

# AN INHERENT AFFILLIATION OR A RESPONSE TO ATTEMPTED ASSIMILATION?

## EXAMINING THE FALLACIES AND REALITIES OF INDIGENOUS PEOPLES’ INVOLVEMENT IN GANGS IN CANADA

### DEFINING “GANGS” FROM AN INDIGENOUS PERSPECTIVES

- Definitions of gangs are fluid, subjective, and may be self-informed
- While criminal activity may be a common aspect of Indigenous gang life, it is not necessarily the predominant or defining characteristic
- For many Indigenous peoples, gangs are social and cultural spaces that allow for both individual and collective assertions of identity<sup>1</sup>
- Common defining values of Indigenous gangs: respect, loyalty, security, belonging, familial or communal support, and protection<sup>2</sup>

### DEFINING “GANGS” FROM A GOVERNMENT & POLICY-MAKING PERSPECTIVE

- When considered in a colonial government context, “the definition of street gangs has moved from a cohesive group of individuals who identify with the group and see the group as a piece of their identity, to that of criminal groups and organizations.”<sup>3</sup>
- The Canadian federal government emphasizes violence and crime as defining features of street gangs.<sup>4</sup>

### FALLACIES OF INDIGENOUS PEOPLES’ GANG INVOLVEMENT

- *Terra nullius* (combined with the doctrine of discovery): Prior to European Contact and assertions of sovereignty, Turtle Island was want of civilized, tamed peoples.<sup>5</sup> Since Indigenous peoples had no form of (colonial) law or a (colonial) justice system, they were inherently criminal.
- Indian savage: Indigenous peoples are savage, barbaric, and criminal in nature.<sup>6</sup>
- Gang-ridden ghetto: First Nations reserves are “fundamentally rotten ghettos” littered with crime and inherently conducive to gang-lifestyles.<sup>7</sup>

Together, these fallacies further the notion that gang affiliation amongst Indigenous peoples is inherent and innate.

### MODERN PERPETUATION OF FALLACIES: MEDIA COVERAGE OF THE JAMES SMITH CREE NATION STABBINGS<sup>8</sup>

“How Four Days of Horror Unfolded on James Smith Cree Nation” – *The Globe and Mail*

“A Kick at the Door, a Knife in the Hand: The Saskatchewan Murders” – *The New York Times*

“the killer” – *The New York Times*

“a spasm of brutality” – *The New York Times*

“stabbing rampage” – *CBC News*

“drugs, alcohol and gang-related violence had played a role, a refrain heard across the reserve” – *The New York Times*

<sup>8</sup> Dorion’s artwork represents the realities of Indigenous family units and identities. Her artwork is superimposed over an image of a brain, which symbolizes the fallacies framing gang involvement to be inherent to Indigenous peoples. Superimposing the images is intended to represent how these fallacies and realities co-exist, inform one another’s examination, and may be difficult to distinguish.

### POSTER FOR LAW 443: INDIGENOUS PEOPLES AND THE CRIMINAL PROCESS

BY CAYDENCE MARLEY  
(SHE/HER) MÉTIS WOMAN FROM TREATY 4 TERRITORY



LEAH MARIE DORION, “PARENTING CIRCLE” \*



SCAN QR CODE TO VIEW FOOTNOTES

### DESISTENCE & RESISTENCE

- Liberating Indigenous peoples from fallacies about gang involvement is crucial to guiding Indigenous peoples (namely, youth) away from and out of gangs
  - Programs: Crazy Indians Brotherhood & STR8 Up
- Gang resistance programs must be made accessible to Indigenous peoples, but not imposed upon them

### REALITIES OF INDIGENOUS PEOPLES’ GANG INVOLVEMENT

Two particularly egregious assimilation efforts were imposed on Indigenous peoples, families, and communities:

1. Forced attendance at residential schools
2. Mass apprehension of Indigenous children into the Child Welfare System (the CWS crisis is ongoing; it is not limited to the ‘60s Scoop)

These measures result(ed) in intergenerational traumas and have had cataclysmic effects on Indigenous peoples’ sense of identity and family

“ Sky: ... What do you think happened to Native men’s identities throughout history?

P 6: It dates back to residential school and the sixties scoop—that’s where our culture took a nosedive. The sexual, emotional, mental, physical abuse, all passed down to all these men, makes them feel weak. And the only way that they can make themselves strong is to try to dominate.”<sup>9</sup>

### GANGS: RECLAIMING INDIGENOUS IDENTITIES

- Gangs may provide an immediate sense of belonging, self-esteem, and identity recognition, particularly for Indigenous youth
- Gangs may provide a space where Indigenous peoples whose identities have been affected by physical or sexual abuse can reassert their identities through acts of hegemonic masculinity: “The gang then becomes the space in which Indigenous males can reassert their ‘global manhood’ of power and control, lost through this cultural assimilation.”<sup>10</sup>
- Gangs may provide Indigenous peoples with opportunities to reclaim communal and cultural identities, such as the “warrior”<sup>11</sup>
  - Example: Alberta, Saskatchewan, and Manitoba Warriors

### GANGS: REKINDLING A SENSE OF FAMILY

- “Push” risk factors: inter-family abuses, neglectful parenting styles, abuses and addictions within families, mental illnesses within families<sup>12</sup>
- “Pull” risk factors: family members involved in gangs or criminal lifestyles<sup>13</sup>
  - No single family-related risk factor is indicative of gang affiliation
- Family-related risk factors, when compounded with the over-policing and carding of Indigenous peoples, can lead to gang-related charges and convictions:

*R v BJM*, 2022 SKPC 38  
*R v LTN*, 2021 SKCA 73  
*R v Neapetung*, 2017 SKPC 43  
*R v BL*, 2013 MBQB 89

For individuals like BJM, LTN, Neapetung, and BL, a “gang acts as, or promises to act as, a substitute family, filling the void left by family backgrounds marked by violence, substance abuse, and crime.”<sup>14</sup>

“ I mean, you grew up in a sh[\*]t house, with sh[\*]t parents, you’ve got a sh[\*]t life. But you see these guys and they’re always together. And you want that.... Yeah, I might go to jail, yeah, I might die, yeah, I might kill someone, but I’m going to have these guys that are going to have my back. And I think that’s the whole allure of the gang life.”<sup>15</sup>

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