, and while they are also treated like property, they are perceived as having less value; the convict's subjugation then is merely a by-product of exploiting their labour but not necessary to elevating the lessee's status.

In the Old South, reproduction was integral for the enslaver's success, but in the New South model, pregnancy and childbirth were seen as threats to economic progress and productivity. Lessees relied on the state and counties rather than the women themselves to resupply their labour forces and had no material motivation to grow their labour forces through natural reproduction; children born into captivity did not belong to the state or the lessee, but

rather to their mother (LeFlouria, 2015, p. 98). Therefore, Black children were described as the worst features of the convict labour system because they could not be forced to work and might have slowed down a convict woman's productivity (Haley, 2016, p. 112).

Just as during enslavement, convict women faced gendered racial terror that their male counterparts were not subjected to. In travelling roadcamps, naked and seminude floggings were unleashed as a performance/ public display of the camp overseer's superlative authority. Female prisoners were ordered to strip while others were whipped 'stark naked'; they were beaten mercilessly in the presence of their jailed male and female counterparts to humiliate, demoralize, and terrorize/abuse victims and frightened onlookers (LeFlouria, 2015, p. 71). Female convicts were uniquely exposed while beaten in demeaning positions, with (at times) menstrual blood running down their legs. They were not only whipped in front of men but forced to go to the bathroom in front of them. Haley (2016) maintains that the convict camps were a 'pornographic site through the entanglement of performance, sex, and commerce' (Haley, 2016, p.92). These sites were legitimized through Eurocentric understandings of gender, (or the normative gender sphere) wherein Black women were contextualized as promiscuous, 'loose' and lacking 'feminine' qualities (or not perceived as 'real' women entirely).

Not only were African Americans forced into hard labour through convict leasing, but thousands were forced into debt slavery (peonage). African Americans would be falsely accused of petty crimes and quickly convicted, sentenced, and charged with court fees which they could not afford to pay. Local white people would pay the court and take control of them or would resell them for profit. Additionally, if they wanted someone found guilty of a crime, they simply had their own justice of the peace deliver a guilty verdict even if they were innocent. This

system made it impossible for African Americans to ever repay and escape this debt⁹⁷. Through peonage, contracts signed by convicts allowed 'employers' to whip, confine, and trade workers if debt was unpaid (Alexander, 2012; Blackmon, 2009; Blackmon & Pollard, 2012). They were flogged, chased by bloodhounds, forced into barracks, killed, and subjected to other forms of corporal punishment all under peonage laws. Peonage was later criminalized, but anyone found guilty of peonage was not convicted. In the early 1900s, a federal grand jury handed out indictments for peonage and wanted to punish the ring leaders. However, if convicted they were given minimum jail sentences or small fines. J.W. Comer remained free on appeal because his lawyers maintained that he was not guilty since his labourers were not in debt. Although he was holding his labourers as *slaves*, slavery was not a crime at the time (in 1903) so he could not be found guilty and therefore punished. When someone was found by federal agents to be practicing peonage, they would kill the men they enslaved (Blackmon, 2009; Blackmon & Pollard, 2012).

Overall, then, like enslavement, convict leasing and peonage have historically forced Black people into dirty and dangerous work, and over centuries have trapped them within the confines of low-skilled, low-wage jobs, to use their labour when it is most needed and for work they are deemed most suited for, such as domestic work and manufacturing jobs (Bakan & Stasiulis, 1995; Hill-Collins, 2000; Ng, 1990). These systems of racialized labour are also made possible through the development of an industry built on Black exploitation; not only was this exploitation legitimized and justified, but rather necessary to the success of industrialists.

⁹⁷ These ongoing forms of racial violence and exploitation of the colonized person continue to be rearticulated through mass incarceration and forfeitures and fines associated with the War on Drugs disproportionately imposed on poor Black and other racialized peoples (Alexander, 2012).

Therefore, the perception that certain types of people are innately built for certain types of work reinforces the idea that the colonized subject is also perceived as being hypervisible.

This hypervisibility is made possible through the various forms of violence endured by 'convict' men and women. Here, the fact and extent to which enslaved, and formally enslaved peoples were treated so poorly reinforces Fanon's concept of atmospheric violence. This dehumanization occurs in the context of being subjected to rules and laws that their white counterparts were not subjected to, such as the Black Codes, which were created to criminalize Black life and Blackness itself. In this sense, these laws function as a form of ongoing colonial violence to reinforce racial hierarchies and inflict harm in a multitude of ways. Additionally, the creation and enactment of the Thirteenth Amendment was used to reinforce the idea that some lives are perceived as valuable whereas others are viewed as disposable or invisible, particularly in the context of convict leasing wherein prisoners were not wanted for their child-bearing capabilities, and therefore any degree of humanity or 'value' were not afforded to 'convicts, yet also hypervisible as they were considered best suited to do this work.

References

- Abdel-Shehid, G. (2005). *Who da man? Black masculinities and sporting cultures*. Canadian Scholars' Press Inc.
- Abdel-Shehid, G. (2017a). *Double Advantage*. [Unpublished manuscript]. York University.
- Abdel-Shehid, G. (2017b). *Gender and racialized form: Reading Fanon through Angela Davis*. [Manuscript submitted for publication]. York University.
- Abdel-Shehid, G.(2021). On Fanon and Lacan: Continuities and contextual differences. In G.Abdel-Shehid & S. Noori (Eds.) *Partisan Universalism: Essays in honour of Ato Sekyi-Otu* (pp.63-80). Dajara Press.
- Abdel-Shehid, G. & Kalman-Lamb, N. (2011). *Out of left field: Social inequality and sports*. Fernwood Publishing.
- Abdel-Shehid & Kalman-Lamb, N. (2015). Multiculturalism, gender and Bend it Like Beckham. *Social Inclusion*, 3(3), 142-152. <https://doi.org/10.17645/si.v3i3.135>
- Abu-Jamal, M. (2017). *Have Black lives ever mattered?* City Lights Books.
- ACLU. (2013). *Change is possible: A case study of solitary confinement reform in Maine*. <https://www.aclu.org/report/change-possible-case-study-solitary-confinement-reform-maine>. ACLU Maine.
- ACLU. (2014). *U.N. to confront United States on persistent racial discrimination*. <https://www.aclu.org/news/human-rights/un-confront-united-states-persistent-racial-discrimination>

ACLU & The University of Chicago Law School Global Human Rights Clinic. (2022, June 15).

Captive Labor: Exploitation of Incarcerated Workers.

Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness.*

The New Press.

American Friends Service Committee. (n.d.) *Solitary confinement facts.*

<https://www.afsc.org/resource/solitary-confinement-facts>

American Psychological Association. (2014, October). *Incarceration nation: The United States leads the world in incarceration. A new report explores why — and offers recommendations for fixing the system.*

<https://www.apa.org/monitor/2014/10/incarceration#:~:text=While%20the%20United%20States%20has%20only%205%20percent,of%20its%20prisoners%20%E2%80%94%20about%202.2%20million%20people>

Amnesty International. (2012, September 27). *The shocking abuse of solitary confinement in U.S. prisons.* Retrieved September 17, 2020, from <https://www.amnestyusa.org/the-shocking-abuse-of-solitary-confinement-in-u-s-prisons/>

Amnesty International, (2015, May 22). *'Mandela rules' on prisoner treatment adopted in landmark revision of UN standards.*

<https://www.amnesty.org/en/latest/news/2015/05/mandela-rules-on-prisoner-treatment-adopted-in-landmark-revision-of-un-standards-2/>

- Anderson, A. (2017, February 3). *The race problem with solitary confinement in Canadian jails*. byblacks. Retrieved July 14, 2020, from <https://byblacks.com/opinion/item/1559-the-race-problem-with-solitary-confinement-in-canadian-jails>
- Bakan A.B., & Stasiulis, D.K. (1995). Making the match: Domestic placement agencies and the racialization of women's household work. *Signs*, 20(2), 303-335.
<https://www.jstor.org/stable/3174951>
- Balintec, V. (2023, January 7). *What makes a living wage, and why that matters for workers across Ontario*. CBC News. Retrieved July 14, 2023, from <https://www.cbc.ca/news/canada/toronto/living-wage-q-a-2022-1.6655130>
- Bannerji, H. (2000). *The dark side of the nation: essays on multiculturalism, nationalism and gender*. Canadian Scholars' Press.
- Bannerji, H. (2005). Building from Marx: Reflection on class and race. *Social Justice*, 32(4).
- Batelaan, K. (2020). 'When whites catch a cold. Black folks get pneumonia': a look at racialized poverty, space and HIV/AIDS. *Social Identities*. (27)2, 262-282.
<https://doi.org/10.1080/13504630.2020.1823827>
- Batelaan, K., & Abdel-Shehid, G. (2020). On the Eurocentric nature of sex testing: The case of Caster Semenya. *Social Identities*. (27)2, 146-165.
<https://doi.org/10.1080/13504630.2020.1816452>
- BBC. (2020, January, 6). *Confessions of a slaughterhouse worker*. Retrieved July 14, 2023, from <https://www.bbc.co.uk/news/stories-50986683>

- Bederman, G. (2008). *Remaking manhood through race and "civilization" in Manliness and Civilization: A Cultural History of Gender and Race in the United States, 1880-1917*. University of Chicago Press.
- Bellrichard, C. (2020, January 21). *Over-representation of Indigenous people in federal prisons reaches 'disturbing' historic high*. CBC news. Retrieved July 14, 2020, from <https://www.cbc.ca/news/indigenous/indigenous-overrepresentation-prison-oci-statement-1.5434712>
- Benns, W. (2015, September 21). *American slavery, reinvented*. The Atlantic. <https://www.theatlantic.com/business/archive/2015/09/prison-labor-in-america/406177/>
- Bhandar, B. (2016). *Status as property: land and the dispossession of First Nations women in Canada*. darkmatter journal 14. darkmatter101.org.
- Blackburn, M. & Needham F. (2022, November 1). *Canada's prison system has changed little for Indigenous Peoples: Report*. APTN news. Retrieved July 14, 2023, from <https://www.aptnnews.ca/national-news/canadas-prison-system-has-changed-little-for-indigenous-peoples-report/>
- Blackmon, D. A. (2009). *Slavery by another name: The re-enslavement of black Americans from the Civil War to World War II*. Anchor Books.
- Blackmon, D.A., & Pollard, S. (2012). *Slavery by Another Name* [Documentary]. PBS
- Brean, J. (2022, May 25). *'I cry all the time': Bernardo denied parole after 25 years in prison*. The National Post. Retrieved July 14, 2023, from <https://nationalpost.com/news/true-crime/newsalert-parole-denied-for-killer-rapist-paul-bernardo-after-25-years>

- Brinker, C. (2017, July 19). *Solitary confinement vs the Charter of Rights and Freedoms*. Centre for Constitutional Studies. <https://ualawccstest.srv.ualberta.ca/2017/07/solitary-confinement-vs-the-charter-of-rights-and-freedoms/#:~:text=Solitary%20confinement%20in%20Canada%20In%20Canada%2C%20solitary%20confinement,conduct%20while%20in%20prison%20%28called%20%E2%80%9Cdisciplinary%20segregation%E2%80%9D%29.>
- Brock, D.R., Glasbeek, A. & Murdocca, C. (2014). *Criminalization, representation, regulation: thinking differently about crime*. University of Toronto Press.
- Brockbank, N. (2018, June 27). *Psych report on alleged serial killer Bruce McArthur indicated 'no signs of psychopathy'*. CBC News. Retrieved July 14, 2023, from <https://www.cbc.ca/news/canada/toronto/bruce-mcarthur-documents-released-1.4724392#:~:text=Alleged%20serial%20killer%20Bruce%20McArthur%20was%20considered%20a,years%20ago%2C%20a%20newly%20obtained%20psychiatric%20report%20s> hows.
- Brownell, C. (2017, August 30). *Prisoners making \$1.95 a day want a raise. Taxpayers want a break*. Financial Post. Retrieved July 14, 2023, from <https://financialpost.com/news/court-challenge-to-inmate-pay-places-prison-labour-program-in-the-crosshairs>
- Burke, A. (2023, July 22). *Bernard's prison transfer report offers rare insights into killer's life behind bars*. CBC News. Retrieved July 23, 2023, from <https://www.cbc.ca/news/politics/prison-transfer-review-report-paul-bernardo-1.6914555>

Burnett, J. (2022, March 23). *Prison labour is rationalised as rehabilitation. Here's the truth.*

Political Quarterly. <https://politicalquarterly.org.uk/blog/prison-labour-is-rationalised-as-rehabilitation-heres-the-truth/>

Butts, E. (2018, October 31). *Paul Bernardo and Karla Homolka Case*. The Canadian

Encyclopedia. Retrieved July 23, 2023, from

<https://www.thecanadianencyclopedia.ca/en/article/paul-bernardo-and-karla-homolka-case>

Cahn, S.K. (1994). *Coming on strong: Gender and sexuality in twentieth-century women's sport*.

Harvard University Press.

Canadiana Héritage. (2024). *Kingston Penitentiary*.

https://heritage.canadiana.ca/view/oocihm.lac_mikan_134807

Casella, J. Ridgeway, J. & Shourd, S. (2016). *Hell is a very small place*. The New Press.

CBC News. (2006, November 10). *Ontario to take back control of private super-jail*. Retrieved

September 17, 2020, from

<https://www.cbc.ca/news/canada/ontario-to-take-back-control-of-private-super-jail-1.586052#:~:text=Canada%27s%20only%20privately%20run%20jail%2C%20in%20Penetanguishene%2C%20Ont.%2C,prisoner%20health%20care%2C%20and%20reduced%20repeat%20offender%20rates>.

CBC News. (2019, October 28). *Issues persist over solitary confinement for Canadian inmates*

with mental illness. Retrieved September 17, 2020, from

<https://www.cbc.ca/news/canada/fifth-estate-ashley-smith-solitary-confinement-1.5337464>

Césaire, A. (2001a). *Discourse on colonialism*. NYU Press.

Césaire, A. (2001b). *Notebook of a Return to the Native Land*. (Clayton Eshleman & Annette Smith, Trans.) Wesleyan University Press.

Chan, J., Chuen, L., & McLeod, M. (2017, July 20). *Everything you were never taught about Canada's prison systems*. Intersectional Analyst.

<http://www.intersectionalanalyst.com/intersectional-analyst/2017/7/20/everything-you-were-never-taught-about-canadas-prison-systems>

Chan, R. & Lin, B. (2021, June 30). *The high cost of phone calls in prisons generates \$1.4 billion a year, disproportionately driving women and people of color into debt*. Business Insider.

<https://www.businessinsider.com/high-cost-prison-communications-driving-debt-racial-wealth-gap-2021-6>

Chartrand, V. (2019). Unsettled times: Indigenous incarceration and the links between colonialism and the penitentiary in Canada. *Canadian Journal of Criminology and Criminal Justice*, 61(3), 67-89. <https://doi.org/10.3138/cjccj.2018-0029>

Cherki, A. (2006). *Frantz Fanon: A portrait*. Cornell University Press.

Cherki, A. (2006). *Frantz Fanon: A portrait*. Cornell University Press.

Chicago News. (2022, June 16). *Law School's Global Human Rights Clinic, ACLU examine coercion, exploitation in prison labor*. Retrieved July 23, 2023, from

<https://news.uchicago.edu/story/us-prison-labor-programs-violate-fundamental-human-rights-new-report-finds>

Clark A. (2017, August 21) *Prison isolation is torture, ineffective, and illogical*. Race, Politics, Justice: Pamela Oliver.

<https://www.ssc.wisc.edu/soc/racepoliticsjustice/2017/08/21/prison-isolation-is-torture-ineffective-and-illogical/>

Clark, R. (2017). *Down Inside: Thirty years in Canada's prison service*. Goose Lane Editions.

Cloud, D.H., Drucker, E., Browne, A., & Parsons, J. (2015). Public health and solitary confinement in the United States. *American Journal of Public Health, 105*(1), 18-26.

<https://doi.org/10.2105/AJPH.2014.302205>

Collie, M. (2019, June 25). *Canada has a discrimination problem when it comes to hiring — here's why*. Global News. Retrieved July 23, 2023, from

<https://globalnews.ca/news/5424465/discriminatory-hiring-practices-canada/>

Connolly, (2020, June 1). *Trudeau says 'we all have a role' in confronting racism amid George Floyd solidarity protests*. Global News. Retrieved July 23, 2023, from

<https://globalnews.ca/news/7011568/justin-trudeau-george-floyd-protests/>

Cooke B. J., Farrington D. P. (2015). The effects of dog-training programs: Experiences of Incarcerated Females. *Women & Criminal Justice, 25*(3), 201–

214. <https://doi.org/10.1080/08974454.2014.909763>

Cooper, A. (2006). *The hanging of Angelique: The untold story of Canadian slavery and the burning of old Montreal*. Harper Collins.

- Cooper, A. (2022, February 6). *Canada's unmarked graves: How residential schools carried out "cultural genocide" against indigenous children*. CBS News. Retrieved July 23, 2023, from <https://www.cbsnews.com/news/canada-residential-schools-unmarked-graves-indigenous-children-60-minutes-2022-02-06/>
- Correctional Service Canada. (2013, August 15). *Outcomes for offender employment programs: Assessment of CORCAN participation*. <https://www.csc-scc.gc.ca/research/005008-0283-eng.shtml>
- Correctional Service Canada. (2016, August 2). *Offender program assignments and inmate payments*. <https://csc-scc.gc.ca/lois-et-reglements/730-cd-eng.shtml>
- Correctional Service Canada. (2019, January 14). *Audit of food services*. <https://www.csc-scc.gc.ca/publications/005007-2547-en.shtml#annexB>
- Correctional Service Canada. (2021, March 22). *Indigenous healing lodges*. <https://www.csc-scc.gc.ca/aboriginal/002003-2000-en.shtml>
- Correctional Service Canada. (2024, April 1). *Correctional Service of Canada*. <https://www.canada.ca/en/correctional-service.html>
- Coulthard, G.S. (2014). *Red skin, white masks: rejecting the colonial politics of recognition*. University of Minnesota Press.
- Coyle, E. & Omstead, J. (2022, January 18). *Despite the government's announcement that it abolished solitary confinement, it continues under new names, a violation of Canada's Charter*. Policy Options. <https://policyoptions.irpp.org/magazines/january-2022/the-use-of-solitary-confinement-continues-in-canada/>

CTV News. (2012, May 9). *Inmates to pay more for room and board in federal prisons*. Retrieved July 23, 2023, from <https://www.ctvnews.ca/inmates-to-pay-more-for-room-and-board-in-federal-prisons-1.807448>

CTV News. (2020, July 27). *CTV's W5 archive: A look at the 1971 Kingston Penitentiary riot*. [Video]. Youtube. <https://www.youtube.com/watch?v=CkBDg1rOCs0&t=463s>

CTV Your Morning. (2018, September 4). *Canadian inmates are joining the U.S. prison strike and here's why*. [Video]. YouTube. https://www.youtube.com/watch?v=w_DWy1totXU

Curry, R. (2023, March 27). *Some of the most recognizable brands rely on prison labor to make money*. Market Realist. <https://marketrealist.com/p/companies-that-use-prison-labor/>

D'Aguiar, F. (1997). *Feeding the ghosts*. Waveland Press.

Davis, A. Y. (1983) *Women race & class*. Random House Inc.

Davis, A. Y. (1998). *The Angela Y. Davis reader* (J. James, Ed). Blackwell Publishing.

Davis, Y. A. (2003). *Are Prisons Obsolete?* Seven Stories Press.

Democracy Now! (2016, September, 28). *Hunger strikes, marches & work stoppages: Unprecedented national prison strike enters third week*. [Video]. YouTube. <https://www.youtube.com/watch?v=F7HHmHvVPpc>

Democracy Now! (2018, August 21). *National prison strike begins: Prisoners in 17 states demand end to "slave labor" behind bars*. [Video]. YouTube. <https://www.youtube.com/watch?v=acSrGDv54as>

- DiManno, R. (2019, December 13). *Why Toronto South Detention Centre is known as Guantanamo South, a \$1-billion Hellhole, and the Plea Factory*. The Star. Retrieved May 1, 2022, from <https://www.thestar.com/opinion/star-columnists/2019/12/13/toronto-south-detention-centre-a-giant-black-hole-for-those-who-disappear-there-head-of-criminal-lawyers-body.html>
- Douglass, F. (1995). *Narrative of the life of Frederick Douglass*. Dover Publications.
- Durkheim, E. (1969). Two laws of penal evolution. *Cincinnati Law Review*, 38, 32-60.
- DuVernay, (2016) *13th* [Film]. Kandoo Films.
- Ebrahimji A., & Moon, S. (2020, August 4). *California faces an inmate firefighter shortage because the state released them early due to the pandemic*. CNN. Retrieved July 23, 2023, from <https://www.cnn.com/2020/08/24/us/california-inmate-firefighters-trnd/index.html>
- Eisen, L.B. (2014, July 31). *Paying for your time: How charging inmates fees behind bars may violate the excessive fines clause*. Brennan Center for Justice.
<https://www.brennancenter.org/our-work/research-reports/paying-your-time-how-charging-inmates-fees-behind-bars-may-violate>
- Eisen, L.B., Seabrooks, L. (2020, April 17). *Covid-19 Highlights the Need for Prison Labor Reform*. Brennan Center for Justice. << <https://www.brennancenter.org/our-work/analysis-opinion/covid-19-highlights-need-prison-labor-reform>>>

Else H., Farragher T., Tubeuf S., Bragg R., Elings M., Brennan C., Gold R., Shickle D., Wickramasekera N., Richardson Z., Cade J., Murray J. (2018). Assessing the impact of care farms on quality of life and offending: A pilot study among probation service users in England. *BMJ Open*, 8(3), 1–11. <https://doi.org/10.1136/bmjopen-2017-019296>

Evolve Our Prison Farms. (2017). *Evolve Our Prison Farms Proposal*. <https://evolveourprisonfarms.ca/wp-content/uploads/2019/07/Evolve-Our-Prison-Farms-Proposal-FINAL.pdf>

Evolve our prison farms. (2021, June 30). *Letter to Senate committee on human rights*. <https://evolveourprisonfarms.ca/senate-committee-on-human-rights/>

Fanon, F. (1952). *Black skin, white masks*. Grove Press.

Fanon, F. (1964). *Toward the African revolution: Political essays*. (Chevalier, H. Trans). Grove Press.

Fanon, F. (1967). *Black skin, white masks*. Grove Press.

Fanon, F. (2004). *The wretched of the earth. Pref. by Jean-Paul Sartre*. (Philcox, R. Trans). Grove Press. (Original work published 1961).

Fanon, F. (2008). *Black skin, white masks*. (Philcox, R. Trans). Grove Press. (Original work published 1952).

Fitzgerald A. J., Wilson A., Bruce J., Wurdemann-Stam A., Neufeld C. (2021, January 31). *Canada's proposed prison farm program: Why it won't work and what would work better*. Evolve Our Prison Farms. <https://www.evolveourprisonfarms.ca>

- Fitzpatrick, M. (2012, May 9). *Inmates to pay more for room and board*. CBC News. Retrieved July 23, 2023, from <https://www.cbc.ca/news/politics/inmates-to-pay-more-for-room-and-board-1.1156979>
- First Step Alliance. (2021, December 7). *Behind the wall: Comparing Canadian & U.S. prison systems*. Retrieved July 23, 2023, from <https://www.firststepalliance.org/post/canadian-vs-us-prison-systems>
- Fogarty, C. (2021). *Murder on the inside: The true story of the deadly riot at Kingston Penitentiary*. Biblioasis.
- Foucault, M. (1995). *Discipline & punish: The birth of the prison*. (Alan Sheridan, Tran.; 2nd ed). Vintage Books. (Original work published 1975).
- Foucault, M. (2010). *The Foucault reader* (P. Rabinow, Ed). Vintage Books.
- Garland, D. (2001). *The culture of control: Crime and social order in contemporary society*. Oxford University Press.
- Garrison, G. (2014). *Human on the inside: Unlocking the truth about Canada's prisons*. University of Regina Press.
- Gazso, A. & Waldon, I. (2009) Fleshing out the racial undertones of poverty for Canadian women and their families: Re-envisioning a critical integrative approach. *Atlantic*, 34(1), 132-141. <https://journals.msvu.ca/index.php/atlantia/article/view/226/216>
- Gibson-Light, M. (2023). *Orange-collar labor: Work and inequality in prison*. Oxford University Press.

Glenn, E.N. (2015). Settler colonialism as structure: A framework for comparative studies of U.S. race and gender formation. *Sociology of Race and Ethnicity*, 1(1).

<https://doi.org/10.1177/2332649214560>

Goffman, E. (1961). *Asylums*. Anchor Books

Government of Canada. (2014a, April 24). *Correctional process*.

<https://www.canada.ca/en/correctional-service/programs/offenders/correctional-process.html>

Government of Canada. (2014b, January 2). *CORCAN*.

<https://www.canada.ca/en/correctional-service/programs/corcan.html>

Grace, A. (2019, October 27). *The end of solitary confinement in Canada? Not exactly*. The Conversation. <https://theconversation.com/the-end-of-solitary-confinement-in-canada-not-exactly-124679>

Government of Canada. (2021, July 28). *Correctional service Canada strengthens supports for Indigenous offenders*. <https://www.canada.ca/en/correctional-service/news/2021/07/correctional-service-canada-strengthens-supports-for-indigenous-offenders.html>

Government of Canada. (2023, November 21). *Peace and stabilization operations program*.

https://www.international.gc.ca/world-monde/issues_developpement-enjeux_developpement/response_conflict-reponse_conflits/psop.aspx?lang=eng

Haley, S. (2016). *No mercy here: Gender, punishment, and the making of Jim Crow modernity*.

The University of North Carolina Press.

- Hall, R. (2021). *Passing* [Film]. Significant Productions Picture Films; Film4 Productions; Flat Five Productions; Gamechanger Films; Sweet Tomato Films; Endeavor Content
- Hamilton, L. (2018, April 1). *I am buried alive in a Michigan prison*. Truthout.
<https://truthout.org/articles/i-am-buried-alive-in-a-michigan-prison/>
- Harris, C.I. (1993). Whiteness as property. *Harvard Law Review*, 106(8). 1701-1791.
- Hennessy, P. (1999). *Canada's big house: The dark history of the Kingston Penitentiary*. Dundurn Press.
- Henry-Dixon, N. (2014, July 14). *Slavery Abolition Act, 1833*. The Canadian Encyclopedia. Retrieved July 23, 2023, from
<https://www.thecanadianencyclopedia.ca/en/article/slavery-abolition-act-1833>
- Hill L. (2020). A touch of the outside on the inside: The effect of animal contact on the pains/strains of imprisonment. *Journal of Offender Rehabilitation*, 59(8), 433–455. <https://doi.org/10.1080/10509674.2020.1808558>
- Hill- Collins, P. (2000). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment 2nd Ed*. Routledge.
- Ho, S. (2020, June 24). *Millions of dollars in COVID-19 fines disproportionately hurting Black, Indigenous, marginalized groups: report*. CTV News. Retrieved July 23, 2023, from <https://www.ctvnews.ca/health/coronavirus/millions-of-dollars-in-covid-19-fines-disproportionately-hurting-black-indigenous-marginalized-groups-report-1.4999052>
- House, J. & Rashid, A. (2022). *Solidarity beyond bars: Unionizing prison labour*. Fernwood Publishing.

Hubbard, T. (2019). *nîpawistamâsowin: We Will Stand Up* [Film]. National Film Board of Canada;
Downstream Documentary Productions

Iftene, A. (2020, November 19). *Solitary confinement continues in Canada under a different name*. Policy Options. <https://policyoptions.irpp.org/magazines/november-2020/solitary-confinement-continues-in-canada-under-a-different-name/>

Incarcerated Workers Organizing Committee (2018). *Prison strike 2018*.
<https://incarceratedworkers.org/campaigns/prison-strike-2018>

Innes, E. (2019, October 29). *Milking prison labour*. Briar Patch.
<https://briarpatchmagazine.com/articles/view/milking-prison-labour>

Jackson, G. (1994). *Soledad Brother: The prison letters of George Jackson*. Lawrence Hill Books.

Jennings, Rohan. (2021, January 17). *The Racial contract plot summary*. LitCharts.
<https://www.litcharts.com/lit/the-racial-contract/summary>

John Howard Society & Legal Aid Ontario. (2017). *Re: Cost of inmate telephone communications*.

John Howard Society. (2018, November, 13). *Solitary Confinement- A first hand account*.
<https://johnhoward.ca/blog/solitary-confinement-first-hand-account/>

Johnson, K.R. (2018, August 23). *Prison labour is modern slavery. I've been sent to solitary for speaking out*. The Guardian.
<https://www.theguardian.com/commentisfree/2018/aug/23/prisoner-speak-out-american-slave-labor-strike>

- Jones, E. (2018, August 19). *The prisoners at the Burnside jail are engaged in a non-violent protest; here is their statement*. Halifax Examiner.
<https://www.halifaxexaminer.ca/government/province-house/the-prisoners-at-the-burnside-jail-are-engaged-in-a-non-violent-protest-here-is-their-statement/>
- Jones, L. (2020, October 22). *'It doesn't feel good when people hate you:'* Indigenous lobster fishers find their lives upended. Vice. <https://www.vice.com/en/article/pkdydz/it-doesnt-feel-good-when-people-hate-you-indigenous-nova-scotia-lobster-fishers-find-their-lives-upended>
- Justice Laws Canada. (2022, November 10). *Institutional and community corrections*.
<https://laws-lois.justice.gc.ca/eng/acts/C-44.6/page-7.html#docCont>
- Kilty, J.M., LeBlanc, N. (2012, December 1). *Ashley Smith (1988-2007): A predictable death*. Policy Options. <https://policyoptions.irpp.org/magazines/talking-science/kilty-leblanc/>
- Kolia, Z. (2017). "I'm making the streets safer ma'am": Race, coloniality, and the redemptive theologies of pastoral police power. *Law, Culture and the Humanities*, 18(1), 73-93.
<https://doi.org/10.1177/1743872117737238>
- Kolia, Z. (2023). Colonial capitalist heterochronicity: Socio-ecological rhythms of the sugar plantation, and the formal subsumption of historical and cultural difference. *Critical Sociology*. <https://doi.org/10.1177/08969205231181111>
- Langat K. (2016). Effects of farming rehabilitation programmes on short term offenders serving in Shikusa farm prison in Kakamega County, Kenya. *International Journal of Novel Research in Humanity and Social Sciences*, 3(3), 65–80.

Lantigua-Williams, J. (2016, December 5). *The link between race and solitary confinement*. The Atlantic. Retrieved August 28, 2020, from

<https://www.theatlantic.com/politics/archive/2016/12/race-solitary-confinement/509456/>

LaRocque, E. (2010). *When the other is me: Native resistance discourse, 1850-1990*.

University of Manitoba Press.

Lawrence, B. (2003). Gender, race, and the regulation of Native identity in Canada and the United States: an overview. *Hypatia*, 18 (2)

Lazar, N.C., Latimer, C. & Fallis, M. (2020, November 26). *Solitary confinement in Canada's prisons: Time for real accountability*. Centre for International Policy Studies.

<https://www.cips-cepi.ca/2020/11/26/solitary-confinement-in-canadas-prisons-time-for-real-accountability/>

LeFlouria, T. (2015). *Chained in silence: Black women and convict labor in the New South*. The University of North Carolina Press.

Ling, J. (2019, August 12). *Canada's prisons are failing*. The Canadian Bar Association.

<https://nationalmagazine.ca/en-ca/articles/law/in-depth/2019/canada-s-prisons-are-failing>

Ling, J. (2021, February 28). *Houses of hate: How Canada's prison system is broken*. Maclean's.

<https://www.macleans.ca/news/canada/houses-of-hate-how-canadas-prison-system-is-broken/>

Lipton, B. (2015, June 16). *"Solitary Confinement" may go by a different name in your state: But the effects are undoubtedly the same.* Muckrock. Retrieved August 8, 2020, from <https://www.muckrock.com/news/archives/2015/jun/16/solitary-confinement-may-go-different-name-your-st/>

Litchenstein, A. (1996). *Twice the work of free labour.* London: Verso.

Lopez, G. (2016, October 19). *We're in the midst of the biggest prison strike in US history.* Vox. <https://www.vox.com/identities/2016/10/19/13306178/prison-strike-protests-attica>

Lopez, G. (2018a, April 16). *South Carolina prison riot characterized as "mass casualty" event.* Vox. <https://www.vox.com/policy-and-politics/2018/4/16/17243598/south-carolina-prison-riot-violence>

Lopez, G. (2018b, August 22). *America's prisoners are going on strike in at least 17 states.* Vox. <https://www.vox.com/2018/8/17/17664048/national-prison-strike-2018>

MacAlpine, I. (2020, September 24). *Advocates want prisoners' perspective added to Kingston Penitentiary tours.* The Whig Standard. <https://www.thewhig.com/news/local-news/advocates-want-prisoner-voices-added-to-kingston-penitentiary-tours>

Macdonald, N. (2016). *Canada's prisons are the 'new residential schools'.* Macleans. Retrieved July 22, 2022, from

<http://www.macleans.ca/news/canada/canadas-prisons-are-the-new-residential-schools/>

Marx K. (1990). *Capital: a critique of political economy volume 1.* (Fowkes, B. Trans.; 2nd ed) Penguin Books.

- Matthews, R. (1999). *Doing Time: An introduction to the sociology of imprisonment*. Palgrave
- Mauil, F. (2019, May 1). *Florida inmate who cut off his penis exemplifies desperation of solitary confinement*. Watertown Public Opinion. Retrieved July 2, 2020, from <https://www.thepublicopinion.com/story/news/2019/05/01/florida-inmate-who-cut-off-his-penis-exemplifies-desperation-of-solitary-confineme/116436036/>
- Maynard, R. (2017). *Policing black lives: State violence in Canada from slavery to the present*. Fernwood Publishing.
- McCormack, S. (2012, December 10). *Prison labor booms as unemployment remains high; Companies reap benefits*. Huffington Post. Retrieved July 2, 2020, from http://www.huffingtonpost.com/2012/12/10/prison-labor_n_2272036.html
- Mehta, D. (2016, November 9). *'Strong support' for reopening prison farms, government consultation finds*. CTV News. Retrieved from Mar 1, 2024, from <https://www.ctvnews.ca/mobile/canada/strong-support-for-reopening-prison-farms-government-consultation-finds-1.3153380>
- Memmi, A. (1974). *The colonizer and the colonized*. Beacon Press.
- Middle Passage Project. (2024). *Slave ships as prisons*. Retrieved March 7, 2024, from <https://www.middlepassageproject.org/2011/10/31/slave-ships-as-prisons/>

- Mochama, V. (2018, January 4). *Treatment of women in Canadian prisons a human rights travesty*. The Toronto Star. https://www.thestar.com/opinion/star-columnists/treatment-of-women-in-canadian-prisons-a-human-rights-travesty/article_f4c2cd32-f346-50f1-acb2-4c3bfb1bb7e0.html
- Mogashoa, T. (2014). Understanding critical discourse analysis in qualitative research. *International Journal of Humanities Social Sciences and Education*, 1(7), 104-113.
- Montford K. (2019). Land, agriculture and the carceral: The territorializing function of penitentiary farms. *Radical Philosophy Review*, 22(1): 113–141. <https://doi.org/10.5840/radphilrev20192494>
- Moon, J. (2020, February 29). *'We are fighting a big machine.'* *Gentrification is pulling apart Toronto's communities. How do we prevent it?* The Toronto Star. https://www.thestar.com/news/gta/we-are-fighting-a-big-machine-gentrification-is-pulling-apart-toronto-s-communities-how-do/article_98d623ff-56a0-5fff-a73e-3964086febfc.html
- Moore A., Freer T., Samuel N. (2015). Correctional agriculture as a transformative learning experience: Inmate perspectives from the Marion County Sheriffs Office inmate work farm program. *Journal of Correctional Education*, 66(3), 16–27. <https://www.jstor.org/stable/26508009>

Mossburg, C., & Almasy, S. (2020, September 11). *Inmates who battle wildfires in California to get better chance at post-prison firefighter jobs*. CNN.

<https://www.cnn.com/2020/09/11/us/california-inmate-firefighters-expungement-law/index.html>

Neufeld, C. (2021, November 3). *Opinion: The truth about CBC's 'Prison Farm'*. Kingstonist.

<https://www.kingstonist.com/culture/opinion/opinion-the-truth-about-cbcs-prison-farm/>

Ng, R. (1990). Immigrant Women: The Construction of a Labour Market Category. *Canadian Journal of Women and the Law*. 96- 112.

Office of the Correctional Investigator (2014, February 28). *A Case Study of Diversity in Corrections: The Black Inmate Experience in Federal Penitentiaries Final Report*.

<https://oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20131126-eng.aspx?texthighlight=inmate+pay>

Office of the Correctional Investigator. (2017). *44th Annual Report to Parliament: Overview*.

<https://oci-bec.gc.ca/cnt/comm/presentations/presentationsar-ra1617info-eng.aspx?texthighlight=inmate+pay>

Oshinsky, D. (1996). *Worse than slavery*. Free Press Paperbacks.

Paikin, S. (2021, April 14). *Looking back on the shocking Kingston Pen riot of 1971*. TVO.org.

<https://www.tvo.org/article/looking-back-on-the-shocking-kingston-pen-riot-of-1971>

Palmater, P. (2014). Genocide, Indian Policy, and the Legislated Elimination of Indians in Canada. *Aboriginal Policy Studies* 3 (3), 27-54.

Pate, K. (2018, November 16). *Solitary by another name is just as cruel: Senator Pate*. Senate of Canada. <https://sencanada.ca/en/sencaplus/opinion/solitary-by-another-name-is-just-as-cruel-senator-pate/>

Patterson, O. (2018). *Slavery and social death: A comparative study, with a new preface*. Harvard University Press.

Pattison, M. (2019, April 20) *Solitary confinement in U.S. prisons qualifies today as torture*. CRUX. Retrieved August 12, 2020, from <https://cruxnow.com/church-in-the-usa/2019/04/solitary-confinement-in-u-s-prisons-qualifies-today-as-torture/>

Payne, L., McMurrin, M., Glennan, C. & Mercer, J. (2022). The Impact of Working with Farm Animals on People with Offending Histories: A Scoping Review. *International Journal of Offender Therapy and Comparative Criminology*, 67(12).
<https://doi.org/10.1177/0306624X221102851>

Pilkington, E. (2018a, September 9). *US inmates mark end of prison strike with push to regain voting rights*. The Guardian. <https://www.theguardian.com/us-news/2018/sep/09/us-prison-strike-latest-demands-voting-rights>

Pilkington, E. (2018b, August 21). *US inmates stage nationwide prison labor strike over 'modern slavery'*. The Guardian. <https://www.theguardian.com/us-news/2018/aug/20/prison-labor-protest-america-jailhouse-lawyers-speak>

Public Safety Canada (2022, August 2). *The effect of prison on criminal behaviour*. <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ffct-prsn/index-en.aspx>

- Radia, A. (2012, May 9). *Vic Toews cuts inmate access to porn on prison televisions*. Yahoo!News. <https://ca.news.yahoo.com/blogs/canada-politics/vic-toews-cuts-inmate-access-porn-prison-televisions-203906206.html>
- Rafieyan, D. & Garcia, C. (2020, June 26). *The uncounted workforce*. NPR. <https://www.npr.org/2020/06/29/884989263/the-uncounted-workforce>
- Rankin, C. (2021, June 22). *Victims' families describe pain, grief before Paul Bernardo denied parole a 2nd time*. CBC News. <https://www.cbc.ca/news/canada/hamilton/bernardo-parole-hearing-parents-mahaffy-french-1.6074962>
- Reece, R. (2020, June 25). *Carceral redlining: White supremacy is a weapon of mass incarceration for Indigenous and Black peoples in Canada*. Yellowhead Institute. <https://yellowheadinstitute.org/wp-content/uploads/2020/06/carceral-redlining-r-reece-yellowhead-institute-brief.pdf>
- Roberts, J.V. (2005, March 31). *Public opinion and corrections: Recent findings in Canada*. Correctional Service Canada. https://www.csc-scc.gc.ca/text/pa/ev-pblc-op/public_opinion_e.pdf
- Rolston, S. & Demnati, N. (2021, September 2). *Anti-Black racism in Canadian prisons remains rampant, despite government pledges*. The Breach. <https://breachmedia.ca/anti-black-racism-in-canadian-prisons-remains-rampant-despite-government-pledges/>
- Romo, V. (2020, September 11). *California bill clears path for ex-inmates to become firefighters*. NPR. <https://www.npr.org/2020/09/11/912193742/california-bill-clears-path-for-ex-inmates-to-become-firefighters>

- Rothman, L. (2014, November 25). *That 'A System Cannot Fail...' Quote? It's Not From W.E.B. DuBois*. Time. <https://time.com/3604241/w-e-b-dubois-quote-ferguson/>
- Said, E. (1979). *Orientalism*. Pantheon Books.
- Sapers, H. (2013). *Annual Report of the Office of the correctional investigator*. Office of the Correctional Investigator. <https://www.oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20122013-eng.aspx>
- Sapers, H. (2016, June 30). *Annual report of the Office of the Correctional Investigator 2015-2016*. Office of the Correctional Investigator. <https://oci-bec.gc.ca/en/content/annual-report-office-correctional-investigator-2015-2016>
- Sexton, L. (2012). *Under the penal gaze: An empirical examination of penal consciousness among prison inmates*. University of California, Irvine.
- Sharpley-Whiting, T.D. (1999). *Black Venus: sexualized savages, primal fears and primitive narratives in French*. Duke University Press.
- Shelby, T. & Mills, C.W. (2022). *The racial contract*. Cornell University Press.
- Sierra,A. (2018, December 20). *Prison program turns inmate labour into revenue*. East Oregonian. https://www.eastoregonian.com/news/local/prison-program-turns-inmate-labor-into-revenue/article_667a6f74-03ca-11e9-ab0c-cbb69b6cda93.html
- Slade, J. & Alleyne, E. (2021). The psychological impact of slaughterhouse employment: A systematic literature review. *Trauma, Violence, & Abuse, 24*(2). <https://doi.org/10.1177/15248380211030243>

- Wall, K. & Wood, S. (2023, August 22). *Education and earnings of Canadian-born Black populations*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/75-006-x/2023001/article/00009-eng.htm>
- Stewart, R.L. (2001, June 29). ARCHIVED - Annual report of the office of the correctional investigator 2000-2001.). Office of the Correctional Investigator. <https://oci-bec.gc.ca/cnt/rpt/annrpt/annrpt20002001-eng.aspx?texthighlight=inmate+pay>
- Stote, K. (2012). The Coercive Sterilization of Aboriginal Women in Canada. *American Indian Culture and Research Journal*, 36(3), 117-150.
- Struthers Montford, K., Hannah-Moffat, K. & Hunter, A. (2017). “Too wicked to die”: The enduring legacy of humane reforms to solitary confinement. *Legal Violence and the Limits of Law*. Routledge.
- Sunseri, L (2011). *Being again of one mind: Oneida women and the struggle for decolonization*. UBC Press.
- Tetrault, J.E.C., Haggerty, K.D., & Bucerlus, S. (2020). Multiculturalism under confinement: Prisoner race relations inside Western Canadian prisons. *Sociology*, 54(3), 534-555. <https://doi.org/10.1177/0038038519882311>
- The Atlantic. (2015, October 2). *Mass incarceration, visualized*. [Video]. YouTube. https://www.youtube.com/watch?v=u51_pzax4M0.
- The Brock News. (2022, November 25). *OPINION: Jordan House discusses prison labour in Canada*. <https://brocku.ca/brock-news/2022/11/opinion-jordan-house-discusses-prison-labour-in-canada/>

The Canadian Press. (2013a, January 28). *Guard resigns after charges dropped in Ashley Smith's death*. CBC News. Retrieved July 22, 2022, from <https://www.cbc.ca/news/canada/guard-resigned-after-charges-dropped-in-ashley-smith-s-death-1.1356077>

The Canadian Press. (2013b, September, 26). *Kingston Penitentiary: Some key dates in history of notorious prison*. CTV News. Retrieved July 22, 2022, from <https://ottawa.ctvnews.ca/kingston-penitentiary-some-key-dates-in-history-of-notorious-prison-1.1471901>

The Canadian Press. (2013c, December 20). *Ashley Smith's family calls for reopened criminal investigation in her death*. Global News. Retrieved July 22, 2022, from <https://globalnews.ca/news/1039975/inquest-jurors-to-return-verdict-on-ashley-smith-prison-death/>

The Canadian Press. (2022, November 1). *Canada failing Black, Indigenous prisoners as overrepresentation persists: report*. CBC News. Retrieved July 22, 2022, from <https://www.cbc.ca/news/politics/canada-black-indigenous-prisoners-overrepresentation-1.6636962>

The Real News Network. (2018, September 7). *Prisoners strike across America & Canada to end penal enslavement*. [Video]. YouTube. <https://www.youtube.com/watch?v=eptwgB6No84>

van Wormer J., Kigerl A., Hamilton Z. (2017). Digging deeper: Exploring the value of prison-based dog handler programs. *The Prison Journal*, 97(4), 520–538. <https://doi.org/10.1177/0032885517712481>

- Vice News. (2016, October 3). *Meet the inmate who launched a massive prison strike from his jail cell*. [Video]. YouTube. <https://www.youtube.com/watch?v=LO-OYLxpRzE>
- Wacquant, L. (2000). The new 'peculiar institution': On the prison as surrogate ghetto. *Theoretical Criminology*, 4(3), 377-389. <https://doi.org/10.1177/1362480600004003007>
- Wacquant, L. (2001). Deadly symbiosis: When ghetto and prison meet and mesh. *Punishment and Society*, 3(1), 95-134. <https://doi.org/10.1177/1462474012222827>
- Wacquant, L. (2009). *Punishing the Poor: The Neo-Liberal Government of Social Insecurity*.
- White, P. (2015, May 28). *Use of solitary confinement for black inmates in federal prisons increasing*. The Globe and Mail. Retrieved June 20, 2020, from <https://www.theglobeandmail.com/news/national/use-of-solitary-confinement-in-federal-prisons-has-increased-over-last-10-years/article24661862/>
- White, P. (2018, June 21). *Two Ontario prison farms closed by Harper government to be reopened after pressure from nearby residents*. The Globe and Mail. Retrieved June 20, 2020, from <https://www.theglobeandmail.com/canada/article-two-ontario-prison-farms-closed-by-harper-government-to-be-reopened/>
- White, P. (2019, February 25). *Adam Capay's 1,647 days in solitary: New details emerge as Ontario decides not to appeal stay of murder charge*. The Globe and Mail. Retrieved June 18, 2020, <https://www.theglobeandmail.com/canada/article-ontario-will-not-appeal-decision-to-abandon-murder-charge-against-adam/>
- Wolfe, P. (2006). Settler-colonialism and the elimination of the native. *Journal of Genocide Research*, 8(4), 387-409. <https://doi.org/10.1080/14623520601056240>

- WRAL Docs. (2019, July 11). *Disproportionate number of young Black men in prison – “Lost generation”* A WRAL documentary. [Video]. YouTube.
<https://www.youtube.com/watch?v=RTSuhJN5Uys>
- Wright, T. (2019, May 6). *Senator says solitary-confinement bill will make some conditions worse, not better*. CBC News. Retrieved June 18, 2020,
<https://www.cbc.ca/news/canada/kitchener-waterloo/senator-says-solitary-confinement-bill-will-make-some-conditions-worse-not-better-1.5124649>
- Wykstra, S. (2019, April 17). *The case against solitary confinement*. Vox. Retrieved June 18, 2020, from <https://www.vox.com/future-perfect/2019/4/17/18305109/solitary-confinement-prison-criminal-justice-reform>
- Ye Hee Lee, M. (2015, April 30). *Does the United States really have 5 percent of the world’s population and one quarter of the world’s prisoners?* The Washington Post. Retrieved June 18, 2020, <https://www.washingtonpost.com/news/fact-checker/wp/2015/04/30/does-the-united-states-really-have-five-percent-of-worlds-population-and-one-quarter-of-the-worlds-prisoners/>
- Zinger, I. (2014, Mar 14-15). *Reflections on conditions of confinement of federally sentenced women (FSW)*. Office of the Correctional Investigator. <https://oci-bec.gc.ca/cnt/comm/presentations/presentations20140314-15-eng.aspx?texthighlight=inmate+pay>
- Zinger, I. (2021, June 30). *Office of Office of the Correctional Investigator Annual Report 2020-2021*. Office of the Correctional Investigator. <https://oci-bec.gc.ca/en/content/office-correctional-investigator-annual-report-2020-2021>

Zinger, I. (2022, June 30). *Office of Office of the Correctional*

Investigator Annual Report 2021-2022. Office of the Correctional Investigator.

<https://oci-bec.gc.ca/en/content/office-correctional-investigator-annual-report-2021-2022#s11>

Zinger, I. (2023, June 30). *Annual report of the Office of the*

Correctional Investigator 2022-2023. Office of the Correctional Investigator. [https://oci-](https://oci-bec.gc.ca/en/content/office-correctional-investigator-annual-report-2022-2023)

[bec.gc.ca/en/content/office-correctional-investigator-annual-report-2022-2023](https://oci-bec.gc.ca/en/content/office-correctional-investigator-annual-report-2022-2023)