DREAMS OF THE FUTURE, NIGHTMARES OF THE PAST - INVESTIGATING THE

CONFLICT IN ABORIGINAL POLICING

By

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We accept this thesis as conforming

to the required standard

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Last, but certainly not least, to all the participants in this research, who shared their experiences, victories and tragedies for the purpose of creating positive change, this research is about you – thank you.

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FOREWORD

After nearly 10 years as a Commissioned Naval Officer in the Canadian Forces from 1987 to 1997, I chose to pursue a career change and enter law enforcement with the Victoria Police Department in Victoria, British Columbia. I had for many years as a Navy diving specialist conducted varied domestic operations with police departments, primarily in response to incidents requiring explosive ordnance disposal. The similarity of service (uniformed para-military civil service and the camaraderie within the police service) presented a natural progression for me into a world that was not foreign.

After a few years with the Victoria Police Department, I was presented with the opportunity, to transfer to the Central Saanich Police Service, whose services would often be called upon to respond to neighboring Native Reserves. Though not a member of the Royal Canadian Mounted Police, the police service with jurisdiction of Native Reserves, I found myself either providing support to the RCMP or solely responding to calls for service on Native Reserves.

My police experiences in an urban setting combined with my training as a municipal police officer did not prepare me for the cultural clash that I would soon face while working on a Reserve. I also found that I was not prepared for the hostility directed at me when interacting with Aboriginal people whom I thought I was rendering assistance too.

As a result of my experiences and the conflict that I faced, I felt it was necessary for me to research the cause of this conflict, not only to understand why such hostility existed but to also enable me to mitigate this conflict while serving the public.

My decision to pursue this research was further emphasized when as a Board member of the Victoria Aboriginal Youth Justice Advisory Committee; I had the opportunity to attend the Esquimalt Band for a tour. While conducting the tour, I was invited into the Long House to watch a group of youths rehearsing for a community presentation. During the rehearsal, I listened to the lines being recited by one young boy who said, "we have dreams of the future, but before moving forward, we must overcome the nightmares of our past". My witnessing of this rehearsal made me realize that the research that I was to embark upon must have had a deep affect on Aboriginal people. Was it possible that this conflict impacted Aboriginal children? Was it possible that some of the nightmares that this young boy referred too may have been attributed to the police?

In completing this research, I hope to understand and share my findings of why this conflict exists during encounters between police and Aboriginal people. Through an understanding of the conflict, I hope that the knowledge will provide us a means to mitigate and manage this cultural clash.

The research is presented in a progressive manner that builds on theory, history, data and analysis. In chapter one, I present the conflict, the research question and my hypotheses. Subsequently I will introduce the literature of other related works in both Aboriginal Justice and Aboriginal policing matters as there is close correlation to each issue. I will also introduce the theories and the literature that will support my analysis of the root cause and development of the conflict. Chapters three and four represent the historical references to this conflict and the

introduction of police services as related to Aboriginal policing policies and programs. Chapter

five reflects on the data acquired from both police and Aboriginal respondents, with the

capturing of both quantitative and qualitative data, followed by my analysis of the data. I

conclude my research with recommendations and closing remarks in chapter six.

CHAPTER ONE

INTRODUCTION

The Conflict

A young police officer is assigned to general police duties, patrolling the streets of his / her community in a marked police car. The officer is relatively inexperienced with only a few years under his / her gun belt, and though only a junior officer, this officer has already realized that the idealist in them is far-gone. The young officer has already been exposed to the ugly side of crime and accidents, having responded to numerous fatal motor vehicle accidents, domestic violence and numerous other dramas that unfold daily in many Canadian cities.

The training the police officer received has provided the basics of policing and dealing with the public, but on this particular day, the officer is responding to what he / she believes is another typical call for service at the neighboring Native Reserve. Upon arriving, the officer observes a group of Aboriginal people located around the scene. As the officer exits the vehicle, there is notable tension in the air because of the uniformed presence, and before the officer is able to determine what has transpired he / she is assaulted with a barrage of expletives.

Meanwhile, a young Aboriginal child is drawn to the window of his home by the commotion across the street. The child turns to his mother with a puzzled look and asks, "What is going on? Why are the police here?" The mother responds to her child and says, "It looks like the police are here to take someone away again".

I have presented a hypothetical scene that is all too often typical of police encounters with Aboriginal people, yet there are many others that occur. The scene speaks of two differing worlds in which police officers work, and of the world in which Aboriginal people live;

however, the reality is not the existence of two differing worlds, but rather two differing cultures that clash during such encounters.

In a contemporary setting, and with the development of media and news reporting, the conflict that is being researched has not only occurred on the streets of Canada, but also on the television sets in the homes of millions of Canadians. The publicizing of shooting incidents between police and Aboriginal people such as the Gustefson Lake or Ipperwash shootings of the 1990's, or the deaths of Aboriginal people while involved in police incidences have polarized Canadians more than ever. Though incidents such as Gustefson Lake and Ipperwash are isolated, the conflict between police and Aboriginal people continue to occur in day-to-day police services.

The Research Question

The question that I wish to address in this research is: **What is the root cause of the conflict between police and Aboriginal people? Does today's policing service model alienate Aboriginal culture?**

The latter question is raised as a continuation of the research conducted by my fellow Learner, Pierre Rousseau, an experienced prosecutor with the Canadian Department of Justice, who hypothesized and found that Aboriginal culture is alienated by the Canadian Justice system.

Definitions

There are two primary matters that should be defined so as to prevent ambiguity: the first is *mainstream society* and the second *Aboriginal Policing program*. Mainstream society reflects what may be termed the dominant Canadian society that the majority of Canadians subscribe to. This society is founded on the principles, values and institutions of a Eurocentric social framework. Aboriginal Policing program refers to the implementation and application of

policies, procedures and training relative to delivering culturally sensitive police services to Aboriginal people and communities.

Hypothesis

Having lived the life of a police officer and experienced the conflict, I submit these two hypotheses:

a.   The primary cause of the conflict is deeply rooted in the cultural clash between Aboriginal people who value a collective approach to social construct and Canadian mainstream society that values an individualist approach. Complicating this conflict is that police officers subscribe to a sub-culture that is a reflection of mainstream society;

b.   The current policing service model alienates Aboriginal culture.

In support of my hypotheses, I will demonstrate that this protracted and culturally based conflict has intensified due to the polarization of the cultures. This culturally charged conflict is further exacerbated by the absence of Aboriginal cultural in modern Canadian policing services.

The Outcome

The nature of policing is constantly changing. Therefore, the necessity to deliver appropriate and substantial cultural training to new police recruits and seasoned veterans alike is necessary to keep pace with that change. This may help reduce the level of conflict the police are exposed to and must manage.

Through the completion of this research, the knowledge that has been gleaned through the sharing of information by both Aboriginal and Police respondents will lead to a better understanding of the conflict and why each party possesses perceptions of the other, and what those perceptions are based upon.

Conversely, through effective implementation of culturally sensitive policy and procedures, police services and relations with Aboriginal communities will hopefully improve, as may the understanding of police service delivery be better understood by Aboriginal people.

As we prepare to move forward into the findings of this research, we will first illustrate related work in police and cultural conflict, develop a theoretical framework and conclude the chapter with reference to work supporting resolution processes. Chapter two provides us the literary basis for such information.

CHAPTER TWO

LITERATURE REVIEW

In this chapter, I draw upon work related to justice and law enforcement with respect to Aboriginal culture and in support my research. I will also present other work illustrating the similarities of the conflict between police and Aboriginal people in other Canadian cities and in Australia. Also contributing to the literature review is the literary work supporting my theoretical framework illustrating how the conflict commenced and sustained for so may generations. Concluding chapter two, we draw upon supporting processes for resolution to this conflict.

Culture, Justice and Law Enforcement

When considering this research, I never anticipated the challenges I would face in identifying the literature directly related to the conflict (relationship) between police and Aboriginal people. What is evident, is that a plethora of literature exists relative to Aboriginal justice issues. In consideration of the limitations relative to my literary requirements, it will be necessary to reflect upon justice issues in support of my hypothesis that the Canadian policing service alienates Aboriginal culture. Specifically related is that the institution of Canadian policing is based on the same principles, values and ideology of the Canadian Justice system. Prior to moving forward in discussion of justice and law enforcement literature, I believe it is important to define 'culture' and how it relates to the conflict between police and Aboriginal people.

Culture

When I consider the meaning of culture, I consider the learned practices and social framework that defines my (familial) customs, morals, ethics and other similar norms. In review

of others who provide a definition of culture, I have drawn upon two authors, Andrew Pirie and

Michelle Le Baron. Andrew J. Pirie defines culture as the "complex whole which includes

knowledge, belief, art, law, morals, customs and any other capability and habits acquired by man

as a member of society" (Pirie, 2000, p. 284).

Pirie further provides us with a classical definition of culture and includes "knowledge,

ideas, beliefs, attitudes, values, morals, habits, customs, language, abilities, which are transmitted

independently of genetic inheritance or learned behaviour". He refers to A. Swindler's work in

Culture In Action (1986) where Swindler indicates that culture provides tool kits in the form of

"symbols, stories, ritual and world views" (Pirie, p. 286).

Although Swindler does not agree with Pirie's classical view of culture, "she argues that

culture offers the individual a wide range of choices... (where) people solve problems and ...

organize their activities. Although values may be shared, individual behaviour may be very

different because the capacity to translate the same values into strategies of action varies" (Pirie,

p. 286).

In consideration of both Pirie and Swindler's views on culture, I support Pirie when

stating the classical definition of culture; however, I do not concur with the view that culture is

not learned. When I consider a culture and the practices an individual pursues in accordance

with it, I believe these practices are learned, and therefore become the makeup of the tool kit(s)

that Swindler refers too.

In terms of the cultural differences between Aboriginal and non-Aboriginal people, we

are able to establish marked differences between the collectivist society of Aboriginal social

construct and values versus the individualist society of non-Aboriginal society.

Pirie refers to several of Michelle LeBaron Duryea's work that suggests the collectivist society is less likely to be confrontational than that of the individualists. Collectivists pay more attention:

> "to context of the communication, including verbal associations, gestures, body postures, and the facial muscle of the other person. Collectivists are more likely to agree that it is all right to show respect to people in authority and to direct the actions of those who are junior in age or status. They are also more influenced by familial, tribal or social group connections than individualists. Cultural norms for collectivists emphasize avoidance of confrontation as a means of preserving harmony while individualists value individualism and directness as sign of strength" (Pirie, p. 289-290).

Based on these two very different perspectives to social norms, each of the distinct social values, morals, rituals, concepts and other social norms create the opportunity for conflict to occur during encounters between police and Aboriginal persons. The conflict is also intensified by the imposition of one cultural system upon another as noted by contemporary police services.

To further complicate this culturally based conflict, we must recognize that within Canada's mainstream culture exists a police sub-culture.

In the book, "*Police, Race and Ethnicity* – A Guide For Police Services" the authors suggest that police officers subscribe to an occupational sub-culture even though they participate in the dominant culture but differ in their "beliefs, habits, behaviour, attitudes, and values" (Cryderman, O'Toole, & Fleras, 1992, p. 45).

Subscription to the police sub-culture starts early in an officer's career. Typically, the indoctrination of a police officer will occur at the recruitment and training phase where the officer undergoes field training and evaluation by a senior officer. In order for recruits to

succeed, their views and ways will change to conform to those of their peers and where "many ideas learned at police college are discounted" (Cryderman et al. 1992, p. 46).

Within the police sub-culture, officers share similar training and work experiences that create solidarity and camaraderie, yet the sub-culture isolates them from the people they serve. Therefore, where a group or segment of a population exists in an isolated or polarized state from the mainstream of society, greater risk exists for conflict to occur. I suggest that a greater risk exists for conflict when encounters occur between two polarized populations (that are at opposite ends of the spectrum), particularly if one group perceives they have been treated unjustly or biased against.

If the notion is accepted that police and Aboriginal people exist in isolation of each other, then direct and indirect consequences will exist in the manner they interact and are perceived by each other. To appreciate the consequences of isolation, one must note that:

"perceptions of individuals are shaped by a culture that differs markedly in language, religion, philosophy, social attitudes, child-rearing practices, and physical environment. Each sees the world differently because they are culturally different. They do not share the same experiences nor do they share the same perceptions. The stronger a person identifies with a group, the greater the possibility other groups will be perceived as impossible to communicate with. Differences in other groups become emphasized and exaggerated. The usual result is that both groups become more isolated and it becomes a contest between "us" and "them"" (Cryderman et al. 1992, p. 10-11).

With a better understanding of culture and the characteristics that differentiate Aboriginal and non-Aboriginal persons, and the existence of sub-cultures that are isolated from the mainstream culture enables us to better comprehend the nature of conflict.

The sources of literature discussing cultural conflict within the Canadian Justice System is abundant, yet my focus of this matter will be drawn from the work of Royal Roads Learner, Pierre Rousseau.

In his Major Research Project Rousseau suggests a reason for the cultural conflict between Aboriginal people and the Justice System. He states, "the most fundamental clash between Aboriginal cultures and the mainstream system resides in the fact that the court system is, through its very nature, *adversarial*... Adversarial, in this context, means that the system is composed of two adverse parties – in criminal matters, the prosecution and the defence – that are trying to put the *blame* on the other one – offender or the victim – for the purpose of 'winning' the case, through a decision made by a neutral third party, the judge. For Aboriginal people, this is contrary to their cultures..." (Rousseau, 2003, p. 31-32).

As with the court system, policing is also perceived to be adversarial. When police officers determine the nature of an offence, they need to know who is responsible for committing the offence in question. Such action invariably results in an arrest and recommendations for laying of a criminal charge. The subsequent process would result in the alleged offender appearing before the courts to respond to the charges, and for the court to pursue its due process, a process deemed to be in conflict with Aboriginal culture.

Upon further investigation of how the Canadian Justice System has impacted and continues to impact Aboriginal people and their communities, I refer to Justice Hamilton's book *"A Feather, Not a Gavel"* which illustrates the gap between Aboriginal culture and Canadian Justice (Hamilton, 2001). Justice Hamilton performed extensive work on the Queen's Bench in the Province of Manitoba, documenting the impact of the Canadian Justice System on Aboriginal people, their families and their communities. Hamilton found that the cultural differences would

often result in inappropriate responses being made by alleged Aboriginal offenders regarding accusations made against them.

Similarly, in a discussion paper written by sociologist Dr. Les Samuelson and entitled "*Aboriginal Policing Issues*", Samuelson states that:

> "Focusing particularly on cultural conflict, one report stated of Aboriginal people that: Their statements appear to be particularly open to be misunderstood by police interrogators and, as a result, may convey inaccurate information when read out in court. Their vulnerability arises from the legal system's inability to break down the barriers to effective communication between Aboriginal people and legal personnel, and to differences of language, etiquette, concepts of time and distance, and so on" (Samuelson, 1993, p. 6-7).

Appreciating the shortcomings of the justice system, Hamilton states that it (Justice System) "must be blind to fail to appreciate that not all individuals are equal in society and that some are not well served by it" (Hamilton, 2001, p. 189). Justice Hamilton also informs readers of the necessity to recognize and incorporate Aboriginal culture when addressing Justice matters and as such he suggests the necessity for cultural matters to be incorporated into policing services. Hamilton states "the system is particularly hard on Aboriginal people and I don't think it overstates the severity of the situation to say the manner in which the law is now being administered in remote communities is a travesty of justice" (Hamilton, p. 189). Justice Hamilton offers a solution to the gap, between the Justice System and the police when he says "it is important to have police with a similar attitude (referring to the deferment of cases to community services)" (Hamilton, p. 189).

Law Enforcement And The Police Sub-Culture

As we review relevant law enforcement literature, we will refer to a report commissioned by the First Nations Chiefs of Police Association entitled *Setting the Context: the Policing of First Nations Communities* (Perivale & Taylor, n.d.) , which provides very good insight into the history of policing in First Nations Communities and insight into modern policing arrangements with the Royal Canadian Mounted Police.

In another report produced for the Metropolitan Toronto Police Services Board entitled *"As We Were Told" A Report on Perceptions of Policing in Metropolitan Toronto's Aboriginal Community* (Mukwa Ode, 1992) , we draw comparisons of respondents' perceptions and comments relative to police services.

Research reflecting the opinions and perceptions of Aboriginal people is critical to this research and effective policing as noted by Dr. Les Samuelson who states that "policing is the most common point of contact between the Aboriginal community and the criminal justice system," and is a focal point for "any alienation, cultural insensitivity or systemic racism that Aboriginal people might encounter in their dealings with the criminal justice system" (Samuelson, p. 4).

Samuelson presents the similarities of the conflicts between policing and the justice systems of both Canada and Australia. In doing so, he captures the essence of the Police sub-culture and the conflict's source when reflecting upon the findings of the Australian Royal Commission into Aboriginal Deaths in Custody, stating that:

> "Police officers naturally shared all the characteristics of the society from which they were recruited, including the idea of racial superiority in relation to Aboriginal people and the idea of white superiority in general; and being members of a highly disciplined centralist organization their ideas may have been more fixed than most; but above and

beyond that was the fact that police executed on the ground the policies of government and this brought them into continuous and hostile conflict with Aboriginal people. The policeman was the right hand man of the authorities, the enforcer of the policies of control, supervision, often the taker of the children, the rounder up of those accused of violating the rights of settlers" (Samuelson, p. 12).

Samuelson's remarks are further supported in the book, '*Police, Race and Ethnicity – A Guide For Police Services*', where the authors suggest that police officers subscribe to an occupational sub-culture even though they participate in the dominant culture but differ in their "beliefs, habits, behaviour, attitudes, and values"(Cryderman et al., p. 45).

The last piece of literature which was reviewed that provides a local perspective to this cultural conflict is that of Royal Roads Learner, Carrie Reid. She describes the development of emnification by one of her research respondents who states that "Police are seen as the enemy therefore it is confusing to get them involved because of bad experiences and yet victims do not know what else to do" (Reid, 2000, p. 25).

Theory

When considering the historical aspect of this conflict (referring to the period of settlement) and the Eurocentric approach of the Crown to assimilate Aboriginal people (believing they were helping Aboriginal people) one would not have anticipated that the process of colonization would have created an unintentional conflict that is present today. The conflict that developed and has persisted through the behaviour of both parties can best be explained by the Contingency theory, and the theory of Chosen Trauma.

Contingency Theory

What is the Contingeny Theory and how does it apply to this conflict? Though many variables exist to the application of the contingency theory, we consider its value in

understanding how this cultural conflict commenced. In simplest terms, the theory considers that different groups possess different needs based on their environment, and it speaks to the best fit for each group. Did Aboriginal people fit into a Eurocentric society at the time of settlement? And were their needs met?

Tidwell clearly states what occurs when the needs of one group are not met indicating that "implicit in many contingency theories is the argument that when humans are faced with a force that frustrates their normal behaviour, they become aggressive" (Tidwell, 1998, p. 51).

French philosopher Jean Jacque Rousseau captures the meaning of the contingency theory as it applies to this conflict when stating that "It is not just any society that creates difficulty for people, but rather it is the entry into the wrong sort of society" (Tidwell, p. 49). Rousseau states that the first society "the most ancient of all societies, and the only one that is natural, is the family" (Rousseau, 1762). With the application of the contingency theory to the period of initial settlement and colonization, we may understand how the effects of colonization would represent entry into the 'wrong sort of society' whereby leading to cultural conflict (referring to Aboriginal society entering the Eurocentric society).

Theory Of Chosen Trauma

The theory of 'Chosen Trauma' provides us an understanding of how historical conflict or traumas suffered by individuals or groups are capable of enduring the period of time, and whereby dissendents of those victims act upon the conflicts or traumas. Often, the historical traumas that are acted upon at later date, are utilized to create cohesion within the victimized group, whereby protracting the conflict of yesteryear to contemporary time. When viewed through the lens of 'Chosen Trauma' we may draw parallels of Aboriginal trauamas to those of other civil conflicts in countries such as Yugoslavia where the conflict between Muslims, Serbs

and Croats resulted in civil war. We may also reflect on the conflicts between the Ukrainians

and the Russians, or the Armenians and the Turks in Azerbaijan (Rosenberg, n.d.).

Dr. Volkan indicates that traumatic events may have a medical and psychological impact

on the society as a whole. In the case of this Canadian cultural conflict, we are capable of

identifying several traumas that have victimized Aboriginal people over the course of Canadian

history: the residential schools program and the 60's Scoop, both of which had a significant

impact on Aboriginal society as a whole.

When considering the intent of assimilation, the perceptions will vary greatly. Many

Aboriginal people refer to the assimilation of their culture as the genocide of their people, the

genocide of their culture. Volkan suggests the effects of cultural 'genocide' and victimization

may occur:

> "decades or even centuries after the trauma… accompanied by tremendous amounts of
>
> shared shame, humiliation and helplessness, and mourning for losses is difficult or non-
>
> existent. When the members of an affected group cannot reverse their shame,
>
> humiliation, and helplessness and cannot mourn their losses, they obligate the subsequent
>
> generation(s) to complete these unfinished psychological processes. These
>
> transgenerationally transmitted psychological tasks in turn play a crucial role in shaping
>
> future historical and political processes. Some massive traumas… which lead to
>
> significant losses of life and property and drastic social changes that turn the lives of
>
> many individuals upside down and create severe anxiety" (Volkan (n.d)).

In many individuals, the impact of trauma may present itself as post-traumatic stress, which in

itself may lead to alcohol or drug abuse.

Although a variety of trauma has been experienced by different generations of Aboriginal

people, Volkan indicates that the manner in which their trauma is carried forward is to "deposit

their damaged images of themselves into the developing personal identity of their children: the parents' self-images then live on in their children" (Volkan). The transfer of the trauma is then referred to as "memories, perceptions, expectations, wishes, fears and other emotions related to shared images of the historical catastrophe" that eventually creates an identity for the affected group (Volkan).

Over a period of time the original trauma is no longer significant, and the chosen trauma "may assume new functions" and "in some generations (when the group is still dominated by others or oppressed), it may support a shared and sustained sense (and idealization) of victimhood" (Volkan).

In understanding the theory of 'Chosen Trauma' we may understand why a young Aboriginal child would say, "we have dreams of the future, but before moving forward, we must overcome the nightmares of our past".

Contemporary Cultural Conflict and Polarization

In recognition of the conflict's cause and its protracted nature, it is vital that we determine the current state of the conflict after many years of attempted assimilation. Though cultural practices, rituals and ways of life have changed through social evolution and adoption of some western cultural values, cultural differences still remain between Aboriginal society and mainstream Canadian society, and between the police sub-culture and Aboriginal society.

Police Sub-Culture

The implication a police sub-culture (as discussed at page 14) and of police officers existing in isolation to other cultures have both direct and indirect consequences in the manner they interact and are perceived by others. To appreciate the consequences of group or cultural isolation, one must note that the:

"perceptions of individuals are shaped by a culture that differs markedly in language, religion, philosophy, social attitudes, child-rearing practices, and physical environment. Each sees the world differently because they are culturally different. They do not share the same experiences nor do they share the same perceptions. The stronger a person identifies with a group, the greater the possibility other groups will be perceived as impossible to communicate with. Differences in other groups become emphasized and exaggerated. The usual result is that both groups become more isolated and it becomes a contest between "us" and "them"" (Cryderman et al., p. 10-11).

If we accept that both Aboriginal culture and the police sub-culture are polarized in relation to the mainstream culture and to each other, and that they perceive a relationship of 'them' and 'us', then the potential for this conflict to develop into emnification exists.

Racism

Samuelson reflects on the work of Aboriginal Analyst Mary Ellen Turpel and Michael Jackson, quoting that:

"the linked processes of racism and colonialism are the roots of the tragedy of the criminal justice system in its application to Aboriginal people... Institutionalized racism for Aboriginal people is a by-product of colonization, of the forced imposition of an alien legal, political and cultural regime on to communities. Poverty, alcohol and alienation, the universally cited correlates of Aboriginal involvement in the criminal justice system, while notable factors, are primarily intervening variables, not the root cause of the problem in most countries" (Samuelson, p. 11-12).

In view of Turpel and Jackson's reference to the criminal justice system, we must consider the role of law enforcement within this system. As such, the implications presented by Turpel and Jackson suggest that policing services inflict "institutionalized racism".

Considering that the conflict between Aboriginal persons and police indicates substantial

cultural polarization, it suggests that this conflict may develop into enmification through the

influences of ethnocentrism and xenophobia.

Ethnocentrism

If today's Canadian mainstream culture is the foundation of such social institutions as

justice and law enforcement, and such institutions have been imposed upon Aboriginal people

with the belief that they are the "primacy and centrality of one's own culture" (then

ethnocentrism exists and is) "a precursor to enmification"(Tidwell, p. 142).

The development of emnification based on ethnocentrism "may rise out of perceived

stress and pressure. Cultural stress is defined as tension which is shared among members of a

given cultural group, and which leads individuals to experience the feeling of 'displacement'"

(Tidwell, p. 142). In terms of Tidwell's criteria for the development of emnification, I suggest

that Aboriginal people not only perceive their displacement, but have experienced displacement

as is seen by the creation of 'Indian Reserves'.

Xenophobia

The existence of xenophobia or fear of police "serves to isolate one culture from another"

(Tidwell, p. 142). And where "an enemy is a value-laden, emotionally charged entity, one that is

the recipient of specific negative value connotations and meanings" and where enmity "manifests

itself in dividing the world up between 'them' and 'us'" (Tidwell, p. 127).

The realization of a 'them' and 'us' contest has been witnessed in recent incidents where

the conflict materialized into violence. Recent examples are drawn to the Oka crisis in Quebec

(1990) the Ipperwash standoff in Ontario (1995) and Gustafsen Lake standoff in British

Columbia (1995). Additional negative values of police are often drawn from localized incidents where police are accused of violence and deaths of Aboriginal persons.

Conflict Resolution – Collective Societies

In consideration of the cultural conflict being investigated and the parallels between Aboriginal culture's methodology in conflict resolution as a collectivist society, I suggest the work of Irani and Funk who present a guide to reconlitiation within Non-Western conflict.

In '*Rituals of Reconciliation: Arab-Islamic Perspectives*' Irani and Funk articulate the differing philosophies in conflict resolution between Western and Non-Western conflict resolution practitioners, and the process of conflict resolution and management. They suggest that:

> "Efforts to facilitate conflict management and resolution in areas affected by protracted inter-group conflict must address not only the psychological trauma of suffering and loss, but also the distinctive cultural setting in which endeavors to ameliorate conflict must take root. This conflict management and resolution activities must be culturally competent...[and] need to draw upon local cultural resources and harmonize their practices..." (Irani & Funk, 2000).

Considering the protracted nature of the conflict and the impact of psychological trauma on many Aboriginal people, the management and resolution process must be inclusive of local resources such as 'Elders' and community 'Leaders'. Inclusion of Aboriginal community resources with the commitment in resolving this conflict, we may proceed toward the process of settlement and reconciliation.

In "Arab-Islamic rituals of reconciliation are a non-Western, indigenous application of the process of acknowledgement, apology, compensation, forgiveness, and reconciliation.

Through the sulh and musalaha, a ritual of conflict control, reduction and resolution takes place within a communal, not a one-on-one, framework"(Irani & Funk).

Settlement (Sulh) and Reconciliation (Musalaha): Considering that this is a cultural conflict affecting whole communities, it is appropriate to pursue a process that is "communally oriented" (as termed by Irani and Funk) such as the Sulh and Musalaha. The practice of sulh and musalaha in areas of the Middle East such as Lebanon is common practice whereby trusted and unbiased persons within the community facilitate the gathering of two disputing parties. With respect to this conflict, where two differing communities co-exist, the gathering of the parties would be performed by a mutually respected and trusted individual. The process of the sulh is to "end conflict and hostility among believers so that they may conduct their relationships in peace and amity"(Irani & Funk).

In utilizing Irani and Funk's process of sulh and musalaha , the following sequence would be pursued:

1. The process is legitimized by the community and elders, and a trusted third party facilitator is identified;

2. The process commences with open communication for the sharing of ideas, stories, experiences, history and cultural ways. The intention is to bring about understanding of each other;

3. The facilitator promotes problem solving with emphasis on restoring harmony, solidarity and secures cooperative relationships. Emphasis on honor, face, dignity, prestige, just compensation and respect for individuals and groups. Intervention to prevent conflict escalation and disruption.

4. The process is concluded with the shared ritual to reflect on the settlement of the conflict and reconciliation.

The last stage of the process as defined by Irani and Funk, captures the exchange of handshakes and the breaking of bread together.

Negotiations

In order to progress from a stage of reconciliation to long lasting conflict resolution and conflict management, we must consider the challenges that would present themselves in negotiating a mutually desireable end-state. Taking into consideration the differences in conflict resolution methods beween a collectivist versus individualist society, one must determine how the end-state will be negotiated.

Though numerous negotiation methods exist for specific objectives to be met, it is suggested that Interest-based negotiations will be most suitable for this cultural conflict. As such, we note Pirie's comments on Problem-solving negotiations (also referred to as Interest-based negotiations) stating that it:

> "has a different goal; it seeks to meet the needs of all parties to the negotiation. The goal is sought to be achieved by explicitly recognizing the underlying interests or needs of all parties to the dispute or transaction and then by creatively developing options or solutions that meet these needs. The parties collaborate or work together in a cooperative way to further the interest or aims of all" (Pirie, p. 106).

Armed with substantial literary information to support an understanding of this cultural conflict and its potential resolution process, we proceed to the historical review in chapter three to develop the conflict scenario.

CHAPTER THREE

HISTORICAL REVIEW

The aim of chapter three is to provide an understanding of when and how the conflict that exists today originated, and why the conflict appears to be more pronounced during police encounters with Aboriginal people. Understanding the source or root cause of the conflict will be vital in both analyzing the conflict and attempting to identify a potential resolution method.

The Conflict: A Historical Perspective

To understand the origins of the conflict, we must recognize and acknowledge the impact of settlement and colonization upon the Aboriginal people of Canada, and their subsequent treatment over several hundred years of co-existence.

So as not to recite the whole of Canada's written history, we address several events that would represent turning points in the relationship between Aboriginal people and the Crown. The various events that we drawn upon will demonstrate the change of the social landscape from 'trust and respect' to that of 'distrust and prejudice'. The same events would eventually lead to the subordination of Aboriginal people through the Crown's agenda of domination and attempted cultural assimilation. Perhaps one of the most informing pieces of literature is the Report of the Royal Commission on Aboriginal People (Indian And Northern Affairs Canada, 1996) .

Upon reviewing the highlights of the Report of the Royal Commission on Aboriginal Peoples, People to People, Nation to Nation entitled *Looking Forward, Looking Back*, we acquire a sense of how both European and Aboriginal societies developed from the time of initial contact through to the 1900's .

Nation-to-Nation Relations

Since the 1500's, the relationship between European settlers and Aboriginal people could

be described thus, "Cautious co-operation, not conflict, was the theme of this period, which lasted into the eighteenth or nineteenth century, depending on the region. For the most part, Aboriginal and non-Aboriginal people saw each other as separate, distinct and independent. Each was in charge of its own affairs. Each could negotiate its own military alliances, its own trade agreements, its own best deals with the others" (Indian And Northern Affairs Canada (1996)). This period of cooperative co-existence would become solidified through treaties and eventually the Royal Proclamation of 1763.

In the Royal Proclamation of 1763, we note changes in the relationship between the Crown and Aboriginal people, as the proclamation would call upon Aboriginal people to negotiate the cession of their land. "The Aboriginal view of the treaties was very different. They believed what the king's men told them, that the marks scratched on parchment captured the essence of their talks. They were angered and dismayed to discover later that what had been pledged in words, leader to leader, was not recorded accurately. They accepted the monarch, but only as a kind of kin figure, a distant 'protector' who could be called on to safeguard their interests and enforce treaty agreements. They had no notion of giving up their land, a concept foreign to Aboriginal cultures" (Indian And Northern Affairs Canada). It is evident that the cultural differences in communication was key to the development of cultural conflict.

Shortly thereafter, we see further development of conflict in 1764 with the signing of the Niagara Treaty. Though close relations and trust with Aboriginal Nations would exist for over 75 years, it would dissolve as did the promises made by the Crown to Aboriginal people. The collapse of this treaty would see increased conflict as "Aboriginals placed importance in the material goods given to them - blankets, pipes, pelts and various tools of much better quality than

could be obtained through fur traders. However, they place as much importance on the

symbolism of sharing and respect between the British and Aboriginal nations that took place

during these ceremonies" (Early Canadiana Online, n.d.) .

Years later the Crown's ethnocentric approach to Aboriginal people would become

evident in the Report of Conferences between the Provincial Government of British Columbia

and Indian Delegates from Fort Simpson and Naas River.

In the report dated 1887, the Provincial Commissioner stated to Aboriginal

representatives of the Naas River and Fort Simpson that "We don't give our children the right to

vote: they have to come to manhood - to be taught to read and write and think properly; and then

we give them the franchise and a voice in making the laws which govern us all. You have not

yet attained that position; but it is not our intention to deny it to you". The statement clearly

implies superiority over another, and as such, it is further evidence that since that period of

contact relational conflict increased, primarily due to cultural differences.

Much of the cultural conflict development in the 1800's was as a consequence of the

massive influx of Europeans causing the Crown to pursue expansion and settlement programs in

order to manage the country's growth, all the while diminishing the lives and culture of

Aboriginal people. Other Crown programs and initiatives contributing to the conflict included

the establishment of Indian Reserves in 1849, and in 1857 an act passed by Canada to encourage

the gradual civilization of Indian Tribes (Early Canadiana Online) .

When confederation was declared in 1867, Prime Minister John A. Macdonald stated that

his goal would be to "do away with the tribal system, and assimilate the Indian people in all

respects with the inhabitants of the Dominion" (Indian And Norther Affairs Canada) .

Macdonald's goals would be pursued with great repercussion to Canadian Aboriginals, as is

noted by the British North American Act that would see Aboriginals and their land become

subject to government regulation.

From a cultural perspective, the potlatch ceremony would be banned in 1884, followed

by the outlawing of the sun dance in 1885. The same year, the Department of Indian Affairs

would institute a pass system that would restrict access to Indian Reserves and prevent

Aboriginal persons from leaving, essentially imprisoning Aboriginal persons on the same land

they solely occupied and freely travelled. One of the most harmful programs instituted by the

Government of Canada other than the establishment of the Residential School system was the

implementation of the 60 Scoop - the forceful removal of Aboriginal children from their homes

(Aboriginal And Indigenous Social Work. (nd)).

There are many other cases that demonstrate how Canadian Aboriginal people went from

a culturally rich and prosperous population to one of isolation bordering on cultural annihilation

at the hands of a burgeoning population of ethnocentric European settlers. From the previous

relationship and dialogue between State to State to one of State and Subject, the conflict was

already culturally charged by the time police service came into being.

Establishment of Police Presence

In 1858, the Victoria Metropolitan Police was established to provide policing services in

the County of Victoria, on southern Vancouver Island. The department was the first police force

established west of the Great Lakes. In November of the same year, the British Columbia

Provincial Police was formed to, "halt the toting of guns by American miners; put an early end to

community wars, put the fear of the law into bad Whites and Indians, of which there were many

during the 1860's" (Godfrey, n.d.) .

By 1873, The Northwest Mounted Police became established creating a federal presence

in the west. Their mandate was to resolve the uprising of violence and increased whiskey

smuggling by Americans. In 1920, the Northwest Mounted Police merged with the Dominion

Police, becoming the Royal Canadian Mounted Police (RCMP). From this period onward, the

RCMP became the police with jurisdiction over Aboriginal policing issues.

The Impact of Policing

Though police officials and officers were not responsible for the creation of the policies

placed upon Canadian Aboriginal people, they were often responsible for enforcing or executing

the orders of government, therefore becoming a tangible component of the conflict, and

victimization of Aboriginal people.

Similarly, the Australian Royal Commission into Aboriginal Deaths in Custody indicated

that:

"The policeman was the right hand man of the authorities, the enforcer of the policies of

control and supervision, often the taker of the children, the rounder up of those accused

of violating the rights of settlers. Both Canada and Australia have a similar legacy in

terms of legislative acts, agents and policies used against Aboriginal people in the hope

that they would 'cease to exist'" (Samuelson, 1993, p. 12-13).

The implication of the police being drawn into the government's Aboriginal policies

created the negative association between police authority and the victimization of Aboriginal

people. Although programs such as residential schools and the 60's scoop were not the cause of

the conflict, it is evident that these programs amplified and contributed to today's conflict. There

are other contributors to the root conflict that must also be considered in this research.

Other Contributors To The Conflict

It would be very difficult to identify the root cause without identifying the layers of conflict that surround it and influence the disposition of encounters between police and Aboriginal persons. The purpose of this research is to determine why conflict occurs during police encounters with Aboriginal people.

To conceptualize this conflict, envision the heart of an artichoke, covered by layers upon layers of thorny petals. Although the heart of the artichoke is centered, soft to the touch and obscured, it is only the multiple layers of thorny petals that are visible and which inflict pain. Upon unprotected contact, you are likely to get pricked by a thorn, so you learn to be protective and more cautious the next time you handle an artichoke. Staying with this analogy, what are the layers obscuring the true heart of this conflict? What are the layers that cause this conflict to be so tangible at times?

Residential Schools

In British Columbia, perhaps the most traumatic events that occurred to young children and left an everlasting mark on a large majority of Aboriginal people was their forceful attendance in Residential Schools. As discussed earlier, Police became the tangible arm of government, enforcing laws, policies and initiatives enacted by various levels of government. Although police did not have a direct role in the abuses committed within the schools, they were complicit to the extent that they often returned runaway children to their abusers. Due to the abuse, young children often chose to fight or flee. For many, the abuse ruined their lives and often the lives of others close to them. The experiences also created a negative association with the police, whereby the police now represented a group not to be trusted, a group contributing to their victimization. The negative perception and distrust of police is often telegraphed by

Aboriginal people through verbal and physical cues made during police encounters. Body language is often observed by police resulting in them taking a defensive posture hence creating a predisposition for conflict or the escalation of conflict. It should also be noted that the trauma of those victimized in residential schools lends itself to the hypothesis that many may suffer from Post Traumatic Stress Disorder or other mental and physiological disorders which in turn, may present complications during police encounters (Herman, 1992) .

60's Scoop

Some respondents indicated that the effects of their removal from their families by social workers and police during childhood left them with indelible negative and threatening impressions of the police. For some, their removal and subsequent indoctrination into the Canadian mainstream culture created the same results as those children who were placed in residential schools. The long-term effect would be seen in the dysfunction many respondents experienced when attempting to raise their children or establish a relatively normal relationship with their spouse. Their inability to cope with family life and the failure to develop their cultural values would often lead to greater police encounters.

The Establishment of Indian Reserves

The establishment of Indian Reserves or Territories segregated and isolated Aboriginal people from other Canadians. This measure taken by the Crown created an inter-group conflict between both Aboriginal and Non-Aboriginal Canadians and a resulting socio-economic disparity between both societies. The secondary effect upon Aboriginal people and their communities was a reduction in economic and social development.

Criminal Justice Bias

Justice Hamilton clearly illustrated the failure of the criminal justice system in Canada to recognize the cultural values of Aboriginal persons and their ability to fully understand this system when becoming involved within legal matters. The failure or bias of the criminal justice system would hence contribute to the cultural conflict.

Lack of Police training

The failure of police agencies to incorporate policy, procedures and training to address specific Aboriginal cultural and regional community needs, and the misperception that all Aboriginal communities have "similar characteristics, problems and potential solutions" is a contributor to the conflict (Samuelson, p. 8) .

The Nature of Police Work

The nature of police work has largely to do with the interaction of people who are most often in conflict with the law. Such conflict would be realized through negative or repetitive encounters that often involve violence, death and or risk. The repetitive nature of conflict experienced by police officers, may create the predisposition to develop stereotypical perceptions of persons based on previous experience and observation. It is the perceptions of police officers that may contribute to the conflict during encounters with Aboriginal people.

Intra-group Conflict

Intra-group conflict within Aboriginal communities is often caused by the abuse of authority within the community by persons of authority and power. The conflicts reflected upon by Aboriginal respondents indicate that intra-group conflict has presented itself in the form of intimidation, physical and sexual abuse, often through ceremonies such as those conducted in the Long House. While attending an Aboriginal Awareness seminar with the Cowichan Tribes in

Duncan, BC, it was acknowledged that for many Aboriginal community members, Long House ritual has been perceived as punitive; however, there are others who believe that the process of the Long House has not changed and is still a personal journey for those experiencing the ritual, one of the few remaining traditional ceremonies that would otherwise be lost.

Excessive Use of Force

Perhaps one of the most common remarks captured in other police research and as reflected by some respondents is the perception that police use excessive force on Aboriginal suspects. The interesting aspect of this information is that many reports and perceptions are based on personal experience or stories of others, and by others who believe they have been mistreated by police.

Further reinforcing this perception of police are the many reports captured by media across the country reflecting upon incidents of violence between police and Aboriginal persons, and the disciplinary measures taken against officers found to be guilty of excessive use of force on Aboriginal persons.

Police Bias

Some respondents indicated a sense of bias toward them when encountering police. Such bias has been reported as a tendency of police to stop Aboriginal persons more often than non-Aboriginal persons, or for Aboriginal persons to be picked out of a group and questioned.

The above list is but a few contributors to the root cause of conflict, there are many more pertaining to specific regions or people based on their local history. In consideration and understanding of the influences creating a negative impact on police encounters, how are police prepared to deliver their services and to implement policy and procedures to mitigate the conflict? Are police services inclusive of Aboriginal people and culture, or does police service

alienate Aboriginal people and culture?

Chapter four contains a review of the policing services in the Victoria and Southern Vancouver region. This review illustrates current Aboriginal police service programs and determines how police officers are prepared to respond to cultural conflict. The review of police services is conducted as a comparison between the RCMP and the Victoria Police Department.

CHAPTER FOUR

POLICE SERVICE DELIVERY AND MODELS

Aboriginal Policing Services

The aim of this chapter is to identify current Aboriginal policing doctrine within police

services on southern Vancouver Island. The focus will address the Victoria Police Department

and the Royal Canadian Mounted Police (RCMP).

The challenge with respect to policing services for Aboriginal people is that policies

differ from department to department, and from municipal to federal police services, particularly

when addressing the needs of non-reserve Aboriginals living in urban centres and the six

Aboriginal communities residing in the Victoria region that include the Esquimalt, Songhees,

Pauquachin, Tsartlip, Tsawout and Tseycum First Nations. Specifically, I will address the

contrast between the policies, procedures, and training of the Victoria Police Department and

those of the RCMP.

The second objective of this chapter is to identify the training provided to both RCMP

and Municipal Police Officers relative to Aboriginal policing matters and Aboriginal culture.

The importance of reviewing the training programs is that it will allow us to determine if one

training program is more effective than the other and if such training adequately prepares police

officers for cultural conflict and conflict mitigation.

Background

In 1991, the federal government of Canada announced its First Nations Policing Policy in

order to provide and improve its policing service to First Nations communities. The services to

be offered through this new policy would vary in format based on the needs and desires of the

Aboriginal community. Service variation could include an Aboriginal community administered police service accountable to an Aboriginal board, or a service delivered through the RCMP who would employ Aboriginal RCMP officers. Aboriginal communities could also elect to have their policing service delivered through the local detachment of the RCMP. In British Columbia, there currently exists only two self-administered police services established through a tripartite agreement between their respective Aboriginal communities, the Provincial and Federal governments. The remainder of BC Aboriginal police services are administered by the National Aboriginal Policing program.[1]

As this research document focuses on the Victoria region, it is vital to note that municipal police services hold no jurisdiction over Aboriginal territories. At times, Municipal Police services are integrated with the RCMP as shared specialized services according to their geographical proximity. With the mutual police assistance agreements between the Victoria Police Department and the RCMP, cross-jurisdictional support occurs. In cases where municipal police officers render assistance in Aboriginal communities, greater occurrence of conflict is likely to arise as it is common knowledge among Aboriginal people that the sole policing agency responsible for Aboriginal territories is the RCMP.

This conflict might be lessened if municipal police departments had similar Aboriginal policing policy and procedures to that of the RCMP, as this might reduce conflicting practices when interacting with Aboriginal people. Such policies and procedures would also enhance the policing service being delivered to a large population of Aboriginal people who reside within municipal jurisdictions and where policing is provided solely by their local police department.

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[1] Interview with Mr. Dennis Flewelling, Regional Manager, BC/Yukon, Aboriginal Policing Directorate, Public Safety and Emergency Preparedness Canada, 26 September 2005

In the absence of congruent or similar Aboriginal policing policy and procedures, services rendered to Aboriginal people would be strictly guided by the department's current policing practices.

Considering the large urban Aboriginal population and six First Nations territories within the Victoria Region, the chance for police encounters off First Nations territories are likely to occur. When also considering the probability of having either the RCMP or municipal police respond to calls for service involving Aboriginal persons, there exists the same potential for conflict particularly if the doctrine guiding such services differs between police departments or police agencies.

To determine the likelihood for conflict when police officers and Aboriginal persons interact during calls for service, we must identify the existing Aboriginal Policing program and policies of both the RCMP and the Victoria Police Department.

RCMP - Aboriginal Policing Program

Aboriginal police service is mandated to the RCMP by the Federal Government of Canada, specifically the Minister responsible for Public Safety and Emergency Preparedness, formerly known as Solicitor General of Canada. The policy specifies that: "The purpose of the First Nations Policing Policy is to contribute to the improvement of social order, public security and personal safety in First Nations communities. This is accomplished through cost-shared funding arrangements between the federal and provincial/territorial governments. First Nations communities may choose to develop and administer their own police service, or they may choose a police service delivered by a contingent of First Nations officers working within an existing police force (e.g. the RCMP). The FNPP is implemented across Canada through tripartite agreements negotiated between the federal government, provincial or territorial governments and

First Nations. The policy applies to all Indian reserves, to certain other Indian communities on Crown land and to Inuit communities, and is designed to give First Nations communities greater control over the delivery and management of policing services in their communities" (Public Safety And Emergency Preparedness Canada, n.d.).

The RCMP also promote service delivery through contingents of Aboriginal police officers as noted: "The RCMP First Nations Community Policing Service incorporates the principles and objectives of the First Nations Policing Policy, including: service levels equivalent to those of non-First Nations communities; compatibility and sensitivity to First Nations culture and beliefs; flexibility to accommodate local variations in policing needs; and a framework which allows for transition to an independent First Nations-administered police service where this is desired by the community" (Royal Canadian Mounted Police, 2005). Though the ability to acquire such RCMP service is an option, it is one that must be endorsed by the Provincial government. In the Victoria, South Vancouver Island region, no such First Nations Policing Service exists.

As noted in the RCMP Aboriginal Policing program, the RCMP promotes the essentials in relationship building between its clients and its officers whereby incorporating a consultative process for police services, therefore applying in principle, an interest based approach to policing. The RCMP is also concerned about accountability and cultural sensitivity, all very important principles in removing cultural barriers and mitigating conflict. According to Mr. Flewelling, of the Aboriginal Policing Directorate (personal communication 26 September 2005), the RCMP program stipulates 100% dedication of police resources for officers designated to the Aboriginal Policing program, with a minimum of 80% of the officer's time being spent in their respective Aboriginal communities.

In contrast to the RCMP, the Victoria Police Department is not mandated jurisdiction over Aboriginal policing matters, yet a large number of Aboriginal people reside in and adjacent to the City of Victoria. As such, we will examine what Aboriginal policing programs exist within the Victoria Police.

Victoria Police Department – Aboriginal Policing Program

The City of Victoria is believed to have the largest population of Aboriginal people living off Aboriginal lands in the south Vancouver Island region. Although not responsible for the delivery of policing services to Aboriginal communities, calls for service have and will continue to be received and provided for in support of mutual assistance to the RCMP.

In 2003, the Victoria Police Department expanded its jurisdiction as it assumed policing responsibilities for the Municipality of Esquimalt. The City of Esquimalt is a municipality geographically located adjacent to the Songhee and Esquimalt Nations, and where the Victoria Police Department has responded to urgent calls for service.

Through interviews conducted with several residents of both Esquimalt and Songhee Nations, it is evident that conflict existed every time the Victoria Police Department responded to calls on Reserve lands. Such conflict was also present when police responded to calls involving Aboriginals living off Reserve land. The police are obligated to respond to emergency calls but how prepared is the Victoria Police Department to manage and mitigate the conflict that their officers will experience?

During my research within the Victoria Police Department, I found the department lacked dedicated policy and procedures for the management and policing of Aboriginal complainants, victims or alleged offenders. As a multi-cultural community, the Victoria Police Department

does however recognize the necessity to adopt a culturally sensitive policing approach and a community building strategy for delivery of its policing service.

In order to ensure effective policing to all ethnic groups, the Victoria Police recognized the need to provide culturally sensitive services throughout their community. Subsequently, in 1996 they established the Diversity Unit and in 2002 the unit amalgamated with other Capital Regional Police Departments.

The mission for the Diversity Unit is "...to exert a positive influence on the level of mutual understanding occurring among police officers and members of our diverse community. This will demonstrate our commitment to the fair and unbiased application of our policing responsibilities, stimulate the recruiting of First Nations, visible minorities, and women, and enhance community confidence in the Police Department" (Victoria Police Department, n.d.).

The unit's mission is performed through meetings and discussion groups with the various ethnic communities that they serve. The objective of community meetings and discussion groups is to promote effective communication in order to break down cultural and ethnocentric barriers.

One limitation of the Diversity Unit is the absence of policing policy and procedures specific to the needs of Aboriginal persons, whereby creating the opportunity for conflict to exist with possible escalation during encounters particularly when responding to emergency calls on Esquimalt and Songhee Nation lands. Considering the fact that the Victoria Police does not possess specific policy and procedures for the delivery of services to Aboriginal people, how are their police officers trained and prepared to manage conflict that may occur when engaged in the conduct of their duties involving Aboriginal persons?

Police Recruit Training

From personal experience, I recall my attendance at the Justice Institute of British

Columbia's Police Academy, where the curriculum revolving around Aboriginal culture was far

from robust. The topic of Aboriginal culture and policing was at most two hours in duration and

consisted of a panel of Aboriginal guest speakers. Unfortunately, the lack of substantial training

on both Aboriginal issues and conflict mitigation revolving around cultural conflict was a

reflection of the need to impart many other subjects relative to placing police officers on the

streets to fight crime. It is my opinion that this training strategy was and is inadequate, not only

for municipal police recruits, their departments, but also in mitigating cultural conflict.

Municipal Police - Aboriginal Cultural And Sensitivity Training

Having provided insight into the training I received while in attendance at the Police

Academy, the current curriculum regarding cultural sensitivity training and Aboriginal culture

has unfortunately diminished.

In a telephone interview with the Non-Commissioned Officer (personal communication,

7 November 2005) responsible for recruit training at the Justice Institute of British Columbia's

Police Academy, it was noted that the training specific to one ethnic group or interest group no

longer occurs. The training conducted by recruits now encompasses two phases: In the first

phase, conducted early in the recruit training program, police recruits receive general cultural

diversity training. No specific cultural group is focused upon in this training, whereby providing

recruits a generic or homogenous understanding of cultures, inclusive of Aboriginal culture. The

second phase of training requires recruits to complete and present their research project on any

particular diversity group of their choosing. Information relative to Aboriginal persons may be

presented by recruits who have chosen Aboriginal culture as a topic of interest. Unfortunately,

the absence of Aboriginal cultural training for police recruits will lend itself to greater exposure to cultural conflict particularly when considering the large population of Aboriginal people residing in and around Victoria.

In contrast to Municipal Police Officers, the RCMP is more likely to experience encounters with Aboriginal people in their service. As such, it is important to determine what level of Aboriginal cultural training RCMP Officers receive as recruits and as qualified police officers who are employed within their respective units or detachments.

RCMP - Aboriginal Cultural And Sensitivity Training

Training of RCMP officers who are designated Aboriginal Liaison Officers within the Aboriginal Policing program receive training at the RCMP Depot located in Regina, Saskatchewan, and within the Aboriginal community in which they serve.

General Aboriginal cultural training is also offered at the RCMP Depot where all Cadets receive cultural training for one afternoon at the cultural centre located at the RCMP training base. Additionally, all officers posted to 'E' Division of the RCMP, the regional command responsible for Federal and contracted policing throughout British Columbia, are required to attend a five day Aboriginal Cultural Awareness training program. The enhanced cultural training does not take into consideration additional cultural workshops and seminars that are available to the RCMP.

Considering that the RCMP possesses a relatively extensive Aboriginal policing policy and program, and provides greater cultural training to its officers, is the policy and program being adhered to as designed? Is the program working? Many of these questions will be answered through the conduct of interviews with RCMP respondents.

In chapter five, we will review the data acquired by from all respondents and conduct the analysis of the data in order to understand its relation to the cultural conflict experienced during police encounters with Aboriginal people.

CHAPTER FIVE

DATA AND ANALYSIS

In chapter five, we will review the data collected from each focus group, followed by analysis of the data as it correlates to the supporting literature. It is herein that we hope to gain an understanding of the cultural conflict as it pertains to the interaction between police and Aboriginal people.

Data Collection

The methodology utilized to collect both the quantitative and qualitative data was presented to all respondents in three formats – Demographic survey, Questionnaire and Interview process. Through the conduct of the questionnaire and survey, both quantitative and a portion of the qualitative data was collected. The primary purpose of the quantitative data was to acquire demographic information of each respondent group and to gauge the perceptions of the other. All survey and questionnaire information was utilized for the formulation of interview questions. Interviews were conducted after the survey and questionnaire. All data collection occurred between 6 July and 16 November 2005 via personal communication.

Police Respondents – Data Review

The survey of police officers encompassed a small group of both junior officers (officers with less than 10 years service) and senior officers (officers with greater than 10 years of service) of the RCMP and Municipal Police Departments. Of the respondents, three RCMP officers were of First Nations origin and were instrumental in the delivery of Aboriginal Police Services, one officer was a RCMP Non-Commissioned Officer-in-Charge of a Police Detachment, and three other officers were with a Municipal Police Department.

Information collected from the police survey presented the following median data:

a.   Years service: 15.5

b.   Age: 42.3

c.   Gender: 5 men, 2 women

Relative to the delivery of police services to Aboriginal persons, it was determined that 46.43% of policing resources were committed to Aboriginal policing, a reflection of the combined responses from both RCMP and municipal police officers. The average RCMP response was 66.25 % of what should be a minimum of 80% in accordance with RCMP Aboriginal Policing Program policy. Municipal police respondents indicated an average of 20% of their resources are committed to Aboriginal policing, though this service is not a departmental program as they did not possess jurisdiction over Aboriginal policing.

Of the officers who were interviewed, six of seven Officers responded that they experienced conflict when rendering their services to Aboriginal persons whether on or off First Nations land. Additionally, it is important to note that of the officers surveyed, three of seven officers were Aboriginal, a factor that did not prevent them from experiencing conflict during interaction with other Aboriginal people.

An interesting finding regarding the officers' terms of service and age was that those officers with more experience were less likely to suffer from anxiety / stress prior to attending calls for service that involved Aboriginal persons, yet all experienced conflict during the delivery of services as noted in the above percentages. To better understand the cause of their conflict, we cite some of the officers' responses.

Police Responses

When asked if officers experienced an elevation in stress or anxiety prior to attending calls for service involving Aboriginal people, those that indicated positive to this question provided some of the following remarks. One officer stated:

"We often attend calls for the RCMP and are told to get off their land (referring to Native land). When supporting the RCMP on reserves, the aggression is directed to the RCMP and at times us. The problems are worsened when more persons gather around an incident, increasing tension. The feeling is as though you are trespassing on their land, and not knowing much about their lifestyle makes the stress that much greater" (police respondent, personal communication, October 10, 2005).

When officers were asked if they directly or indirectly observed a sense of conflict or negativity toward them or other officers during service calls involving Aboriginal people, those that responded to the positive indicated that:

"Usually crowds will gather and if an arrest is inevitable, probable interference and verbal abuse will follow" (police respondent, personal communication, October 23, 2005). One Aboriginal officer indicated, "Native people don't much appreciate White police on Reserve Land" (police respondent, personal communication, November 4, 2005). A municipal police officer indicated:

"In the last 15 years (approximately) I have noticed an increasing sense of hostility towards the police, primarily from the Aboriginal female quarter. I sense that they wish to show their anger towards an authorative body and that they feel safe doing so with the police. My personal knowledge is that they understand our role, they understand that we

(the police) have protected them for years but we are the ones that they feel safe directing

their hostility" (police respondent, personal communication, September 27, 2005).

Another officer indicated that:

"very often those directly involved, indirectly involved, or bystanders have the perception

that the police do not have jurisdiction on reserve or believe the laws do not apply on

reserve. A lot of people see us as the enemy and only there to do harm to someone or

ruin someone's life. This perception is much higher on Reserve land. On the other hand,

there are those who are grateful, understanding and appreciative of our service" (police

respondent, personal communication, October 4, 2005).

Based on the large percentage of the officers that experienced conflict while providing

police services to Aboriginal people, the question was posed as to how many received training in

Aboriginal issues and culture sensitivity?

Cultural Training – Police Respondents

When considering that municipal police officers in British Columbia now receive no

training specific to Aboriginal culture, it is surprising to learn that of the police respondents, all

officers received some form of training (consideration must be given that changes to police

recruit training has recently occurred). In light of all police respondents having received

Aboriginal cultural training in one form or another, the officers were asked to comment on two

matters: their perception of themselves and their police service in the eyes of Aboriginal people,

and their perceptions of Aboriginal people who they serve. The findings were interesting as

noted:

a.   Relative to the perceptions of themselves and their service, 57% felt that they were seen in positive light by Aboriginal persons, versus 43% felt that they were not.

b.   Relative to the officer's perception of Aboriginal persons, a staggering 86% believed that Aboriginal persons presented a negative perception or as being disadvantaged.

In terms of the comments provided by police officers supporting the previous data, we cite some of the following comments:

Perception of Police Service and Self

One Aboriginal police officer reflects on the perception of their police service indicating: "There is a negative perception and view that the Police service are "outsiders" and just another government agency, and not there to help them. I do believe the expectations are very high when it comes to the police services provided". When asked what the perceptions of themselves were, they indicated that "There are those who call me their 'Native Pride' and there are those who call me a 'Traitor'" (police respondent, personal communication, October 4, 2005).

Another Aboriginal police officer reflects on the perception of their police service and says that "With the law abiding citizens of the community it's actually received in a positive, but the known S.R's [street language for 'Shit Rats'] really hate our guts". In terms of perception of self, the officer indicated, "it's alright" (police respondent, personal communication, November 4, 2005).

Other short responses (received by personal communication) to the perceptions of their police service included "equal to or better than non-native communities", "Favourable", "Fair,

but invasive", "Fair, firm and friendly". What perceptions of Aboriginal people do police

officers possess?

Police Perception of Aboriginal People

With respect to the officers' perceptions of Aboriginal people, I noted a dramatic

difference in the substance of responses between Aboriginal officers versus non-Aboriginal

officers. The difference between Aboriginal and non-Aboriginal officers were dramatic and

indicative of the cultural differences. So as to discern between the two police respondent groups,

the following reflect the comments made by non-Aboriginal officers relative to their perception

of Aboriginal people: "Aboriginal people are no different than Croatian people or Italian people

or Arab people or French Canadians or Dukhobors or Mennonites..." (police respondent,

personal communication, September 27, 2005). "Mixed and cynical" (police respondent,

personal communication, October 23, 2005). One municipal police officer indicated: "In the

city, they are often regular clients who are either taken off the street or placed in jail because of

alcohol. I think that they are people who have fallen through the cracks of the system and have

nowhere to turn" (police respondent, personal communication, November 6, 2005). This

particular statement is also reflected in the Metro Toronto study titled "As We Were Told" where

two officers indicate:

> "There is a small minority of Native peoples who are constantly harassing citizens in a
>
> drunken manner. They are usually asking for money. This small minority also have
>
> caused some problems for some local businesses in that they drink in the rear of these
>
> premises and harass patrons going into these premises. When police meet the Native
>
> people under these conditions the meetings are usually hostile with verbal abuse given
>
> out on both sides" (Mukwa Ode, 1992).

Also noted in the previous study, a second officer who indicated that the, "Main contact with police and natives is when police arrest them. Usually because the natives are drunk and disorderly as a result resentment from natives"(Mukwa Ode) .

A non-Aboriginal respondent indicated:

"I think that they don't understand what it is that police do, how they do it and why they do things in certain ways. I think that they are able to get away with incidents that most other persons would not. I also think that the leaders are not doing enough to keep troublemakers in check and accountable. I also think that there are many great Aboriginal people who are painted with the same brush as those who stir trouble on and off the reserves" (police respondent, personal communication, September 27, 2005).

In contrast to the previous responses, you will note the difference in comments made by Aboriginal officers who possess intimate knowledge of Aboriginal. When posed the same questions regarding perceptions of themselves, their service and Aboriginal people, one Aboriginal officer notes, "When in a box, this is all they know and see. The opportunities to get a true perspective on life and the outside world is limited...they do have a rich culture and colorful background. I can see where they come from and why" (police respondent, personal communication, November 4, 2005).

Another officer not only provides their perception of Aboriginal people, but also their personal challenges as an Aboriginal officer working within the RCMP. The officer indicates that:

"most have obstacles that emotionally and physically they cannot surpass, and abuses of all types have lead to alcoholism, depression, lower education levels, breakdown of family / cultural values. The expectations of society are less of Aboriginal people, and I

believe that this affects Aboriginal people in their lives and the choices they make. Even in the RCMP First Nations Section, after I have told them what section I work in [indicating that the Aboriginal Police program calls for 100% dedication to the Aboriginal community in question where 80% of time the officer must be on the reserve], 80% of the time the question is asked if I am a Police Officer like everyone else. The perception is that I am not a police officer like everyone else, and that I work at a lower level than others" (police respondent, personal communication, October 4, 2005).

In light of the diverse responses relative to the officers' perception of Aboriginal people, it is necessary to articulate that these responses are personal observations made through the lens of their personal experiences. It is also important to reflect upon the contributors to the conflict as cited in *Nature of Police Work* (chapter four) and consider that the negative perceptions or experiences held by these police officers creates a predisposition for conflict to occur during police service delivery to Aboriginal people.

What are the reasons that 86% of police officers indicated a negative perception of Aboriginal persons?

I would suggest that the reported negative police perceptions are not related to the ethnicity of the person, but rather the experiences acquired through negative contact and service related frustrations. Though these experiences are negatively interpreted and develop into conflict, they are in fact the physical manifestations of the cultural conflict that is built up layer-upon-layer of negative experiences. Furthermore, the views held by some police officers is often jaded by their repetitive experiences in dramatic and highly tense situations that is common in police work.

Having now concluded the data review of police respondents, we will review the data collected from the Aboriginal respondents.

Aboriginal Respondents – Data Review

The Aboriginal focus group that participated in the survey and interview process consisted of nine persons from the Victoria region residing both on and off First Nations territories. The respondents represented a cross section of Aboriginal society ranging in the age of 29 to 62, and professions inclusive of trades labourer to a Professor of Law.

Relative to the demographic data of the Aboriginal respondents, the following was information was acquired:

a. Median age: 46.11 years

b. Gender: 7 males, 2 females

c. Residents of First Nations territories: 4 of 9 (44%)

d. Median years residing on First Nations territories: 17.88 years (maximum years: 58, minimum years: 0)

e. Median years of education: 13.78 (highest level of education: Doctorate, minimum level of education: 10th grade)

f. Persons who have requested police service: 78%

g. Nature of police service: Emergency – 66%

h. Police service called by Complainant: 78%, Victim: 22%

i. Police service deemed positive: 56%

j. Police found to be culturally sensitive: 22%

k. Police service rating: Excellent 22%, Good 0%, Fair 56%, Poor 22%

In reviewing the quantitative data, it is evident that the majority of respondents felt that their police service was fair, yet the majority (78%) felt that the police were not culturally sensitive to the needs of the community or themselves. Due to the evident lack of cultural sensitivity by police, it is important to capture specific information relative to receiving police services.

The information presented by the respondents could be placed in two camps. The first camp indicated that most police officers lacked the understanding of Aboriginal history, cultural rights and rituals of Aboriginal people and their communities. This sentiment was reflected by one respondent who indicated that the police "don't understand; they are so insensitive. They are doing their jobs, but on a reserve they don't understand the protocol" (Aboriginal respondent, personal communication, August 19, 2005). Another respondent indicated that "I don't think they know anything, they see us as drunken Indians. That's all we are to them" (Aboriginal respondent, personal communication, August 4, 2005).

The second camp indicated that police officers do not understand the historical victimization of Aboriginal people caused by government programs. Specific reference was made to the removal of children from their homes and subsequent placement into foster homes, forceful attendance to residential schools and the unnecessary hospitalization of Aboriginal persons. Some respondents indicated that the victimization of children and their parents created dysfunctional parenting skills where many were unable to care for their children. Some respondents cited that result of government programs included their physical and sexual abuse which led to their subsequent abuse of alcohol and drugs.

Many respondents also cited the dual victimization of Aboriginal people at the hands of their own community, where under the guise of tradition and ritual, persons were victimized with

physical, sexual and mental abuse or simply intimidation. The vehicle used to victimize many residents was cited as the *Long House*, once a cherished ritual passage was now a method to instill control over others, to assault and in some instances commit homicide (allegations of homicide were made by some respondents).

The reported dual victimization is realized through the individual's forceful apprehension and confinement in the *Long House*, and by the lack of police intervention, investigation and subsequent charging of those responsible for abuse. Some respondents provided insight into these alleged occurrences suggested that victimization not only occurs during the physical abuse (while undergoing *Long House* practices) they experience, but also their inability to resolve their victimization because of police insensitivity and disinterest to investigate their complaints, and because of their continued victimization at the hands of their abusers who are left to remain within the community.

In order to resolve this issue, one respondent said that police must start "bridging the gap between cultural rituals and abusive rituals" (Aboriginal respondent, personal communication, July 11, 2005), referring to physical and sexual abuse during 'Long House' ceremonies. Further discussion with this respondent indicated that abuses within the community would often be at the hands of, or with the knowledge of those belonging to the "power families", families that held status and power within the community, often to intimidate, retaliate or coerce others.

The previous response was echoed in the research conducted by Royal Roads Learner Carrie Reid who indicated that crime within First Nations territories often go unreported. Reid noted that police apathy, police distrust and police racism were factors that contributed to her findings (Reid, 2000).

One Aboriginal repondent who worked as a RCMP Special Police Constable noted the lack of police empathy and the presence of police racism when working with some other RCMP officers. As a Special Police Constable enlisted to promote police presence and service within his community, this officer found it difficult to gain support and interest in Aboriginal policing issues on the part of his regular force police partners (Aboriginal respondent, personal communication, July 19, 2005).

Several other respondents reported cases of racism as a factor affecting police perception and distrust. One respondent indicated "I don't like them, it's a big thing for me…they tried to put things on me that I haven't done. It was like when they put me in the wagon and they told me to claim gloves that were in the wagon, but they weren't mine. The plain clothes cop knew they weren't mine since he patted me down" (Aboriginal respondent, personal communication, August 4, 2005). This respondent lives life today with complete distrust of the police, and always attempts to evade police contact, to the extent that he will cross the street or walk in the opposing direction when observing the police.

Another respondent reflects on police racism, when as a youth he requested emergency police service to stop the assault of his mother who was being attacked by a stranger. When police arrived, one police officer stated, "this is just another bunch of drunken Indians" (Aboriginal respondent, personal communication, August 19, 2005). In this case, the offender was not arrested nor was a victim statement taken. The incident by this respondent relected upon the reported insensitivity of police, and echoes Samuelson's discussion paper when he notes that the Australian Inquiry:

> "found that police operations within the Aboriginal community are still carried out in an insensitive and sometime brutal manner… This type of 'over policing' graphically

illustrates…the concept of institutionalized racism in action. Individual officers were not necessarily actively motivated by racism, they simply believed that 'ordinary' police practices did not, or could not, apply when policing Aboriginal peoples"(Samuelson, 1993, p. 12-13) .

If Aboriginal victims of crime report incidents to police but are met with responses such as the one depicted previously, will they continue to call upon the police?

Referring to Reid's research, she states "there was a definite sense that a history of difficult relations with the police made people hesitant to report crimes. Individual reports included the act that when crimes were reported, "…the police didn't do anything anyway". Others reported that experiences with the law were often horrendous. Some of these past experiences have become almost legendary in the communities, and the legends passed from generation to generation, so the victims may not trust the police at all" (Reid, p. 24) .

Reid's comments were a reflection of another Aboriginal respondent who indicated that as a child she would see the police arriving onto the Reserve only to know that someone was being taken away. This respondent would eventually repeat the same words to her child, who in turn developed the same outlook and distrust of the police (Aboriginal respondent, personal communication, July 11, 2005).

For one respondent, it would be the childhood experiences of residential school that would affect him and create the distrust in the police. This individual did not experience negative encounters with police until adulthood, though his opinion of the police was formed as a child when police were responsible for returning him to the residential school where he was physically and sexually abused for a number of years. His negative association with the police were attributed to the police's contributions (returning him to residential school), failing to listen

to his claims of abuse at the hands of the school Master. He would later develop the fear of police authority, the same authority that he associated with his abuse. This respondent indicated that he has gone through life using drugs and alcohol in order to escape his experiences of abuse that he believed contributed to his incarceration (Aboriginal respondent, personal communication, August 4, 2005).

As I reflect upon the responses of both police officers and Aboriginal respondents, I cannot help but question how I may have been perceived while delivering my services to Aboriginal people, would my services have been perceived as insensitive and brutal? My self-questioning was brought about by the open sharing of memories expressed to me by all of the Aboriginal respondents.

Unfortunately, the tragedies experienced by many Aboriginal people over the history of several hundred years of cultural conflict cannot be adequately captured in such a brief research document. Recognizing the necessity to contribute greater time and resources to this subject, I will present the analytical component to this cultural conflict in order to promote and develop a resolution process.

ANALYSIS

As stated at the onset of this chapter, I intend to correlate the respondent data to the supporting literature in order to understand the conflict between police and Aboriginal people. What is important to note is that this cultural conflict has manifested itself into many other conflicts often obscuring its roots or root causes. In addition to conducting the analysis, I will present information that will prove my hypotheses and answer my research questions. The analysis component of this chapter is presented in three categories: Conflict Continuance, Inter-group Conflict and The Root Cause, and Conflict Intensification.

Conflict Continuance

From the historical perspective and as captured within this research, it is evident that upon initial contact, an immediate differentiation between both European settlers and Aboriginal people was evident, observed and experienced. Not only were the ethnic differences immediately apparent, but also the cultural differences of two very different societies that saw the pursuit of life in two differing manners. Though the cultural differences established an environment for the conflict to exist, I suggest that the seed of this cultural conflict was founded by the imposition of a Eurocentric society imposing itself onto a non-similar social structure. As implied by J. Rousseau, the coming of two differing cultures was likened to that of joining the wrong family, the wrong society. In essence, this cultural conflict truly commenced when Aboriginal people were forced to join the Eurocentric family, a family with vast differences in all that defines culture.

With the passage of time and the building of a nation, we note the creation of its institutions, institutions based upon the Eurocentric society of its founders. Through this developmental period, we also note the growth of the cultural conflict as the policies and programs implemented by the government of Canada fuelled the flames of conflict by victimizing Aboriginal people, their communities and their culture. The actions of government would have a physical and psychological impact on Aboriginal people, causing a social division that still exists today.

The impact of victimization of Aboriginal people and the protracted nature of this conflict was captured in Dr. Volkan's theory of 'Chosen Trauma'. Volkan's theory explains the victimization process of Aboriginal people and how the trauma that many suffered has enabled the conflict to be carried forward from one generation to the next. I believe that the continuance

of this cultural conflict is the result of contemporary government programs such as residential schools and the 60's scoop. I also my opinion that in relation to the protracted nature of this conflict, the conflict and traumas are too recent to fully observe the impact of 'Chosen Trauma' in comparison to that in the Balkans.

Canada has a large population of Aboriginal people who have been victimized, and in recognition of there victimization, I suggest that inaction to remedy the trauma will result in future generations of Aboriginal people experiencing the effects of 'Chosen Trauma'. Supporting my claim is the cultural method in which Aboriginal history is passed within family and community, whereby the practice of passing oral history will expectedly include the passage of positive and negative history.

In terms of the suffering, it is clearly evident that there has yet been acknowledgement or responsibility taken by the government of Canada for the victimization of Aboriginal people at the hands of government programs. Without acknowledgement, we know through Volkan's work, that the wounds (of abuses) can never heal, and without healing the trauma suffered will be transferred from one generation to the next. Volkan's theory was evident in the comments made by one respondent who indicated that their perception of police on reserve land would be to affect an arrest and take a community member away. The views and beliefs of this respondent were shared and imparted onto this respondent's child, who also developed the same views and opinions of the police.

In our understanding of how the conflict has persisted for so many generations, we now examine the causes of the inter-group conflict between the police and Aboriginal people. We know that this conflict is culturally based; however, what specifically causes the conflict?

Inter-Group Conflict and The Root Cause

From the historical perspective, we note that the institution of Canadian policing services was established on the principles of Sir Robert Peel who founded the London Metropolitan Police Force, a representation of Western European society. Another aggravating factor to this conflict is the perceived bias or racist nature of 'policing service' as defined earlier by Howard Gadlin. It is not that police officers are racist, but rather the imposition of a system and its principles (again representing the Eurocentric beliefs) upon Aboriginal people with failure to consider and include their cultural values. This matter is critical in understanding why the conflict between police and Aboriginal people continues and can intensify during police / Aboriginal encounters. What therefore is the root cause of the conflict between police and Aboriginal people?

In terms of answering my first research question, I put forward my finding that the root cause of the cultural conflict specific to police and Aboriginal people, is attributed to the imposition of Canada's Eurocentric based social system upon Aboriginal society and where the system and its institutions are represented and enforced by the police. If my finding is correct, does the system or institution of the police service model alienate Aboriginal culture?

I find that my hypothesis regarding the alienation of Aboriginal culture by the Canadian police model was incomplete as I failed to anticipate that the policing model is perceived as racist to some Aboriginal people (as defined by H. Gadlin). In recognizing my shortcoming, I am at this time able to confidently answer my second research question: Does today's policing service model alienate Aboriginal culture? My answer is 'Yes'.

Conflict Intensification

As I analyze the data acquired from all respondents and consider my personal experiences, I believe that the conflict that I experienced can best be described as intensifying. Intensification describes what has become of this long protracted cultural conflict, and how it often unfolds on the streets of many Canadian cities and Indian Reserves. It is here that present the causes of this conflict's intensification.

I believe that the primary cause of the conflict's intensification between the police and Aboriginal people is based upon the polarization of both cultures: Aboriginal culture and the police sub-culture. Where the intensity of the conflict has opportunity to grow to levels that are dangerous, we will see a greater number of violent incidents occur.

The polarization of each actor was well represented by all respondents, particularly when indicating that each did not understand the other. This in turn amplifies the inter-group conflict and the perception of each as 'the other', or the competition between 'them' and 'us' (Cryderman et al., 1992). The polarization of each actor was also evident as indicated by the perceptions of Aboriginal police officers relative to Aboriginal people. Aboriginal police officers, though much more knowledgeable and empathetic to Aboriginal people and culture than non-Aboriginal police officers, possessed similar perceptions of Aboriginal people as did there non-Aboriginal colleagues. This finding supports the police sub-culture claim (and as noted by Cryderman et al.) and indicates that Aboriginal police officers are likely to experience polarization to Aboriginal culture, a reflection of their occupational values.

The intensification of this conflict is greatly influenced by the polarization of each group and further fuelled by misinformation, negative perception, poor communication and lack of cross-cultural knowledge (of the other). These predisposing factors further contribute to the

conflict and alienation of the 'other' party. The ramification of conflict intensification and group polarization is the development of xenophobia (fear of the 'other'), and emnification.

Xenophobia and Emnification

Xenophobia and emnification of the police already exists, though isolated in terms of the number of Aboriginal people who fear or consider the police as the 'enemy'. Incidents such as Oka, Gustovsen Lake and Ipperwash are the most recent violent incidents where police were considered to be the enemy, where violence existed, and in two cases where fatalities became the end result of the police / Aboriginal encounter. It is not necessary to only reflect on the previously mentioned incidents to be made aware of the conflict's intensification, as we take note of local and regional incidents, incidents that may have contributed xenophobia and potential progression to emnification.

Every incident resulting in the death of an Aboriginal person during police encounters will aggravate a very sensitive and emotionally charged cultural conflict that is saturated with overwhelming history of cultural difference and victimization. It is not the incident per se that causes the conflict to increase, but rather the unresolved frustrations and wounds of victimization by many Aboriginal people.

As a former police officer, I unable to imagine another police officer willingly and with premeditation inflict pain or death to any individual who did not present a grave danger to the public or themselves. It is not to suggest that injury and deaths will not occur out of negligence or error, but the intent to harm or kill without reasonable and probable grounds is in my opinion unfathomable. I strongly believe that the cessation to this conflict may occur through effective communication, accurate exhange of information and cross-cultural awareness. Such accomplishments would preserve the necessary trust of all police clients, and hopefully reduce

the incidents of conflict that we see develop during encounters between police and Aboriginal people.

In the closing of this chapter, I hope to have drawn attention to the dangers of not addressing the resolution, mitigation, and management of this conflict. My comment is made at a particular time in our history when greater awareness to Aboriginal issues exist within the Canadian population, and where we have seen an increased number confrontations between Aboriginal people and government agencies. In making this statement, I believe that we are able to reduce the overall experience of conflict among a greater population of all 'Canadians' through effective conflict resolution and management systems presented in chapater six.

CHAPTER SIX

RECOMMENDATIONS AND CONCLUSION

In this closing chapter of my research, I will present recommendations that I believe are viable for the cultural conflict occurring in the Victoria region. It is important to note that though the recommendations may be adaptable in other regions of Canada, the resolution process was derived from the experiences, perceptions and opinions of the participating respondents. The end state that I wish to achieve is to provide local Victoria police officers, their respective departments and local Aboriginal communities, an avenue for conflict resolution and improved community relations.

In consideration of my research being the Victoria Police Department, I will address my recommendations specifically to their current operations, and to address the absence of Aboriginal policing policy. My recommendations will also address the needs and perceptions of the neighboring communities of Esquimalt and Songhee Nations, and the large number of urban Aboriginal people residing in the City of Victoria.

Two categorized recommendations will be presented, the first entitled *My Recommendations* will present the conflict resolution process, followed by *Research Recommendations*, recommendations for the continuation and enhancment of this research topic.

My Recommendations

In order to seek resolution to this cultural conflict, many changes will need to occur, primarily creating the necessary social change within two cultures that have been at odds with the other for a considerable period of time.

The difficulty in creating social change is not only attributed to the protraction and intensification of the conflict, but also the deep wounds of victimization still afflicting many Aboriginal people. Wounds that have not healed due to the lack of acknowledgement and reconciliation.

Though challenged by past grievances not directly related to the Victoria Police Department, the opportunity to create change at a localized level is possible and attainable. So as to engage a program of change with the objective of conflict resolution and management, I suggest the following initiatives:

a.   Relationship building through conflict settlement and reconciliation;

b.   Interest-based development of Aboriginal Policing Policy and Procedures; and

c.   Cross-cultural training Aboriginal Policing Strategies.

The ability to pursue the above noted initiatives is not without challenge, particularly when considering the cultural differences in our communication methods and concepts.

Relationship Building

In Canada, there are many persons who do not subscribe to *Mainstream Society*, but rather subscribe to a collective social approach as noted within Aboriginal culture. Considering that Aboriginal culture is defined as non-Western, we may consider the parallel between Arab and Aboriginal cultures, and the similarity in process for maintaining community harmony in the face of conflict. In so doing, I consider the work of Irani and Funk as a viable guide for seeking resolution to this cultural conflict.

Interest-based Development of Aboriginal Policing Policy and Procedures

The absence of culturally appropriate and sensitive Aboriginal policing policies and procedures (doctrine) precludes the management, mitigation and resolution of this conflict. In order to promote the resolution of conflict between police and Aboriginal people, it is imperative that significant measures be taken to develop such doctrine. In so doing, and in recognition of the cultural differences of party, the development of Aboriginal Policing doctrine will require the participation of both parties.

The process of developing an interest-based doctrine should follow a negotiated process, one that is recommended to pursue the principles of 'interest-based' negotiations also known as 'problem solving negotiations'. Consideration must also be given to the potential that 'Problem-solving' negotiations will not be acceptable and therefore require another process for interest-based development.

Culture and Language

In order to succeed in a negotiated process, appropriate language is necessary and must be established through the clear communication of definitions and concepts. Though English is commonly spoken in the Victoria region, no assumptions may be made during the dialogue process as simple concepts may be lost in translation or simply be misunderstood.

Cross-Cultural Training and Policing Strategies

It is without question that police cultural training is lacking considerably within Municipal police departments in British Columbia. I believe that police officers and their respective departments are ill prepared to address the conflicts that arise during encounters or incidents with Aboriginal people. In order to address this shorcoming, the following recommendations are presented.

Cross-cultural training: Through appropriate cross-cultural training, many would-be conflicts can be mitigated, or resolved through sensitive inter-personal skills and cultural understanding. The following recommendations are presented:

1. Develop Aboriginal specific cultural training for police officers relative to the local Aboriginal population and communities;

2. Participate in enhanced cultural awareness workshops provided through Aboriginal community centres (such the Cowichan Tribes in Duncan, BC;

3. Incorporate 'Guest Speaker' sessions for officer professional development; and

4. Consider officer exchange programs for cultural immersion. These programs may include Aboriginal Police service or participation in Aboriginal community public safety programs.

Recognizing the challenges faced within police departments in terms of manpower issues and the apathy of some officers who would not wish to participate in such programs, it is recommended that volunteers be sought first and that positive reinforcement be demonstrated in order to achieve greater officer participation. Unfortunately, the perceived negative association of this training in the eyes of some reluctant officers could be telegraphed in the services they provide to Aboriginal people and the community.

Policing Strategies: With the implementation of an Aboriginal policing doctrine, the pursuit of this doctrine must be pro-actively applied. Specifically, the active pursuit of an Aboriginal police service supported by departmental doctrine and training must be seen from within and externalized to the community. The following recommendations are presented based on research information personally communicated by Aboriginal respondent interviews (inclusive of both Aboriginal police officers and civilian respondents) and through the

recommendations made to the Metropolitan Toronto Police Services Board in "As We Were Told" (Mukwa Ode, 1992) :

1. Establish contact information for Aboriginal community persons committed to working with police for resolving police / Aboriginal incidents;

2. Recruit Aboriginal police officers (Regular and Reserve);

3. Establish regularly scheduled meetings with members of the Aboriginal community;

4. Establish an Aboriginal Police Unit whose officers have received enhanced cultural training and participate in local Aboriginal community cross-cultural training. The purpose of this unit is to develop close relations with Aboriginal people and the community. Officers should be designated a plain clothes unit for the majority of their duties and only be uniformed for special events and ceremonies;

5. Create 'Ride Along' programs for Aboriginal community leaders, elders and youth in order to promote understanding of police services; and

6. Establish a community police station or kiosk in the vicinity of Aboriginal communities to promote community relations and offer police crime prevention services that may capture incidents of crime that would otherwise go unreported.

The previous six recommendations are but a few that are presented for consideration and discussion.

Research Recommendations

In light of what I know today and what I have learned through this research process, I believe that greater research is necessary on this important topic. Though incidents such as

Gustefson Lake, Ipperwash and Oka have not occurred in the Victoria region, it is not necessary

to have such violent clashes occur before taking pro-active measures in the resolution, mitigation

and management of police and Aboriginal conflict.

Reflecting upon how this research document could have been improved, I believe in

retrospect, that greater insight into the Aboriginal policing policies of the Provincial Government

of British Columbia (noting that the Ministry of the Solicitor General has oversight of all

policing matters in the province). The information that would have been gained may have

presented different perspectives to the challenges of delivering police service to Aboriginal and

non-Aboriginal communities, and greater understanding of the province's relation with the

RCMP.

I also highly recommend that research be conducted into the perceptions of policing as

experienced by both Aboriginal and Non-Aboriginal police officers. The information relative to

each group would enhance both the cultural training development for police officers, but lend

greater value to the development of all Aboriginal policing programs.

Conclusion

The journey that I have traveled in the conduct of this research has been remarkable.

Though I commenced my initial drafting of the prospectus in 2003 with the objective of

completing in the fall of the same year, my ability to continue my research was interrupted by

international matters beyond my control.

I am a believer of fate, and that my journey was meant to be prolonged for I have not

only researched this topic of conflict, but have also experienced the pleasure of developing a

closer relationship with the Aboriginal community on Southern Vancouver Island. My greatest

insights were gained through my participation on Aboriginal Justice committees and my

participation in cross-cultural training with the Cowichan Tribes.

I believe that I have demonstrated proof of my hypotheses when declaring that the

conflict between Aboriginal people and police is culturally based, and that today's police service

alienates Aboriginal culture. Though I have completed this research, there is much work yet to

be accomplished in remedying the conflict, work that I hope to pursue.

In closing, I hope that my contribution to this matter will be of benefit to the people of

the Esquimalt and Songhee Nations, Victoria's Aboriginal community, the Victoria Police

Department and my former police colleagues who serve their communities with loyalty, honour

and courage.

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