

Dying Under the Living Sky: A Case Study of Interracial Violence in Southeast Saskatchewan

by

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Abstract

On August 15, 1992, William Dove, an elderly retiree, left his cottage at the Round Lake resort in southeast Saskatchewan to assist three individuals fix flat tires on their truck. Dove never returned home. The following morning, his burning vehicle was discovered in a field near the city of Regina, Saskatchewan while his badly beaten body was found in a separate area on the east side of the city. Three individuals were charged with his murder; David Myles Acoose, Hubert Cory Acoose and a young offender. Dove was a white senior citizen from Whitewood, Saskatchewan: his assailants were Natives from the Sakimay First Nation, just west of Round Lake. In the aftermath of Dove's death and the trial, which ultimately found all three guilty of manslaughter, the public attempted to make sense of a crime that appeared senseless. In my research, I reject the idea that the crime was committed out of a lack of judgement and a deficit of morality alone, but I argue instead that it has to be understood within the context of colonialism. In contextualizing this violent encounter, a layered understanding of the murder surfaces and it becomes clear how colonial history within the region played a significant role in the enactment of violence. The findings of this research are based upon a discursive examination of actual court transcripts, postcolonial critical theory, and historical examination.

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Dedication

For my Marren....you remind me of all that is good in this world.

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For my grandparents: for leading the way. I lost my Grandpa Keating during the writing of this thesis. I wish he could have been here to see me complete it.

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For William Dove

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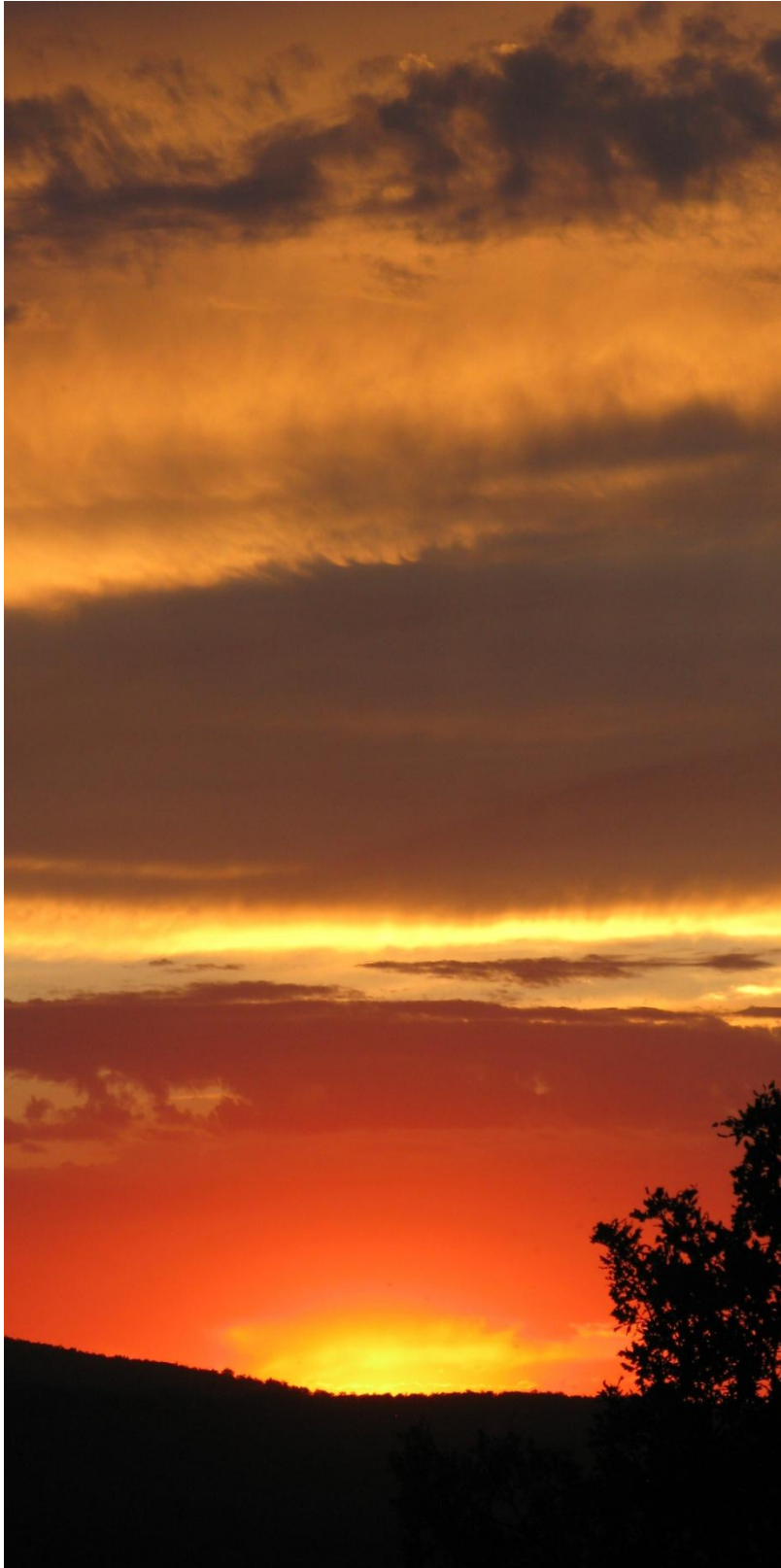


Figure 1. Sunset in the Qu'Appelle Valley near Round Lake, Saskatchewan, Helen Solmes, 2008

Chapter 1: Introduction

1.1 August 15th, 1992

On August 15th, 1992, David Myles Acoose, Hubert Cory Acoose, and an unnamed young offender, whose identity is protected under the Youth Criminal Justice Act (2003) from the Sakimay First Nation left a gathering at Cowessess First Nation to go to The Mountain View Inn, a bar, at the Round Lake resort village, just east of the reserve. Shortly after they arrived, however, Cory Acoose was asked to leave as he had no identification, and the young offender was asked to leave because they knew he was underage. It was alleged that all three had been in the bar the previous evening and had caused some problems. The young offender was refused service by staff who suspected that he was underage. This incident escalated to the point of the accused becoming verbally abusive to staff. (*R. vs. Acoose*, 1992, pp. 67-69) After Cory Acoose and the young offender were asked to leave on the second evening, David Acoose finished consuming some alcoholic beverages, purchased a case of beer and left with the others. Their departure from the resort village was disrupted by getting two flat tires on their vehicle. Eventually, they sought assistance from William Dove, a retiree who was spending time with his family at their summer cottage at the West End of Round Lake. According to court documents and media accounts, Dove had difficulty changing the tire and sometime in the midst of this encounter, the three individuals participated in beating Dove to death. From that point, they stole Dove's car, drove it 180 kilometres to Regina, Saskatchewan, dumped his body in a field, and left the car in a farmer's field where it was lit on fire. In addition to the horrific nature of this crime, it appeared to have occurred without a significant motivator. After all, Dove was a stranger to these three individuals and he had only been trying to assist them. In fact, during the sentencing of the accused, Judge Anysie Chorneyko concluded that "there [were] no mitigating

circumstances” (*R. vs. Acoose*, 1993, p. 16) in the death of William Dove. In my research, I reject this assertion made by the judge and argue instead that despite the exterior which suggests that there *appeared* to be no mitigating factors, the Aboriginal background of the accused was one of the factors that did play a role.

A few years following the conclusion of *R. vs. Acoose*, amendments to the Criminal Code in section 718.2(e) echo the sentiments that the circumstances of Aboriginal offenders play a role in criminal offences as they certainly did in the murder of William Dove. The 1996 amendments to the Criminal Code sought to address the over-representation of Native offenders. The amendment read that “all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders.” (*Criminal Code*, 1985, p. 800) In the *R. vs. Gladue* decision by the Supreme Court of Canada, a framework of analysis was provided for judges to consider the Aboriginal background of an offender when making decisions regarding appropriate sentencing.

In their written reasons, the Supreme Court acknowledged that many Aboriginal people appear in the criminal justice system as a result of systemic discrimination and, consequently, emphasized the remedial nature of section 718.2(e). Moreover, the Supreme Court cited several background factors that they considered relevant to sentencing, including years of dislocation and economic deprivation, high unemployment rates, lack of opportunity, substance abuse, loneliness, and community fragmentation. Importantly, the Supreme Court of Canada also stressed that section 718.2(e) does not imply an automatic non-custodial sentence or reduction in prison sentence. (Ogloff & Welsh, 2008, p. 493-494)

In a recent study involving the utilization of *R. vs. Gladue* by defence lawyers representing Aboriginal clients in Manitoba, it was found that most lawyers did not resort to the *Gladue* decision when they appealed to judges in sentencing. Among some of the reasons that *Gladue* was not considered as an option was because it has been interpreted as a practice of reverse discrimination. (McDonald, 2008, p. 159) Yasmin Jiwni, who specializes in representations of race and gender in different narrative contexts, argues that the role of the law is to procreate notions of impartiality in the interest of *equality* and yet is prescribed to ignore signs of *inequality*, such as race, class and gender. (p. 80) This idea has been prevalent in the context of considering Aboriginality as suggested in the framework offered by *Gladue*. McDonald (2008) states that “[t]he adoption of a ‘race neutral’ approach rendered the section and *Gladue* as irrelevant for many defence lawyers.” (p. 159) The findings of McDonald’s research conclude “that the goal of section 718.2 (e), which prioritizes the use of alternatives to imprisonment specifically in relation to Aboriginal offenders, is more of an ideal than a reality within the current practices of defence lawyers.” (McDonald, 2008, pp. 156-157)

Of course, it would be unreasonable, and further unethical to suggest that the accused were susceptible to victimizing others on the basis of their belonging to an oppressed group. After all, if one was to assess violence through this lens alone, it would indicate that higher proportions of people from their community would also engage in the violent victimization of other people. There were, in fact, other factors involved in this murder. For example, the victim and perpetrators may have never crossed paths if they had been allowed to remain at the bar as they had planned, or if the truck they were driving did not happen to get flat tires. It may also be explained as simply being an act of passion, in which the murder became the result of an explosive, irrational outburst that had not otherwise been premeditated by the perpetrator. Even

as one may look at the outcome of William Dove's murder as a random act of violence or as a part of an unfortunate coincidence, these are explanations I will not be further investigating in lieu of examining it through the lens of colonialism. In my examination, I will attempt to make sense of an act which would appear senseless and interrogate causal socio-political factors which may have helped to instigate the violent encounter. I explore themes related to the dispossession of First Nations people, reterritorialisation of Euro-Canadian settlers and the violent response that such history incites. My research will examine how the murder of William Dove may be an example of how colonial history can be linked with social forces which contribute to our understanding of interracial violence.

1.2 White/out inside Saskatchewan: Embarking on a Deconstruction of Interracial Violence.

The research behind this thesis was inspired by my personal experiences living in racist society within southern Saskatchewan and my desire to deconstruct the nature of such geographically specific Native¹/non-Native conflict². Within the context of Indigenous research, Maori scholar Linda Tuhiwai-Smith (1999) discusses the concept of insider/outsider positionality. The "inside" researcher engages in the study with varied levels of personal connectedness. The "outside" researcher assumes a role that insists more upon objectivity and neutrality in relationship to the subject matter. (p. 137) I am an insider in terms of my

¹ Despite several different terms I could have used in this text, I have elected to mostly use the term "Native," while occasionally employing terms such as "Indigenous" or "Aboriginal." I have elected to use the term "Native" most often as it was the one most commonly used in my undergraduate Native Studies classes and it has been favoured by LaRocque, (2010) who states that Status, non-Status, and Métis people of the Prairies used the term "Native peoples" with the shared understanding of themselves as a cohesive indigenous body in a common struggle against colonization." (p. 7)

² The term "non-Native" is referred to specifically in a Euro-Canadian context and is used interchangeably with the terms "colonizer" and "white."

relationship to the geographic location, my personal history and my whiteness. I am an outsider in terms of my research into the Native experience, the specific case study and my whiteness. As such, my positionality in relationship to the body of research shifts invariably and my whiteness is the double-edged sword that provides me with insight and impairment. Renate Eigenbrod, a German-Canadian scholar who specializes in Aboriginal literatures identifies with the experience of being an outsider in terms of her relationship to her area of study. In this context, she states:

My own journey of coming to some understanding about Aboriginal writing by exposing societal and personal tensions in processes of decolonization has often been troubling, disorienting, and painful as I became increasingly aware of my complicity. My own creation of representations of Aboriginal people- unavoidable if writing from an outsider's point of view- became part of building my career, and yet seems to have done little to effect change. (2005, p. 204)

The situation that Eigenbrod identifies is one that I am able to relate to. As a non-Native scholar seeking to add perspective to the historical implications which affect Native people, I am forced to contemplate whether my writing is part of the process of decolonization, or another agent of the colonial agenda by telling First Nations stories through a non-First Nations lens. Eigenbrod (2005) further states that as non-Native people, it is requested of us to be “respectful and fair” (p. 204) in our research.

In the past, exploitation and degradation has framed the existence of research on Native issues by non-Native researchers. In my positionality as a non-Native scholar, it is imperative to the decolonizing process that I abide by responsible and ethical scholarship. Because my work documents the colonial impacts on Native communities, particularly the communities of

Sakimay First Nation and, Cowessess First Nation, I must be held accountable in my reflection of their histories. As such, I have advised the councils of each respective community that this research is being conducted and the contents of this thesis will be made available to them. I recognize my limitations as a white researcher that I cannot fully understand the first hand experience of Native people in Saskatchewan.

Métis scholar Howard Adams (2000) who grew up in Saskatchewan, identifies the idea that much of North American history is bound to a suppression of facts and a distortion of actual events when it concerns colonialism and Canadian Native people. He suggests that the western “history” we are exposed to consists of “important factors in the colonial consciousness” but that “concepts of Indian ‘backwardness’ and western European “‘superiority’ [have] dominated the world for so long that [it is] now recognized by many as deliberate distortions.” (2000, p. 40) Adams’ assessment rings true when I examine my own positionality in relationship to where I grew up. I was born and raised in Wolseley, Saskatchewan, a small rural farming community in the Southeastern part of the province, located along the Number One Highway, approximately 86 kilometres west of where the Dove murder took place. When I reflect upon my position in relationship to my research, it is clear that I am a product of the colonial enterprise, which was and still is in many ways, my community. The Wolseley history book *Bridging the Past* engages in narratives of the nation, which situate Euro-Canadians as dominant. Passages from this book reflect the romanticisation of Canadian history and expound on such Eurocentric ideals evidenced with quotations like: “[t]he spirit of adventure, the freedom of the prairies, also accounted for the skeleton population that gradually became a mosaic of English, French, American, Scotch, Irish and European immigration to the West prairies.” (Conn, 1981, p. 1-2).

Mythologies, such as this one, invoke a romanticisation of the settlement, which, in turn, dismiss the violence of Native dispossession.

The town was originally named “Wolf Creek” by settlers and was later changed to “Wolseley” after Lord Garnet Joseph Wolseley, a British military leader called upon by Prime Minister John A. MacDonald to lead troops against Louis Riel in the Rebellion. Lord Wolseley was never physically connected to the settlement named for him. However, the troops of General Middleton were detained at Wolseley and nearby Qu’Appelle before continuing onward to Duck Lake and Batoche where battles between their troops against the Native and Métis people ensued. (Conn, 1981, p.2) (Reid, 2008, p. 21-22) Lord Wolseley is a man who is relatively obscured in Canadian history, yet his photographs are still proudly displayed in the town hall and commemorated by way of a large mural on the main street in town. In contrast, murals of Louis Riel and Gabriel Dumont are displayed on the same building in an ironic juxtaposition of significant historical figures.



Figure 2: Mural featuring Lord Garnet Wolseley, Louis Riel, Gabriel Dumont, Senator William Perley, and Dr. G.B. Isman. Denton Keating, 2010.³

³ The other two figures in the mural are also significant in considering the history of the region. Senator William Perley (second from left) was an early settler of Wolseley. He was responsible for helping to organize the municipality of Wolseley in 1884. In 1885, he was elected to the Northwest Territorial Council for Qu'Appelle and lead a delegation to Ottawa with a Bill of Rights on behalf of the Northwest Territorial Council. Perley was also elected to the House of Commons and further to his political career, he was appointed to the Senate in 1889. (Cooke, 1981, p. 402) Dr. Garry Bernard Isman was a physician who practiced medicine in Wolseley from 1941 to 1982. In 1980, members of the Carry the Kettle First Nation near Wolseley made him an honorary chief. (Isman, 1981, p. 296) He was actually a very good friend of my mother's family.

It is acknowledged in *Bridging the Past*, that the first inhabitants of the Wolseley area were mainly Assiniboine in addition to Cree and Saulteaux people who shared land with the Stoney. It has been alleged in this historical account that there was “trouble” amongst these tribes and they ultimately made a request to the Department of Indian Affairs to be separated from one another. Chief Carry the Kettle and his tribe of people remained nearby, though not in the district of Wolseley, while Chief Piapot and the Stoney were relocated near the banks of the Qu’Appelle River. It has been written that because of their own volition “their former territory was now open to colonization.” (Conn, 1981, p. 2) Of course, notions such as these lend to the widely held belief of settler land entitlement.

Adding further to the glorification of colonial mythology, which has become a celebrated Canadian history, it has been written that “our story of Wolseley and surrounding areas begins with those homesteaders who were of the ‘True Grit’ type being able to survive the hardships associated with settling a new and strange land.” (Conn, 1981, p. 3) Such a statement invokes notions related to the myth of the frontier, an understanding of a wild, uninhabited landscape which is settled by rugged individuals. They stake territorial claims to the land and, as such, they become the rightful inhabitants. Joyce Green (2006), a professor of Political Science at the University of Regina adds that in Saskatchewan,

racism is supported by myths embedded in our political culture, such as variations on the theme that "we" trace our origins to brave tenacious ancestors who came from elsewhere to create this good society. These myths ignore the reality of colonial occupation of Aboriginal lands, and the displacement and subordination of Aboriginal peoples, all through official policies. (¶37)

Wolseley's first written history book concludes with a poem written by a local resident who writes about the geography of the Qu'Appelle Valley in the district of Wolseley. She ends her poem with "I have gazed upon Mount Witness/The Hill my father named,/thinking of the Indian legend/before the west was tamed."⁴ (Silversides, 1981, p. 603) The poem speaks to the widely held Eurocentric belief that there was an inherent "right" to the land. This includes the aspect of naming, which denotes ownership. Euro-Canadian settlers named geographical locations in order to lay claim to the territory. In doing so, the Indigenous history is negated, denied, and rejected. Tuhiwai-Smith (2004) concurs that in a colonial context, land has been seen as something that could be tamed and controlled. "Renaming the land was probably as powerful ideologically as changing the land." (p. 51) Newly named land is intended to establish more of a disconnection from Indigenous inhabitants. Thus, the poem reveals the positionality of Euro-Canadian settlers as dominant, a positionality of power, claiming the land while displacing Native inhabitants. According to Adams (2000) "Natives were [considered] subhuman, so Indigenous occupancy did not constitute human residence. The Europeans claimed they had 'discovered' vacant land and therefore were free to claim it as their own." (p. 46) Perhaps what stands out the most in this poem, is the coded, euphemistic language which implicates Native people as being "savage." Insinuating that the west was "untamed" prior to the arrival of Europeans is consistent with Métis scholar, Emma LaRocque's theory of the "civ/sav dichotomy" which is the belief that the Europeans were "civilizers" to the "savage" Native population. (1983, p. 86) Further to this

⁴ The "legend" which Silversides refers to is *The Legend of the Qu'Appelle Valley*. This legend is a famous love story for which the Qu'Appelle Valley and Qu'Appelle River were named after. It is said that a young Native couple were separated when the young man had to leave for a war. After time, the young woman eventually became ill and as she was dying she called out to the young warrior. Many people in the region claim you can still hear the voice of the warrior searching for the voice calling him. The voice says "Qui'Appelle?" or "Who calls?"

notion, Canadian historian, Olive Patricia Dickason (1997) states that “[b]y classifying [Native people] as savages, Europeans were able to create the ideology that helped make it possible to launch one of the greatest movements in the history of western civilization: the colonization of overseas empires.” (p. xiii) Bonita Lawrence (2002), a Mi’kmaw scholar, argues that this disappropriation of history is a necessary component of Canada’s construction and maintenance of a positive national identity. (p. 23) She states in order to uphold the characterization of purity as a feasible national identity;

the histories of Indigenous nations, in all their diversity and longevity, must be erased. Furthermore, in order to maintain Canada’s self image as a fundamentally ‘decent’ people innocent of any wrongdoing, the historical record of how the land was acquired – the forcible and relentless dispossession of Indigenous peoples, the theft of their territories, and the implementation of legislation and policies designed to effect their total disappearance as peoples – must also be erased. (Lawrence, 2002, pp. 23-24)

Clearly, my roots are planted in a location with great historical significance. I grew up in a country that celebrated the colonial conquest and did little to combat racism in lieu of accepting it, and often encouraging it, as a societal norm. Wolseley, Saskatchewan can be viewed as a microcosm of the larger Canadian society that is boastful of a history that we never deserved to be proud of. The history of the land, the experiences that I have had and the narratives that I was exposed to growing up contribute great significance to my positionality in my research.

The primary and secondary schools in Wolseley accommodated both local students as well as students from the neighbouring Carry the Kettle First Nation, approximately fifteen kilometres west of the community. My first encounter with overt and subliminal messages of

racism likely began here. Children from Carry the Kettle were often not befriended out of the fear of alienation from the peer group or because there were other messages being communicated that to be Native was to somehow be subhuman. Classmates and teachers played a role in the formation of racially determined gaps. As a child, I was witness to a teacher, an adult in a position of trust, trivializing welt marks left by a belt on the arm of a Carry the Kettle child by telling him he likely “deserved” it. Another particular incident that occurred a few years later that I recall involved a student who was offering to give away the dessert portion of his packed lunch. When one of the children from Carry the Kettle asked for the dessert, the student digressed by refusing and stating that he could just get “the government to pay for it.”

The advancement from primary to secondary school ensured the continuation and escalation of the tumultuous relationships between the Native and non-Native student population. Tension between the two groups was reflected in the way of social groups that were almost entirely segregated according to ethnicity, verbalized discontentment with the “Other,”⁵ and occasional eruptions of violence. Social politicking, defined in the post-colonial context as “Othering” was rampant. Unfortunately, personal anecdotes such as the ones I refer to are only a few of many. These incidents should not be lessened to the mere experiences of school aged youth, but should be rightly recognized as a product of the colonial legacy in Saskatchewan and in the larger Canada context. Green (2008), elaborates on this idea by stating that “the way society functions now in Saskatchewan is a direct consequence of racist policies in this province and this country that has allowed [A]boriginal people to be marginalized within their own

⁵ According to Ashcroft, Tiffiths, and Griffin (2000) the “Other” is specified as “anyone who is separate from one’s self” on the binary equation of what is implied to be normalized. The establishment of the “Other” is attained through the process of “othering” in which the inferior/subordinate human caste system is determined. (p. 169-172)

territories.” (as cited in Kyle, p. A6) Green speaks to the layers at which racism exists in Saskatchewan, a concept that is also identified in the larger Canadian context by Canadian journalist, Geoffrey York. According to York (1990)⁶, Native people “face more hostility than any other ethnic group in Canada.” (p. 268) It is further argued that “politicians, public officials, broadcasters, newspaper columnists, and others” promote racialized hatred against people of Native descent that they would not ever consider doing toward other ethnic groups.⁷ York (1990) cites several instances of persons who have a stage in the public eye and have used their influence to continue to create harmful attitudes toward Native people. (pp. 268-269)⁸

Interracial tension through my observations growing up was certainly not isolated to my hometown or even the area. During my travels throughout Saskatchewan, my living in different

⁶ It is worth noting how concepts of racial discrimination and the Other have been considered for a number of years and are relevant across the contexts of specific time periods.

⁷ On a personal note, when I was living in Saskatoon studying for my undergraduate degree, the Minister of Parliament in the Saskatoon-Humboldt riding, Jim Pankiw acted precisely in the way that York describes. Pankiw became notorious for his stance against what he perceived to be “race-based privileges.” He balked at suggestions that implied his propaganda was “racist” and insisted that he was just “telling it like it is.” Pankiw sent out mailers indicating themes of unfairness toward the non-Native population and pursued a strong vilification of Native people. Examples of his pamphlets, which were distributed throughout his riding delivered messages such as “Stop Indian Crime” and “It’s Clear Who the Racists Are.” Apart from the communication of blatant resentment toward Native people, his discourse served to “encourage people to believe that the difference between First Nations people and non-Aboriginals arises out of ‘race-based’ social policy rather than out of the complex historical interplay between society, government, and First Nations.” (Wills, 2007, pp. 15-16) In 2003, Pankiw ran for Mayor of Saskatoon and garnered significant support despite losing the race. (Wills, 2007, p. 5) Some members of the public spoke out against Pankiw and began a campaign against him called “No Thank You Pankiw.”

⁸ Many of the examples he cites occur around the time frame of the Dove murder.

areas and my meetings with people from across the province, the opinions of the Native population have, for the most part, been the same. While the racist sentiments have been exuded in various forms and severities, the only real difference has been geographic. In his memoir *Lake of the Prairies*, Warren Cariou, a literary scholar originally from Saskatchewan illustrates, a state of racial tension virtually identical to that of Wolseley in his hometown of Meadow Lake, Saskatchewan. Cariou (2002) recounts memories of what he refers to as a “social hierarchy” in which Native people were situated below the “superior” Euro-Canadian population. (p. 103)

Similarities between Cariou’s experiences in small town Saskatchewan and my own are parallel almost to a point of disbelief. It is as though Cariou (2002) is describing Wolseley, and undoubtedly many other areas in Saskatchewan when he writes

...belonging was written on our skin. We all shared a knowledge of the difference between brown faces and white, knowledge that came complete with a whole series of lessons in racism: rules about whom we could associate with, where we could feel safe, what we could become when we grew up. Everyone lived by those rules. I knew I belonged in school and in our backyard, whereas theirs was the kingdom of roadways, the stampede grounds, the reserve. We all patrolled our territories, watching for each other.

(p. 109)

Through Cariou’s words, an us/them dichotomy is evident. In his account of the areas which were inhabited almost specifically in accordance to race, the theory of “racialized spaces” is pertinent. This idea is introduced by Sherene Razack, a professor of Sociology and Equity Studies at the University of Toronto who specializes in issues of race, gender and the law. This theory identifies how different “spaces” are social products created to segregate certain groups of people. (Razack, 2002, pp. 1-20)

Like Cariou, I admit to falling fault to the legacy of “fear” which fed and perpetuated my own racism against Native people. Cariou (2002) states that

[T]he whole western culture has always been afraid of Indians, at the same time it has cheated them and infantilized them and distorted them into jokes and caricatures... simply by being who they were, aboriginals made everyone else question their own belonging, and that questioning tended to raise the most fundamental kinds of fears and insecurities. (p. 104)

It is this “fear” that has steeped unconsciously into the minds of the non-Native population and developed into what Cariou describes as a construction of a “personal reality.” (p. 104) Even if certain people attempted to question the concept that Native people were just innately inferior, they did not dare to. Anyone who befriended, defended or sympathized with the “Other” would risk alienation, mockery and ridicule from the dominant group. This was a reality that would haunt me as I began my own confrontation with the anatomy of racism and colonialism.

Of course, it would be unrealistic to advise that there were never instances where there was harmony between the Native and non-Native populations. Occasionally, friendships were formed and acceptance was gained through initiatives such as the school sports programs. Such relationships were often touted as examples in order to distinguish the “good Indian” from the “bad Indian.” Racism never truly relinquishes its incredible grip on our society.

During my school years in the 1990s, a few high profile cases involving the Native/non-Native population and violent crime were at the peak of local media hype in Saskatchewan. One of those cases was the Dove murder. In the outcome of Dove’s murder trial, the accused, Hubert Cory Acoose was sentenced to four years and three months ; Myles David Acoose was sentenced

to eight years and three months, and a young offender was sentenced to three years, all on counts of manslaughter.

Three years following the murder of William Dove, another high profile murder case made headlines. Pamela George, a Native woman originally from the Sakimay First Nation, was sexually assaulted and violently killed at the hands of two young white men, Steven Kummerfield and Alexander Ternowetsky in an unprovoked attack. During the trial, it became public knowledge that George had been targeted and further devalued because she was a Native woman who happened to be working in the sex trade at the time she was killed. Witnesses testified that Kummerfield and Ternowetsky had told friends about the incident and used several racist and sexist descriptions when speaking about George. Justice Ted Malone, who presided over the case advised the jury to consider the fact that she was involved in the sex trade in determining whether or not Kummerfield and Ternowetsky should have been convicted on sexual assault. (Razack, 2002, p. 140, pp. 151-152) The two men were ultimately charged with manslaughter and each sentenced to six and a half years. Tony Cote of the Yorkton Tribal Council in eastern Saskatchewan stated that the sentence effectively communicated that “‘It's all right for . . . little white boys to go out on the streets, get drunk and use that for an excuse to start hunting down our own people.’” (Cordon, 1997, p. A.7)

I recall the said two incidents very clearly from the time at which they happened. As an undergraduate student, I studied the case of Pamela George and became so involved that I elected to commit myself to the discipline of Native Studies, and in particular, the aspect of social justice issues. I became well acquainted with the violence against Native people by non-Natives as an outcome of racism and colonialism. In my studies I struggled with an internal conflict over the subject matter. For the first time in my life, I really felt uncomfortable in my

own white skin. I felt guilty and sometimes vilified and defensive by virtue of being associated with the “white man.” I had been exposed to silenced histories that revealed absent narratives in which Euro-Canadians were implicated. Suddenly, my whiteness, which had “protected” me for years, made me feel vulnerable. I could no longer feel the same assurance as I had before because now I was aware of the privilege associated with my skin. Peggy McIntosh, who has written extensively on the concept of whiteness, argues that prejudices against non-White people is more than just active discrimination. The unearned privilege associated with whiteness is essential to understanding the barriers confronted by those who do not have it. She states that we are meant to remain oblivious to our whiteness and in denying it, our privilege is protected. White privilege is “like an invisible, weightless knapsack of special provisions, assurances, tools, maps, guides, codebooks, passports, visas, clothes, compasses, emergency gear, and blank checks.” (McIntosh, 2007, p. 377) Even though my self-realisation of whiteness did not dissolve my own “knapsack,” I can say that it was no longer invisible to my eyes.

Outside of the classroom, the battle persisted. I looked at everything differently in terms of how I understood issues concerning Native people...and it felt terrible. Paradoxically, things were easier to see when I was not really seeing them at all. In social situations, I found myself not only having to explain myself as a non-Native student of Native studies, but being expected to answer on account of the state of Native people. Emma LaRocque identifies this situation (albeit within the context of an Aboriginal viewpoint) by acknowledging the “hapless role of apologists, incessant (and very patient) explainers and overnight experts on all things Native” (as cited in Dabulkis-Hunter, 2002, p. 15).

My acknowledgement as a student of Native Studies was often a launching point to arguments in social situations to which I was expected to answer for any and all Native

“problems.” Those who all too enthusiastically engaged in these arguments with me were more prone to disagree with anything and everything I said, regardless of the validity of what I had to say. I see this scenario as a phenomenon in which society finds security in ignorance, satisfied to be cloaked in a shroud of self-righteousness. Within this sense of false security, the idea of the vilified “Other” is more easily dignified. The discussions and arguments that I engaged in are relevant in the sense that such dialogue is significant in the conveyance and reproduction of the racist ideology that forms the systematic oppression of the “Other.” According to Teun A. van Dijk (1987), a scholar specializing in text linguistics and critical discourse analysis,

[d]iscursive reproduction in that case is both a contribution to the diffusion and confirmation of ethnic prejudice and a form of communicative preparation for discriminatory acts. People formulate ‘acceptable’ shared norms and goals for in-group members in their dealings with out-group members. It is in this complex sense that we take prejudiced talk about ethnic minority groups both as an instance and as a form of reproduction of racism. Here, the structural, macro notion of racism meets with its individual personal enactment by dominant group members at the micro level of social organization. (p. 24)

The internal dialogue often occupied my thoughts and external battles with other people proved so exhausting that I ultimately decided not to pursue further my education in Native Studies after receiving my Bachelor of Arts in 2003. However, shortly into the study of my second degree in Honours English, I began to rethink my academic future. I became cognizant of the fact that, amongst other things, I had not been mentally prepared to confront my own insecurities associated with my whiteness. I had wanted to “leave” what I had learned by moving into a different discipline and pursuing a future that did not include Native Studies. What I did not

immediately acknowledge was that I could not “unlearn” the truths I had been confronted with. Further, by attempting to dissociate myself I was inadvertently contributing to the state of racist society by virtue of my passivity.

I entered the Native Studies graduate program at the University of Manitoba hoping to better understand the nature of tumultuous Native/non-Native relationships that had initially consumed and exhausted my consciousness. Upon deciding on a topic for my Masters thesis, the choice seemed to be obvious for me to build upon my existing knowledge of the connectedness of racism, colonialism and violence. I had initially intended to build upon the existing research that seeks to explain the existence of violence in relationship to racism and colonialism from the perspective of the colonizer (non-Native) as the issuer of violence upon the colonized (Native). However, I continued to be directly and indirectly challenged by others to contemplate matters involving the reversal of these roles.

An article re-printed in the Saskatoon StarPhoenix by *MacLean's* magazine senior editor Dale Eisler discussed the role of racism in the Pamela George murder case and asked the question of why it was not used in the William Dove murder case. Eisler recalled the outrage following George's murder and the outcry from Native leaders of a dual justice system, one for Natives and one for Whites. The tone of Eisler's words is blatant. He alleges that Native people are guilty of hypocrisy in the way that they execute the same racist attitudes that they “supposedly condemn.” (Eisler, 1997, p. A2) Of Dove's murder, he claims that

[N]o one in the non-Native community dared to suggest the judicial system was biased in favour of aboriginal people. They might have thought the system failed William Dove,

his family and society in general, but they did not drag out the allegation of racism.

(Eisler, 1997, p. A2)

Freelance writer Linda Ungar for the *Globe and Mail* also wrote about the Dove murder and asserted that in the outcome of the Dove murder trial, “[t]he white community looked suspiciously at every dark face, reinforcing prejudices unjustly placed on the whole instead of the individuals involved.” (1993, p. A24) The statements made by Eisler and Ungar both discuss notions of racism, though Eisler’s argument concerns ownership of racism and Ungar describes how the fact that Dove’s murderers were Native has been utilized as an excuse for racism to occur. After another incident involving the murder of a non-Native man by a Native, political columnist Murray Mandryk acknowledges that the public reacts differently when the crime is interracial. Mandryk (2001) states:

[w]hen the victim and the accused are of a different race, murders in this province take on a different element. We saw it in the 1995 murder of aboriginal prostitute⁹ Pamela George that eventually resulted in manslaughter convictions against Steven Kummerfield and Alex Ternowetsky. We saw it in 1992 murder of 73-year-old white farmer William Dove that resulted in manslaughter convictions against David Acoose, Corey Acoose and a 16-year-old youth. (2001, p. A15)

All three of these articles comment on how racial tensions shape views on crime. The articles cited are indicative of the thought that racism was not aptly named in the Dove murder, the trial, or the aftermath, but it did exist. I am inclined to agree, but not in the context that Eisler has

⁹ It is interesting to note that despite Mandryk’s message which was projected as a message of optimism, he still utilized the harmful and dehumanizing label of Pamela George as being an “aboriginal prostitute.”

suggested. Because racism is inextricably bound with colonialism, I argue that it was *colonialism* which permeated the entire existence of the accused and this is what led to their unjust victimization of Dove. According to Tunisian scholar and noted post-colonial theorist, Albert Memmi (1965), “[c]olonization distorts relationships, destroys or petrifies institutions, and corrupts men, both colonizers and colonized.” (p. 151) The system, which Eisler has criticized and implicated as being racist, is a by-product of colonization. Again, the system was built upon and continues to operate on racist principles, but the outcome of the trial does not necessarily reflect that.

Barrie Anderson, who was a University of Regina sociology instructor at the time of the George murder, added further speculation on the state of interracial crime in Saskatchewan. He advised that in the year of the George’s murder, there had been seven other murders- most of which occurred exclusively within the Native community. He stated that “[n]obody can recall the names of the victims or the accused. If it was a Native man who was responsible [in the George murder]” the media hype and the quest of sociological analysis would not be sought out, which he perceived to be a reflection of racism. (Roberts, 1996, p. A1) I disagree that this is an accurate reflection of racism, but rather a defensive response ignited out of a perceived threat on the white community.

Warren Goulding, a white journalist also questions the imbalance of media coverage for crimes with Native victims as opposed to white victims in his book *Just Another Indian*. In the context of the media response to the case of John Martin Crawford, a serial killer in Saskatoon who murdered four Native women, Goulding (2001) suggests that media is not as empathetic to Native victims as opposed to victims who are white. In contrast to the white, middle class victims of Paul Bernardo and Karla Homolka, the “[t]he mainstream media, conservative and

decidedly non-aboriginal in terms of working journalists, were unable to empathize with the perpetrator or the [Native] victims and their families.” (Goulding, 2001, pp. 210-211) Crown prosecutor, Terry Hinz advised Goulding that “the media responds to victims they can empathize with.” (p. 212) In this respect, it is likely that writers such as Eisler, may have identified with Dove and been prompted to write about the case in contrast to the George murder as a result.

The way the media conceptualizes these crimes of interracial violence is important when we contemplate how the media affects our opinions about the Other. According to Green (2006),

The media write, speak and produce for the "average reader," the normative working-class or middle-class white model, with its set of social assumptions about the world. The advertisers that underwrite the media pitch to this category. For the most part, Aboriginal peoples do not exist for the media, except as practitioners of violence or political opposition, as marketing stereotypes, or as bearers of social pathologies. (¶ 21)

The voice of public opinion on crimes as captured in the Canadian print media spawned the question on which I have chosen to base my research: Using the example of the 1992 murder of William Dove, does the history of colonialism in southeast Saskatchewan play a role in contemporary issues of interracial violence? The particular case study of the Dove murder provides a scenario to which these concepts can be applied and further explored. Specifically, the objective of this research will be to establish the outcome of interracial violence as being an existential component of systemic racism and colonialism regardless of the perpetrator.

In a copy of the *Whitewood Crossroad Country* book, a history book for Whitewood and area, there is a section containing family histories. It was there that I first laid eyes on a photograph of William Dove and his family. The history tells that of husband, father and

grandfather and a man who worked hard all of his life. The history also tells of the family cottage at Round Lake and speaks with pride about the character of the home and their homemade decorations. The image of Dove himself is that of a small statured and unassuming man...certainly one that could not have withheld the kind of violent attack that ultimately ended his life. The photograph and the humble story further humanize the man who was the victim of a senseless and brutal crime. The history of the land, linked with a series of coincidences, led the world of William Dove to collide with that of his murderers. Contextual analysis may preclude the possibility of Dove as a victim of racism without ever having been the subject of it in the first place.

In this research, it is acknowledged that Dove's case is rare in the sense that he was a non-Native man who became the victim of a violent crime initiated by members of the Native community. Research has documented that most of the violence experienced in the Native population occurs within their own people, while most interracial violence has been initiated by non-Native people toward members of the Native community. However, Dove's case, although rare, is not an isolated one in Saskatchewan. Two other similar interracial murders occurred in southeast Saskatchewan within a few years of each other. One of the murders occurred in 1996 in or around the area of Indian Head, Saskatchewan.¹⁰ Fotios Frank Barlas was killed in a particularly violent encounter by three Native men. His body was discovered on the Little Black Bear First Nation two days later in a creek bed two and a half kilometres away from his burned out truck. (Blevins, 1996, p. A7). Barlas' murderers, Wayne Leslie Bellegarde, and Lyle Bernard Bellegarde, were found guilty and received mandatory life sentences. A third man, Andrew

¹⁰ Indian Head, Saskatchewan is approximately 32 kilometres from Wolseley, Saskatchewan. This town also has a troubling colonial history.

Michael Bellegarde, was acquitted.¹¹ The other murder occurred in 2001. John Davies, a non-Native man and SaskTel employee was shot and killed on the Starblanket First Nation where he was attending to a service call. (Scott, 2002, p. A1) Davies was killed by eighteen year old Daniel Kenneth James Tuckanow whom he did not even know. (O'Connor, 2002, p A1) Tuckanow was seventeen years old at the time of the murder but was tried as an adult and sentenced to life in prison.¹² Despite the fact that the murders of Davies and Barlas will not be explored in further detail, it is important to point out the parallels to that of the Dove murder. When the commonalities between these cases are considered, it can be said that recurring narratives of colonial history are revealed.

The concept behind this research is not to minimize the atrocities that were bestowed upon William Dove, nor is it the intent to trivialize the accountability of those who bestowed such atrocities. The idea is to conceptualize an alternate understanding of this crime and recognize how the component of systemic racism and historical significance of colonialism are factors. This work can be considered as decolonizing project as it attempts to deconstruct and reshape conceptions of interracial violence. According to Green (2006)

Racism's roots are embedded in the history of colonialism. Recognizing this deep background of racism as problematic, and then eliminating it, requires more than simply

¹¹ Following the announcement of a guilty verdict, one woman who was identified as a family member of the accused was held back by security as she accused the jury of being racist. She made reference to the six and a half year sentence received by Steven Kummerfield and Alexander Ternowetsky, two white men, who murdered Pamela George, a native woman. (Pacholik, 1997, A. 11)

¹² Tuckanow, who was apparently intoxicated at the time of the offence, was also charged with the murders of sixteen year old Anthony Shane Akapew and twenty year old Devin Lance Keewatin whom he killed prior to shooting Davies.

the good will of well-intentioned white people, and the superficial recognition of Aboriginal cultural practices. It requires the systematic dismantling of colonialism. (¶27)

The theory behind this study may conclude that the aforementioned factors aided in creating the conditions under which William Dove was killed. It should be considered that Hubert Corey Acoose, Myles David Acoose and the young offender did not commit this crime out of a lack of judgment and a deficit of morality alone. Hence, it is important to recognize how the three accused are products of systemic racism co-occurring within a colonial context. Contemporary interracial violence may be viewed as rising or being incited from colonial histories, which have encouraged such tensions and contribute to present day violence.

Chapter 2: Theoretical Frameworks

2.1 A Note on Violence

The term “violence” in itself is ambiguous because it can occur on many levels, such as physical or verbal, individual or communal and can be executed with varying degrees of severity. With respect to the case study, the term “violence” denotes the purposeful, bodily assault by one human being against another, in the context of this thesis, specifically the act of homicide. For an explanation in an interracial context one may resort to theories which contextualize individual violence within violence against a group or a people, such as colonial violence and the violence of dispossession.

Before delving into the topic of interracial violence concerning white victims, it is worthwhile to note that Native people are three times more likely to be victimized by violence than non-Native people. Specifically when it comes to incidents of homicide, Native people are seven times more likely to be victims than their non-Native counterparts. It is important to note within the context of the research (Brzozowski, J., Johnson, S. & Taylor-Butts, A., 2006) that Native populations are overrepresented in terms of their being victims of violent crime as well as the perpetrators of it.

2.2 Internalized Colonization

Internalized colonization involves the process of negative self-identity created through the injurious perceptions of colonized groups by colonizers. The common experience of self-

hate and internalized colonization is identified, for example, by Taiaiake Alfred, a Mohawk scholar. Alfred (2005) argues that the harmful portrayal of Native people by colonial society is overwhelming and contributes to the widespread culture of destructive self-consciousness. Mediums such as popular culture, mainstream education, and government propaganda serve as methods to suppress Native people and bully them into acceptance as an inferior society. According to Alfred (2005) “the psychological landscape is defined by extremes of self-hatred, fear and co-optation of the mind; the impact has been the creation of a reality and culture in which people are unable to recognize, much less realize, their values as human beings” (p. 164). The psychological landscape is therefore shaped through strands of historical reality. Messages of inferiority may become a repetitive internalized narrative by which the affected person judges themselves. As such, the internalization of negative notions, ideas, and belief systems reflects an indoctrination which, essentially, upholds the ideals of colonialism.

According to St. Denis (2007) “[r]ace matters because members of society have internalized racist ideas about what skin colour tells about the value and worth of a person or a group of people.” (p. 1017) As such, the colour of one’s skin is a visible marker which thereby identifies the dark body as Other within the white Euro-Canadian hegemony. Adams (1999) explains the environment of the colonized which serves as a contributor to internalized racism which becomes outwardly displayed as anger and violence. He describes his life growing up in an “Aboriginal ghetto” where he identifies himself as being an extension of the colonial society. Adams (1999) states “...because of the violence and hate I was surrounded by, I too lashed out, fought and battled in rage and vengeance...Life in that society was agony and unbearable. The pain excruciating, existence horrid.” (n.p.). Adams also reflects upon a society in which people of Native ancestry were indoctrinated with ideas that they were inferior to the non-Native

population. Hostility and violence exist as part of an equation in which self-hatred is the outcome of colonization. (Adams, 1999, p. 1) Through the process of internalization, Native people are prone to self-evaluate in relation to the idealized conception of “whiteness.” The self-evaluation against white society’s norms spawns “shame and rejection not only of the self but also of the similar other, i.e., other Aboriginal people.” (LaRocque, 1994, p. 6) This concept is echoed by Wesley-Esquimax and Smolewski (2004) who argue that [an Aboriginal] person’s sense of self is frequently constructed in the non-Native vision of Otherness, which is harmful as in terms of their sense of their social identity and subsequent depersonalization¹³ (p. 47).

Adams frames the notion of violence as being reflective of an unhealthy society created by colonization. LaRocque (2010) concurs that internalized colonization continues to have damaging effects on the Native population. She states that Native communities have struggled against harmful images which contribute to a lack of a healthy identity (p. 22) Further to this, “[t]here are no socio-economic privileges for Aboriginal peoples, but more, they are still being hounded by White North America’s image machine, which has persistently portrayed them in extremes as either the grotesque ignoble or noble savage.” (LaRocque, 2010, p. 22)

Frantz Fanon¹⁴, a Black, Algerian born psychiatrist and political activist, affirms that psychological ramifications of colonialism are implicit in understanding the consciousness of

¹³ Wesley-Esquimax and Smolewski (2004) cite Cattell, et. al., who identifies that social depersonalization “is characterized by ‘feelings of unreality in reference to the self, the external world, or the passage of time; feelings of unreality or detachment, and the loss of affective response.’” (pp. 47-48)

¹⁴ Fanon’s arguments regarding violence provide a particular framework that the discussion of which goes beyond this thesis; however, his work had been applied to the colonization of Native peoples in Canada by Ojibway author, Waubegshig. (1972, pp. 69-70)

oppressed people. Like Adams, Fanon recollects his struggle to defend who he was as a colonized person in a colonial existence. Fanon (1967) testifies:

I was responsible at the same time for my body, for my race, for my ancestors. I subjected myself to an objective examination, I discovered my blackness, my ethnic characteristics; and I was battered down by tom-toms, cannibalism, intellectual deficiency, fetishism, racial defects, slave-ships...I took myself far from my own presence, far indeed and made myself an object....All I wanted to be was a man among other men...My body was given back to me sprawled out, distorted, recolored, clad in mourning in that white winter day. The Negro is an animal, the Negro is bad, the Negro is mean, the Negro is ugly...The white world, the only honourable one barred me from participation. A man was expected to act like a man. I was expected to act like a black man- or at least like a nigger. I shouted a greeting to the world and the world slashed away my joy. I was told to stay within bounds, to go back where I belonged. (pp. 112-115)

In the context of the colonial presence in Algeria, Fanon describes how the harmful vision of the “native”¹⁵ is created in juxtaposition to the desirable colonizer. Fanon argues that in identifying with the loathed position of the colonized Other, they are envious of the social position of the colonizer and will aspire to identify with them. Out of this mind frame, an “inferiority complex” emerges. (Fanon, 1967, pp. 99-100) He argues that though the “settler’s world is a hostile world, which spurns the native” it also incites them to desire their social position. (Fanon, 1963, p. 52)

¹⁵ The term “native” used by Fanon, as it appears in this work is used to generally describe any indigenous group to have had original occupancy in a land. It is not to be confused with the term “Native” that I use to identify Canadian Indigenous people.

Fanon's theory of violence also seeks to explain the prevalence of aggressive and violent behaviour within "native" communities. Fanon argues that aggressiveness that has been manifested as a result of colonialism is first bestowed upon those who are also colonized. Fanon states that the personal oppression experienced is uncovered in a violent outlet. He states:

Where individuals are concerned, a positive negation of common sense is evident. While the settler or the policeman has the right to live long day to strike the native, to insult him and to make him crawl to them, you will see the native reaching for his knife at the slightest hostile or aggressive glance cast upon him from another native; for the last resort of the native is to defend his personality vis-à-vis his brother. (1963, p. 54)

Fanon asserts that this violence is appropriated by the colonizer to mean that the Other is incapable of reason. Therefore, their domination is further realized as just.

Indigenous scholars, Maria Yellow Horse Braveheart and Lemyra Debruyne (1996) who have conducted extensive research on the impact of historical trauma in the American Indian population also argue that, in Native communities, feelings of internalized oppression are expressed outwardly by violent means. (As cited in Poupart, 2003, p. 89) Colonization has contributed to the erosion of value systems that were upheld prior to contact. Through internalized colonization, Native communities recreate the power structures that oppressed them in the first place. According to Poupart (2003) western patriarchal caste systems have invaded Native communities. As such, Native people internalize Western patriarchal power hierarchies which have used violence as a means to assert power over others. It is further acknowledged that internalized colonization coincides with the existence of normalized violence in Native communities. Poupart (2003) states that "these expressions of internalized oppression became

more acceptable in Indian families and communities as we internalized and participated in Western power constructs.” (p. 92)

Some studies in social psychology have also linked feelings of low self-worth to aggressive and violent behaviour. One such example is the work of neo-Freudian theorists Karen Horney (1950) and Alfred Adler (1956). One of their major arguments was how low self esteem is a motivator for aggressive behaviour. More specifically that aggression is rooted in instances of childhood rejection and humiliation. (as cited in Caspi, A., Happé, F., Hughes, C., Jaffee, S.R., Moffitt, T., et. al., 2005, p. 328) Another theorist, Rosenberg (1965) expounds on this theory by suggesting that low self esteem weakens one’s ties to society. Weak ties to society can cause one to reject norms and enhance delinquent behaviour. (as cited in Caspi, A., Happé, F., Hughes, C., Jaffee, S.R., Moffitt, T., et. al., 2005, p. 328) These theoretical perspectives contribute to the understanding of how externalizing behaviours such as violence can be motivated by self hatred and parallel, in many ways, a system of internalized colonization.

Internalized colonization can affect entire Native communities when important agents of socialization in a community, such as parents and other leaders, manifest this powerful perception of “self-worthlessness and inadequacy.”, (Wesley-Esquimax and Smolewski, 2004, p. 47) For example, the Residential School experience produced generations of individuals who acquired negative self-concepts due to the extensive cultural repression and many other abuses. It corrupted vulnerable minds and nurtured systems of self-loathing. *The Report of the Aboriginal Justice Inquiry of Manitoba* (1991) argues that the Canadian residential school system is largely to blame for intergenerational trauma that has adversely affected Native communities. (pp. 512-516) It states that

The loss of successive generations of children to residential schools, the destruction of Aboriginal economic bases, the decimation of their populations through diseases and the increasing dependence on government welfare have led to social chaos. This manifests itself in Aboriginal communities through staggering poverty rates, high suicide rates, lower education levels, high rates of alcoholism and high rates of crime. In individuals, the legacy of the residential schools has lowered self-esteem, confusion of self-identity and cultural identity, and a distrust of, and antagonism toward, authority. (*Report of the Aboriginal Justice Inquiry of Manitoba*, 1991, p. 515)

In this regard, the psychological effects of internalized colonization have far reaching implications as far as social functioning is concerned. Cynthia C. Wesley-Esquimax and Magdalena Smolewski (2004), who conducted research on behalf of the *Aboriginal Healing Foundation* on historic trauma and healing argue that “...persistent changes in the social structure of Aboriginal societies had profound psychological effects on the social psyche of the people, which included social fatalism...and impoverishment of communication...” (p. 47)

2.3 Postcolonial Critical Theory: *The Other and Transgression from Other Space*

Most of the theoretical work consulted can be categorized as postcolonial theory.¹⁶ According to Ashcroft, Tiffiths, and Griffin (2005), postcolonialism “deals with the effects of colonization on cultures and societies.” (p. 186) Hence, postcolonial critical theory employs a

¹⁶ It is herewith acknowledged that the term “postcolonialism” is problematic in the sense that it implies that colonialism is a past occurrence, while many peoples still suffer the consequences of colonialism to this day. In fact, Tuhiwai-Smith (2002) argues that post-colonialism is a “convenient invention of Western intellectuals which reinscribes their power to define the world.” (p. 14)

discursive analysis of the properties of colonized nations. As Ashcroft, Tiffiths and Griffin (2005) explain, studies in postcolonial theory are used in

the study and analysis of European territorial conquests, the various institutions of European colonialisms, the discursive operations of empire, the subtleties of subject construction in colonial discourse and the resistance of those subjects, and, most importantly perhaps, the differing responses to such incursions and their contemporary colonial legacies in both pre- and post-independence nations and communities. While its use has tended to focus on the cultural production of such communities, it is becoming widely used in historical, political, sociological and economic analyses, as these disciplines continue to engage with the impact of European imperialism upon world societies. (Ashcroft, Tiffiths, and Griffin, 2000, p. 187)

Other studies in post-colonial theoretical discourse I have drawn from are, among others, Fanon, Said, Memmi, Razack, and Indigenous scholars like Adams, LaRocque, and Alfred.

Postcolonial critical theory is essential to my research as it establishes the interconnectedness of Canada's social problems of racialized conflict and violence to a colonial past. This theory informs an analysis of racialized conflict by incurring a perspective that is cognizant of the impact of colonialism. Postcolonial theory as presented by an author such as Razack contextualizes episodes of violence as racialized conflict and identifies them as colonial encounters.

One of the main themes prevalent throughout this study, particularly in the analysis of the court transcripts are the concepts of "Other" and "Othering." One of the prevailing discourses amongst the transcripts stems from the racist ideology of "Otherness." The act of "othering"

establishes a binary by which the colonizer secures social hierarchy and the colonized subject is alienated by virtue of their own existence. According to Ashcroft, Tiffiths and Griffin (1998),

The existence of others is crucial in defining what is 'normal' and in locating one's own place in the world. The colonized subject is characterized by 'other' through discourses such as **primitivism** and **cannibalism**, as a means of establishing the binary separation of the colonizer and colonized and asserting the naturalness and primacy of the colonizing culture and world view. (p. 169)

Memmi (1965) argues that in order to appropriate a relationship in which colonial superiority is the objective, the construction of Otherness is necessary. (p. 54) Of the colonialist, Memmi (1965) states:

He will persist in degrading them, using the darkest colors to depict them. If need be, he will act to devalue them, annihilate them. But he can never escape from this circle. The distance which colonization places between him and the colonized must be accounted for and, to justify himself, he increases this distance still further by placing the two fingers irretrievably in opposition; his glorious position and the despicable one of the colonized. (pp. 54-55)

In this philosophy, the depiction of the villain, emerges as a subordinate "other" to the colonizer. LaRocque (2010) further addresses the distance created between the colonizer "self" and the colonized "other" by arguing that the creation of the "other" resonates to influence the psychological and institutional frames of the colonizer. (p. 4) This theme emerges consistently within the study of interracial conflict in southeast Saskatchewan, in the discourse of the Dove murder court transcripts and through the media accounts of the case.

Postcolonial scholar Edward Said (1994) describes the process of Othering as one that is achieved through interactions between the binary of Oriental/Occidental. In this argument, the European-Atlantic construction of the Orient has served a purpose. This purpose is revealed upon examination of current political, cultural, linguistic, aesthetic and economic controls that permeate society. The creation of Other in the context of orientalism is necessary in the sense that it is a “considerable material investment.” (Said, 1994, p. 6) Whiteness¹⁷ is defined in terms of Other. Just as orientalism “expresses and represents that part culturally and even ideologically as a mode of discourse with supporting institutions, vocabulary, scholarship, imagery, doctrines, even colonial bureaucracies and colonial styles” (Said, 1994, p. 2), Canadian culture works with the same ideological assumptions. Orientalism in a Canadian context entitles the colonial power institutions which have been built upon the fundamental structures of systemic racism and the inherent “need” for the positional superiority of the colonizer.

Canadian Native people have been categorized as Other as a necessary means of enacting the colonial regime. The Canadian government has affirmed the Otherness of Native people by defining their being through legislative processes such as the *Indian Act*. The colonial practice of labelling them as Other groups helped to fulfill the need for differentiation and submission of

¹⁷ To further illustrate the concept of whiteness, Frankenburg (2001) discusses an eight point definition and argues that it is the

location of structural advantage in societies structures in racial dominance...a ‘standpoint,’ a location in which to see selves, others, and national and global orders...a site of elaboration of a range of cultural practices and identities, often unmarked and unnamed, or named as national or ‘normative’ rather than specifically racial...it is often renamed or displaced within ethnic or class namings...Inclusion in the category of “white” is often a matter of contestation, and in different times and places some kinds of whiteness are boundary makers of the category itself...Whiteness as a site of privilege is not absolute but rather cross cut by a range of other axes of relative advantage or subordination...[it] is a product of history, and is a relational category...[t]he relationality and social constructability of whiteness does not [...] mean that this and other racial locations are unreal in their material and discursive effects. (p. 76)

non-egalitarian power structures resulting in a dichotomized society of those with and without power. (Dhamoon, 2009, 130) This dichotomy can be reflected in Said's (1994) assertion that "[i]n a quite constant way, Orientalism depends for its strategy on this flexible *positional* superiority, which puts the Westerner in a whole series of possible relationships with the Orient without ever losing him the relative upper hand." (p. 7) According to Dhamoon (2009), "through colonialism, the notion of an ideal white national citizen was (re)produced and consolidated by marking various indigenous subjects differently, but always as aliens on their own territory." (p. 130)

In *Exploring Identity and Citizenship: Aboriginal Women, Bill C-31 and the Sawridge Case*, Green (1997) examines the concept of Other in a Canadian Aboriginal context. She states:

The way which aboriginal nations have been made Other is typical of colonial endeavours, and has served to both justify colonial actions and to deny the historical and contemporary reality, in its completeness, of aboriginal existence in Canada.

Colonialism's Project, in Michael Stevenson's words, 'was, and still is, to lay waste a people and destroy their culture in order to undermine the integrity of their existence and appropriate their riches.' It is pursued via 'total war' legitimized not only through racist construction but through the creation of language celebrating colonial identities while constructing the Colonised as the antithesis of human decency and development, thereby establishing a justification for their physical, historical and cultural annihilation. This language 'becomes the basis for the forming of national identity and for providing the state with an organising ideology' whose racist, imperialist concepts 'become institutionalised as the democratic nation-state' in which hatred of the Other is bureaucratized. That is, racism becomes part of the structural base of the state, and

permeates the cultural life of the dominant society, both by its exclusive narrative of dominant experience and Mythology, and by its stereotypical rendering of the 'Other' as peripheral and unidimensional. (pp. 25-26)

Green (1997) insists that the term "Indian," which was echoed in the transcripts, is part of Othering and defies what Canada's Indigenous nations refer to themselves as. Such expressions impart "a false unity and homogeneous nature among these disparate nations..." (p. 26)

The idea of Other is contingent upon the existence of racism. While there are several definitions of racism, this study specifically explores colonial racism and its role in the generation of systemic racism. Racism exists on many levels from individual to institutional and is generally defined as "the socially licensed belief in the genetic superiority of one's 'race'" and it is specific to this study in the sense that it "is both the foundation and justification of colonization." (LaRocque, 2010, p. 9) The ideology of racism relies on the underlying concept of "race," which has been identified as a pseudo-biological concept utilized to establish social stratification. It assumes the "classification of human beings into physically, biologically and genetically distinct groups" and it also implies "that the mental and moral behaviour of human beings, as well as individual personality, ideas and capacities can be related to racial origin, and that knowledge of origin provides a satisfactory account of behaviour." (Ashcroft, Tiffiths, and Griffin, 1998, p. 198) While "race" is frequently rejected in certain scholarship, it is necessary to acknowledge the concept of race in order to commence an argument concerning the effects of racism. According to Miles and Brown (2003):

[p]hilosophically, it is possible to believe the wrong thing for the right reason. The matter of whether 'races' exist, or whether the concept of 'race' represents human beings and

social relations in a distorted manner, are epistemological and ontological questions, to which the answer is unambiguously that they do not exist, and that the concept does create such a distorted representation. It is indeed possible to use the idea of 'race' to generate anti-racist mobilisation or legislation against indirect racism, but this does not alter its epistemological and ontological status. (p. 7)

Miles and Brown (2003) argue that the Self/Other dialectic is implicit in the exploration of racism. They state:

Identifying the dialectic by reference to its two extremes, there is an explanatory wutility in considering a twofold classification of racism as ideology: on based on heteroracialisation (i.e. an attribution of the 'racially' defined Other with negative characteristics); the other on autoracialisation (i.e. an attribution of 'racially' defined Other with negative characteristics); the other on autoracialisation (i.e. an attribution of 'racially' defined Self – 'Us' – with positive characteristics)...Autoracialisation...is part of a 'series' that leads to the imagining and consolidation of difference, 'purification' of the 'race', and extermination of the Other. Heteroracialisation...on the other hands leads to inequality, domination and exploitation. (2003, p. 85)

In essence, this dialectic concedes that racism can be identified on a spectrum by which the superiority of Self is attained through the inferiorization of Other. Racism has been used as vehicle to exact oppression, violence, and exploitation. In a Canadian Aboriginal context, sociologist James Frideres (1998) argues that "[w]hether blatantly or covertly, most Canadians still believe that Aboriginals are inferior; as a result, these people believe that there is a sound basis for discrimination against Aboriginals at both the individual and institutional level." (p. 10)

LaRocque (2010) acknowledges that while there have been some suggestions that racism is not the specific property of any one ethnic group, and that indeed “reverse racism” occurs, “not everyone is empowered by social or legislative means to exercise it.” (p. 9) With respect to this idea, “reverse racism” is a misappropriated term. LaRocque (2010) argues that she believes that people are conditioned to be ethnocentric, but this does not make them racist. Racism, she contends, is of European origin, executed by colonizers, and experienced by the colonized. (p. 9)

Transgression of the Other between “civilized” and “primitive” spaces, is theorized using Razack’s concept of racialized spaces. Civilized spaces are identified as those that are predominantly comprised of a higher social class, such as resort villages, while primitive spaces are identified with spaces such as reserves. The notion of racialized spaces is based upon the existences of spatial divisions of race that have evolved as a result of colonial impositions. This concept can be used in understanding certain systematic institutions of marginalization. This particular concept of understanding qualifies notions of separateness according to race and is further realized according to physical (dis)placement, such as the “unnaturalness” of an affluent white person socializing in amongst the “dark” space of an inner-city slum. Tuhiwai-Smith (2004) also agrees that “[s]patial arrangements are an important part of social life.” (p. 51) In the western world, conceptions of space are articulated through the way we arrange and manage our spaces. Such classifications of space include “architectural space, physical space, psychological space, theoretical space and so forth.” (p. 51) In the context of black and white villages, Fanon (1965), discusses the buttress of psychological violence that occupies them when they are placed side by side. He states:

The zone where the native lives is not complementary to the zone inhabited by the settlers. The two zones are opposed, but not in the service of a higher unity. Obedient to

the rules of pure Aristotelian logic, they both follow the principle of reciprocal exclusivity. No conciliation is possible, for of the two terms, one is superfluous. The settlers town is a strongly built town, all made of stone and steel. It is a brightly lit town; the streets are covered with asphalt, and the garbage cans swallow all the leavings, unseen, unknown and hardly and hardly thought about. The settlers feet are never visible, except perhaps in the sea; but there you are never close enough to see them. His feet are protected by strong shoes although the streets of his town are clean and even, with no holes or stones. The settlers town is a well-fed town, an easy going town; it's belly always filled with good things. The settlers' town is a town of white people, of foreigners. (1965, pp. 38-39)

Of the native village, he describes that it

Is a place of ill fame, peopled by the men of evil repute. They are born there, it matters little where or how; they die there, it matters not where, nor how. It is a world without spaciousness; men live there on top of each other, and their huts are built one on top of the other. The native town is a hungry town, starved of bread, of meat, of shoes, of coal, of light. The native town is a crouching village, a town on it's knees, a town wallowing in the mire. (1965, p. 39)

Such boundaries of space that are described by Fanon, Tuhiwai-Smith, and Razack are utilized in order to psychologically and sometimes even physically alienate Others into spaces where those of superiority can feel comfortable. Utilizing this theory of understanding lends insight concerning race relations in southeast Saskatchewan due to the creation of such racialized spaces as reserves and "white towns."

The concept of Otherness and the Native as the personification of the vilified Other, an alien in their own territory, is evident in the systematic estrangement of Native people in southeast Saskatchewan. Government imposed legislation such as the *Indian Act*, the implementation of reserves¹⁸ and the residential school system are examples of this. In the narrative of the court transcripts in this case study, this is further evidenced. This concept is consulted as a method to understand the dynamics of visual segregation and the verbalized disassociation of self as evident in the words of the witnesses in the court case.

2.4 Trauma Theory/Normalization of Violence

Trauma theory and normalization of violent behaviour are related to one another. Children of parents attempting to cope with past and present experiences of physical and sexual abuse come to understand this sort of violence as a normalized common experience. According to Wesley-Esquimax and Smolewski (2004) “the experience of repeated traumatic stressors become normalized and incorporated into the cultural expression and expectations of successive generations, while trauma manifesting as culturally endemic will not be necessarily and readily identifiable as a specific or individual disorder.” (p. 3) This trauma can therefore be manifested in instances of violent encounters both on a domestic and communal level. One of the theories used in explaining the prevalence of violence in Native communities is the idea of

¹⁸ According to the *Indian Act*, a reserve a space of land that Native people are permitted to use, but is legally controlled by the Government of Canada. Under Section 35 of the *Indian Act*, the federal government is allowed to transfer land to another authority regardless of the consent of the people who inhabit the reserve. (York, 1990, p. 58)

intergenerational trauma. Wesley-Esquimax and Smolewski (2004) seek to explain intergenerational trauma:

Indigenous social and cultural devastation in the present is the result of unremitting personal and collective trauma due to demographic collapse, resulting from early influenza and smallpox epidemics and other infectious diseases, conquest, warfare, slavery, colonization, proselytization, famine and starvation, the 1892 to the late 1960s residential school period and forced assimilation. These experiences have left Indigenous cultural identities reeling with what can be regarded as an endemic and complex form of post-traumatic stress disorder (PTSD). (p. 1)

The study also concludes that personal traumas experienced in the Native community have been frequently unresolved and this subsequently affects several generations. The research advises that children growing up in this environment observe certain behaviours and create defence mechanisms to protect themselves. This theory may be applicable in understanding seemingly defensive, possibly violent, responses to certain social circumstances.

The argument of ordinariness is also used to explain other instances of violence, particularly in Native communities¹⁹. Proulx and Perrault (2000) offer that the many constituents of colonization such as the diminishment of traditional customs and spirituality, the Residential School System, disruption in the balance of gender roles, and beyond have contributed to

¹⁹ The kind of violence experienced within Native communities may be also be referred to as a form of “lateral violence.” Lateral violence is a learned behaviour which can be identified when a member (or members) of a particular group resort to become damaging to another member of the same group. Oppressed people are more vulnerable to struggle with disempowerment and consequently turn their anger toward members of their own community. This violence manifests itself in contexts such as domestic disputes and gang wars. (Middleton-Moz, 1999, as cited in Chansonneuve, 2005, p. 58)

violence in Native homes. Because the damaging effects of colonization are widely experienced across Native communities, domestic violence is a common experience. (pp. 15-17) It can be viewed that when violence is normalized, it becomes an inevitable and reasonable measure of response to a given situation.

Normalization of violence allows itself to persevere on account of several factors. In the case of domestic violence in Native communities, the very normalization of violence inhibits the understanding of healthy relationships and subsequently, the motivation to seek help. (Comaskey & McGillivray, 2000, pp. 44-45) Lack of adequate resources to amend violent situations, the presence of community politics, geographic isolation and “blaming the victim” are amongst several other reasons why the cycle to end the normalization of violence reproduces itself. (Comaskey & McGillivray, 2000, p. 55)

2.5 Controlled Substances²⁰ as an Enabler of Violence

Another theory is that violence is not necessarily an act enabled by personal volition, but by the use and overuse of a controlled substance. There are some limitations to examining the correlation between the consumption of drugs and/or alcohol and violent behaviour. Of these limitations, the particular context in which someone is liable to be aggressive while drinking is not easily studied in a controlled environment. Because it is difficult to generalize the outcome of illicit drugs in almost any context, alcohol will remain as the sole focus of this particular theory.

²⁰ I use the term “controlled substances” as a term meaning alcohol or other drugs. I refer to this term as opposed to just referring to alcohol as the use of other drugs by the accused was mentioned in print media and briefly in the court transcripts. Most of the theory I refer to is specifically related to alcohol, which was indisputably the main drug consumed the evening of the murder.

Alcohol was introduced to Native communities by colonizers during the fur trade era. The consideration of alcohol is also implicit within a colonial context. According to Jennings (1976), alcohol was introduced to Native people by European colonizers and this spawned the tumultuous existence of “mass drunkenness and demoralization.” (p. 40) Alcohol became a fixture in trade relationships between Native people and the first European colonizers of Canada. According to Rush and Ogborne (1992) “[t]hey soon experienced many alcohol related problems, but attempts by both French and British to ban the alcohol trade with them were largely unsuccessful. The native people [today] continue to experience many problems with alcohol.” (p. 253) Ajzenstadt (1994) states that the “earliest ties between the Native communities and the fur trading companies appeared to have been marked by cooperation, by the nineteenth century, the trading companies began to exploit and dominate the Natives.” (p. 443) Alcohol was used in order for traders to be able to more easily cheat the Native people. Further, the behaviour of Native people who consumed alcohol was interpreted as a way in which their innate depravity would be exposed and their racial inferiority secured. Ajzenstadt (1994) further argues that “[t]his biogenetic model, which linked immorality to the physical vulnerability of Natives to alcoholism, set the stage for their control by the whites, reducing political, cultural, and social relations between the communities to the physiological traits of the Natives.” (p. 443)

Alcohol was frequently used to as a means to disadvantage Native people during the trading partnership. Eventually, the presence of alcohol began to adversely affect the Native communities in terms of it becoming used as a coping mechanism in the face of an increasingly oppressive existence²¹. (Wesley-Esquimax and Smolewski, 2004, p. 36) According to Dickason

²¹ Wesley-Esquimax and Smolewski (2004) suggest that alcohol abuse serves “as a backdrop for social control and social power in Aboriginal societies, [and has become] the last, desperate attempt to regain social control.” (p. 36) It is argued that excessive drinking is a choice and Native people who make this

(2002), prior to this, Native communities had almost no reports of drunken behaviour and had a “very low incidence of violence.” (as cited in Chansonneuve, 2007, p. 7)

Several studies have established the link between aggressive/violent behaviour and alcohol consumption. The relationship between alcohol consumption and violent crime is complex as there are usually other determinants in the causal relationship apart from the pharmacological impacts. Larger amounts of alcohol result in slowed electrical activity in the brain. Some of the side effects specific to behaviour which may occur after one consumes excessive amounts of alcohol include: disorganized thinking, difficulty concentrating, memory impairment and increased risk-taking. This spectrum of behaviour may lead one to become vulnerable to aggression. (Lightfoot & Ross, 1985, pp. 40-41) One such study cited in Parker and Auerhahn (1998) identifies that alcohol is frequently implicated in serious forms of violence such as homicide. (p. 294) An approach referred to as the theory of selective disinhibition supports the correlation between alcohol consumption and violent behaviour.

An American study of alcohol and violent offences in the Native population is also applicable in a Canadian social context. In the study by Bachman, et. al. (2002), it was determined that Native people may be more vulnerable to alcohol related instances of violence (either as a victim or a perpetrator) because of social conditions such as isolation and poverty. (p. 438) It is further stated that alcohol is “an intervening factor related to violence; both alcohol and violence are the result of other socio-structural conditions such as poverty and social disorganization...Violence, alcoholism, and alcohol abuse are seen as adaptations to stress

choice are asserting control over themselves in a way that no one else has the authority to do so. “This veiled resistance was (and is) an attempt to define limits and set boundaries of the social self; a final frontier worth pursuing when ‘the other’ takes all other frontiers.” (Wesley-Esquimax and Smolewski, 2004, p. 36)

produced by these sociostructural conditions.” (Bachman, et. al, 2002, pp. 438-439) Bachman, et. al’s (2002) study also suggests that the association between alcohol and violence in First Nations communities is an intrafamilial, intergenerational and intracommunity issue. (p. 439)²² I should note that despite the literature, which indicates the social hindrance of alcohol abuse and violence in First Nations communities, I cannot verify these facts to be an accurate representation of the communities that the accused are associated with. Anecdotal evidence (including the interview provided to journalist, Kevin Blevins by David Acoose), which suggests the presence of alcohol related issues, cannot be entered as factual data.

²² It is further emphasized in this study that alcohol related violence is not universally found in First Nations communities. (Bachman, et. al., 2002, p. 440)

Chapter 3: Methodologies

3.1 Historical Studies

In order to examine the role of colonial history in my research question, it is necessary to consult historical studies. According to Berg (2001), historical research is “a process that examines events or combinations of events in order to uncover accounts of what happened in the past.” (p. 211) To establish a relationship between modern inter-racial encounters to past colonial ones, I consulted different texts including community history books, scholarly historical texts and newspaper archives. Berg (2001) has stated that historical analysis can promote better understanding of many contemporary issues, including race relations and crime. (p. 211) Through the examination of the past, I seek to establish connections with the present. Several accounts of regional, provincial and national history were consulted in order to establish the existence (and further the denial) of Canadian colonial history.²³ Analyzing historical texts, the societal background which arguably created the conditions in which Dove was vulnerable to be victimized is also illustrated.

3.2 Case Study/Selection of Case

A case study encompasses a methodological approach involving the systemic gathering of information about a “particular person, social setting, event, or group to permit the researcher to effectively understand how it operates or functions.” (Berg, 2001, p. 255) In my research, the

²³ In the utilization of historical texts, there is consideration provided not only to the historical account itself, but to the author of it. The historical records that I consulted were mainly written in the accord of the colonizer.

case study involves the murder of William Dove, and the trial of those who were convicted of killing him. Despite other cases of interracial violence in southeast Saskatchewan that reveal underlying power relations that trace to colonialism²⁴, I chose to focus on the Dove case. As with the other cases which involve Native perpetrators and white victims, the murder of William Dove can be considered one that is exemplary of violence as a result of colonialism because it is not an isolated occurrence. On the same note, the Dove case is an extraordinary outcome of colonialism as it is one of few in which the “colonized” (Native) instigated a violent attack on the “colonizer”²⁵ (non-Native). As mentioned in the previous chapter, most reports of violence occur within a specific community and most documents concerning interracial violence have historically involved the “colonizer” as the aggressor. I selected the Dove case for a number of reasons: the connection to my personal history, as I grew up near the area where the murder occurred; the connections between the geographical locations and colonialism; the responses from the public which not only interrogated the justice system but called to attention the role of racism; and finally, the existence of a strong database of documentation, such as newspaper archives which I could resort to for analysis.

3.3 Case Study Design: Narrative Analysis and Deductive Theoretical Direction

Narrative analysis is defined as a methodology used to make sense of data by focusing on stories told by research subjects. According to Willis (2010), “[t]his analysis explores how

²⁴ Other incidences of interracial violence, including ones concerning Native perpetrators and non-Native victims were considered, however, they were disregarded for this study as I limited the research to homicide cases.

²⁵ The terms colonized and colonizer are in quotation marks to indicate that those in present day society relate to such roles but cannot really identify with them according to their historical meaning.

[research subjects] tell their stories and how these stories link to a broader social or structural context.” (p. 418) As colonialism is about unequal power relations, this is important in considering the verbal recordings of the court transcripts which document the words of the witnesses and the proceedings of the legal counsel, but silence the accused. Using narrative analysis, a researcher can usually get a sense of the ordering of events, a sense of who the people are who are involved in the study, what their perspectives may be, and why they have been motivated to respond in certain contexts. (Willis, 2010, p. 425) The narrative inquiry allowed me to uncover the events of August 15th, 1992 in a linear fashion, gain a sense of everyone who encountered the accused and the victim in that time frame and importantly allowed further insight into establishments, ideas, and beliefs related to the colonial mindset. Causality may be established by comparing the content of the court transcripts to the theoretical basis which reflects the larger framework of colonial implications in contemporary Canadian society. This form of inquiry may reveal the racialized dialectics of Self and Other which lends itself to the deconstruction of the violent encounter.

The court transcripts provide a twofold perspective in relationship to the case study; they provide insight as a physical manifestation of a colonial regime, as well as insight into the colonial encounter of the attack against Dove. The very institution of the court room combined with the verbalized accounts of the circumstances surrounding Dove’s murder regenerate tones of colonial residue. The court transcripts provide a vehicle by which I am enabled to interrogate structures of power, significance and reference to colonialism. Testimonies provided by the witnesses, along with information regarding the murder investigation may elucidate ideas, attitudes, and beliefs associated with colonial mentality.

The data is analyzed using a deductive model. The deductive theoretical model is organized by first developing a theory, formulating a hypothesis, collecting data, and then testing the hypothesis to see if the original theory can be confirmed. (Natalier, 2010, pp. 49-50) After I initially decided to pursue researching the Dove murder, I formulated the theory that the colonial history of the region occupied a role in the violent encounter. My data collection consists of historical accounts, media reports, and court transcripts, which are my core document.

I attained the transcripts for *R vs. Acoose* with funding that I received from the Department of Native Studies at the University of Manitoba. In Saskatchewan, court transcripts are a matter of public record and are available and prepared by Transcript Services, a branch of the Court Services Division, for anyone who requests them. The transcripts arrived in the mail within a month of my request. The transcripts I received covered the proceedings of the preliminary inquiry as well as the guilty plea and sentence. The transcripts from the preliminary inquiry came in three volumes and were 495 pages in length, while the document containing the guilty plea and sentence was 16 pages.

My first read through of the transcripts was to attain familiarity with the documents and get a better sense of the case study beyond what I had already gathered from newspaper archives. The second time I read through them, I made detailed notes about the chronology of events and compiled a list of all of the witnesses with information on their significance to the case. After I became better acquainted with the case and its key players, I returned to the transcripts to search for inferences to colonialism. During this reading, I marked pages that I believed may have some sort of tie to an aspect of racism or colonialism. After this reading had been completed, I revisited the pages that had been marked for review and analyzed them using a deductive model in order to determine if a colonial connection of some sort could be made. In my observations, I

detected themes related to white Euro-Canadian benchmarking as well as references to colonial landmarks and social issues which have been linked to colonialism including poverty, racialized alienation and substance abuse.

For the accumulation of print media, I attained articles through the electronic database ProQuest, which contains electronic copies of several Canadian newspapers including the Saskatchewan News Network newspapers including, the *Regina Leader Post* and the *Saskatoon StarPhoenix*. Through the ProQuest search engine, I was able to access several articles printed in the network on the Dove murder case as well as accessing several other articles pertaining to interracial violent crime in southeast Saskatchewan.

These documents provide an invaluable account of the series of events on the night Dove was murdered as well as the investigation and manslaughter charges that were laid afterward. From the transcription of court proceedings, a narrative unfolds and exposes the chronology of events leading up to Dove's death and events which transpired afterward. In addition, the transcripts and news articles allowed me to interpret ideas, opinions and normative constructions of interracial conflict.

3.4 Self-Positioning

An important component in shaping my methodology was the concept of self-positioning. The school of thought which advocates for an absence of self and outward appearance of impartiality is problematic as it assumes that one can reasonably become devoid of self. In actuality, who I am as a person shaped the lens by which I was able to understand many parts of interracial conflict and particularly the murder of William Dove. Said (1994) identifies this

predicament stating that “legitimate” western knowledge is to be “non-political, that is, scholarly, academic, impartial, above partisan, or small-minded doctrinal belief.” (p. 10) It is further argued that this method of detachment between the scholar and the work is unrealistic. As the author of this thesis, it is unreasonable to expect that I be entirely disconnected. As Said (1994) states

No one has ever devised a method for detaching the scholar from the circumstances of life, from the fact of his involvement (conscious or unconscious) with a class, a set of beliefs, a social position, or from the mere activity of being a member of society. These continue to bear on what he does professionally, even though naturally enough his research and its fruits to attempt to reach a level of relative freedom from the inhibitions and the restrictions of brute, everyday reality. (p. 10)

The position which Said speaks of is that which helped to shape my vision of interracial conflict in southeast Saskatchewan and my subsequent interest in researching it. I write through the lens of a white woman who grew up in rural Saskatchewan and has seen interracial conflict between Native and non-Native people firsthand. My fair complexion, which complements my social position in middle class society, has paved the entrance to intimate discussions of harmful ideas and beliefs about Native people that I may not have otherwise had. If I had not spent time vacationing with my family in Round Lake as a child and working there in my teenage years, perhaps I may not have been so interested in what happened to William Dove. If I had not grown up in a society, which I believe as somewhat accepting of racism toward Native people, perhaps I would not have even remembered this story.

One of the works that helped me in the consideration of self-position in methodology was Cariou's *Lake of the Prairies: A Story of Belonging*. This book reflects upon themes of identity and belonging in the Canadian prairies. This literature was consulted, in part, to identify and articulate the common experience of interracial tensions in communities throughout Saskatchewan and also supports my methodological approach of self-positioning which is outlined in my first chapter. Cariou's work interrogates notions of "self" and "other" in terms of how individuals negotiate their identity and the identity of others in relationship to ethnicity.

3.5 Limitations of Methodology

There is a limitation as far as the selection of texts is concerned. In any collection of data, only certain texts are consulted, and inevitably some have to be left out. In my own research, I could have consulted other forms of media, but I was limited to consulting the print media that were available in the online archives through ProQuest, as it was the only electronic database I could access. In this respect, the exclusion and interpretation of texts can be subject to an allegation of partiality or bias on the part of the researcher.

Narrative analysis also does not always provide the benefit of certain context. In reading the court transcripts, I am not privy to non-verbal cues which help to contextualize the dialogue. For example, I am unable to get a sense of the mind frame of the accused as they never took the stand in their own defence. In considering the limitations of narrative analysis, it is important to utilize it as a supplementary method qualitative amongst other research techniques which I have done through historical studies. Also, my research design, which utilizes a method of deduction

creates vulnerability to criticism in the sense that my lens was already shaped by pre-formulated theory. Bitektine (2007) states that:

In effect, the researcher formulates the hypotheses inferred in a certain way from a given theory, already knowing which hypotheses are supported by the outcomes of the case study and which ones are not. Because the theories in social sciences are not fully formalized and the inference of testable hypotheses from a given theory rarely can be accomplished by relying solely on formal logic, the process of hypotheses selection and formulation is not free from a researcher's retrospective rationalization and selective biases. This awareness of the outcome gives researchers a temptation to cherry-pick the cases that support a given theory or to select (or generate) a theory that a particular case supports, leaving out theoretical propositions and factual data that do not fit with the author's plan. (p. 164)

As such, it is important for me to be aware of potential bias, and consider and acknowledge how a lack of specific evidence may not be conducive to answering my research question. According to Jacobs (2010), it is important for "the researcher to write about his or her own role and the objectives of the research so that others can judge the merits of his or her research and its findings." (p. 361) I have attempted to counter any limitations that this methodology may pose by clearly stating my position according to the research, and by consulting a rich source of texts to qualify the implications of this study.

Chapter 4: Geographical Narratives

4.1 Colonial Context of Region/Colonization in Saskatchewan

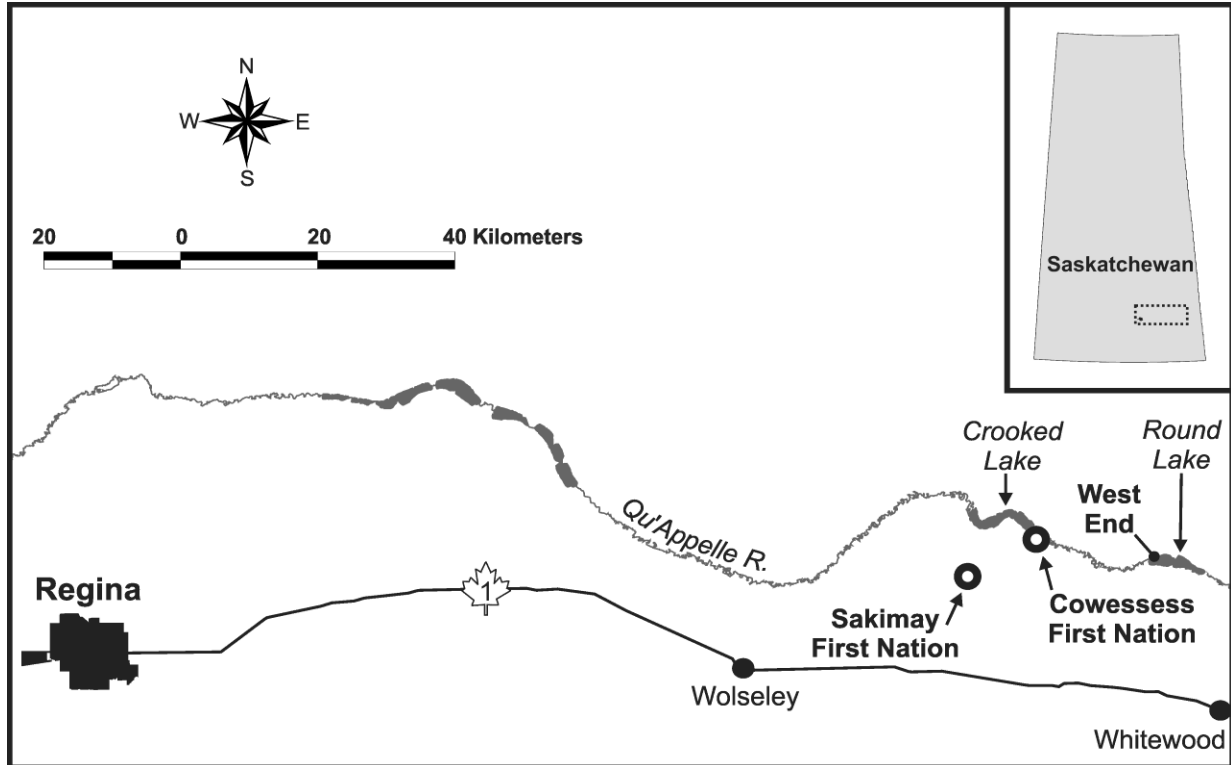
In order to gain an understanding of the colonial and racist undertones in the Dove murder case, it is important to recognize the geographical and historical implications. As a province, Saskatchewan can be recognized as a post-colonial space. The first known name of Saskatchewan by its First Nations was “*kisiskatchewan*,” the land of the swiftly flowing river. (Gautier, 2005, xi) Neal McLeod, a Cree and Swedish author originally from Saskatchewan explains the perspective of Saskatchewan’s colonial history through narrative memory. McLeod tells of the change in landscape that became part of colonial implication in Saskatchewan. He states:

With the coming of newcomers to the territory of the Cree, the landscape was transformed as well through the naming process. *kistapinânihk* became Prince Albert. Regina, named for the Queen, is known as *oskana kâ-asastêki* (pile of bones) in Cree; instead of celebrating the empire, the name was a marker for the retreat of the buffalo from the land. Today, the road maps of western Canada show little evidence that Indigenous people dwell in the territory, or that we have marked the place with our memory. (2007, pp. 6-7)

The legacy of the colonial past in the province as it pertains to the case study is not only visible by the violent encounter which may have resulted in William Dove’s death, but, as McLeod has suggested, through the names and landmarks of the areas in Saskatchewan that are relevant. Throughout the province, names of colonists are immortalized and incorporated into physical manifestations that commemorate a dark history cloaked in “white lies.” A violent past has never

really passed, but has revealed itself in many ways as a consequence of history. The intergenerational trauma experienced in Native communities as part of the legacy of Saskatchewan's residential school system and other government legislated systems of oppression are evidence of this. In particular, this research examines histories of the Sakimay and Cowessess First Nations due to their personal and geographical links to this case. The accused in this case were from Sakimay First Nation, which is close to the Cowessess First Nation, where they had been at a party the night of the murder, and where at least one of the accused had attended secondary school. These areas, which are government sanctioned spaces of alienation and dispossession, are situated between a scattering of predominantly white spaces, including the resort village of Round Lake and the capital city of Regina.

The city of Regina plays a smaller role in this particular study as it is the site of where the body of William Dove was found and the location where the trial took place. As such, only a short summation of information is provided. Regina is a predominantly white city situated amongst a scattering of reserves in the Qu'Appelle Valley. It was named the capital city of Saskatchewan in 1906, one year after Saskatchewan was recognized as province. Regina, which is Latin for "queen," was named in honour of Queen Victoria by her daughter Princess Louise. (Coneghan, 2005, p. 774) It is a relatively small city with a population of nearly 200, 000 people and is one of the cities in Canada with the highest number of Native people per capita. (Razack, 2002, p. 127)



4.2 Round Lake

Round Lake is situated in the Qu'Appelle Valley and reports a history of conflict stemming from colonial contact. The first colonizers were descendents of England and Scotland who inhabited the area after the fall of New France in 1759. In 1787, Scottish colonizers from the Northwest Company built the post "Fort Esperance," established on the Qu'Appelle River east of Round Lake. For 25 years, the area was subject to conflict between the Northwest Company against the rival Hudson's Bay Company. According to documents adapted from the Hudson Bay Archives, "forts were built and destroyed, moved and rebuilt and destroyed again by both companies." (Camp McKay Book Committee, n.d., p. 2)

In 1810, John McDonald, the Scottish agent from Fort Esperence moved near Round Lake “in order to be closer to the buffalo and the provision making Indians...” as he wrote it in his journal.” (Camp McKay Book Committee, n.d., p. 2) Soon after, the Hudson’s Bay Company also set up a trading post at Round Lake. In 1820, the companies became partners and moved further away. From there, “[p]eace and prosperity returned to the beautiful valley.” (Camp McKay Book Committee, n.d., p. 2)

Treaty Four was signed in 1874 which involved all of the Native inhabitants, Cree and Saulteaux, from the Qu’Appelle Valley area.

One of the provisions of Treaty No. 4 stated, ‘Her Majesty agrees to maintain a school in the reserve, allotted to each band, as soon as they settle on said reserve, and are prepared for a teacher.

The Churches often operated such schools, for they saw this to be an effective means of evangelization. Generally speaking, the assumption made was that what was good, what was valued in whiteman’s culture was ‘Christian.’ (Camp McKay Book Committee, n.d., p. 4)

In 1884, the Round Lake Indian Residential Mission School opened. Reverend Hugh McKay (after whom United Church camp “Camp McKay” at Round Lake is named) was the principal for 37 years after the day it was first opened. Of all of the literature concerning the residential school system in Canada, I have not found any record of accounts of abuse or any other disparaging remarks about the operation of this school.

It has been documented that several families from surrounding reserves expressed the desire to send their children to the school at Round Lake despite their having access to a school

on the Cowessess reserve. Families from Sakimay, Kahkewistahaw and Ochapowace presented a petition to the Indian agent to allow their children access to the Round Lake Indian Residential Mission School. The agent declined their request on the basis that the Round Lake Indian Residential Mission School was from the United Church denomination and further, he refused to empower the Native people to have any further authority over their children. In fact, the main argument provided against allowing the children from the other reserves to attend school at Round Lake was because of the fear that the parents would have easier access and influence on them. (Lerat & Unger, 2005, p. 76)

Despite the documentation that supports that McKay did in fact have a good relationship with the Native community and that the mission was based on building relationships of mutual respect, one must not discount that these encounters were in fact colonial and based upon the notion that Native culture and beliefs were inferior to that of White Christian patriarchal systems. Missionaries were put in place to further the colonial agenda by the government. According to Harold Cardinal (as cited in Grant, 1996):

The church's educational function also assured it a more dominant role in formation of government policy, and the missionaries were expert at playing off the Indian against the civil servant... The government was happy to have the Indians domesticated without the expenditure necessary to handle the job itself. The churches obtained government money to keep the schools operating so they could continue their real work, the conversion of the Indian people. Between them, and with no question of any involvement of the Indians, the government and the churches charted for eighty years or more the future of Indian people. (p. 107)

Following the death of Hugh McKay in 1928, former students of his wrote words of affection for a man whom they described as loving and generous. A cairn was erected in 1934 by “his Indian friends”²⁶ to commemorate his arrival at Round Lake.

The acceptance of Hugh McKay and the Round Lake Mission may have also been in part because of the dire situation that some of the Native people were facing at the time. A former student at the Round Lake Indian Residential Mission School recalled that by the time McKay had come to visit their reserve, the people there were living in poor conditions and that some had already died of starvation. When McKay arrived in 1884, he brought food and clothing. (Camp McKay Book Committee, n.d., p. 89) According to George Manuel (as cited in Grant, 1996),

...When a whole people are so sorely crippled that they can hardly support one another they seek a collective saviour, a messiah. People can reach such depths of despair that if their own religion fails to produce such a saviour, they will turn to another if it presents itself. (pp. 98-99)

Despite documentation which suggests that the Round Lake Residential School was, in fact, a “good” institution, it was included in the federal government’s list of schools recognized by the Indian Residential Schools Settlement Agreement.

The residential school that Hugh McKay helped to found in 1884 closed in 1950; the United Church based youth camp which was named after him remained in operation until 2007. Today, Round Lake remains a popular resort village.

²⁶ The inscription on the cairn reads “Rev. Hugh McKay, B.A. D. D., Arrived at Round Lake on June 6th 1884. His Indian Friends Erected This Cairn In 1934 To Commemorate That Event.” (Camp McKay Book Committee, n.d., p. 87)

4.3 Cowessess

Cowessess Reserve has been named for Chief Cowessess (Ka-wezauce, “Little Child”) who was Chief at the time of the signing of Treaty Four in 1874. Despite his signing of the treaty, Cowessess was not happy with the provisions. His concerns over the lack of available education for his people spawned his threat to leave the reserve with his people and abrogate the treaty. This plan was thwarted by the building of a school in 1883 and Cowessess left the reserve with the Indian Agent, Allan McDonald, and a farming instructor to go to Fort Walsh in Cypress Hills. (Lerat & Unger, 2005, p. 24) The decline in buffalo in the Cypress Hills area meant that hunting efforts were futile, so Cowessess returned, conformed to the demands of the government and went to work teaching his members how to farm. In 1885, Cowessess was recognized for his “good behaviour and good influence of the band” and was awarded a new stove for his efforts. Cowessess died the following year. There is no evidence as to where Cowessess was buried.

The assurance of education for Cowessess First Nation resulted in the contribution towards one of Canada’s darkest legacies- a residential school. Several religious leaders of the Catholic faith took up residence on the reserve toward the end of the 1890’s. The Oblate priests and several nuns were present. The Sisters of Notre Dame des Missions de Lyon came from France especially to take care of the residential school. A Catholic Church, the Sacred Heart of Mary, was built along with a presbytery and rectory to accommodate the church staff and carry out the mission. In 1898, the boarding school at Marieval on the Cowessess Reserve opened with room for 45 students. The government did not fulfill their promise to contribute to the construction of the school, so the congregation and priests paid for all of the costs including the

children's clothing. It was not until the school was in operation that the government finally subsidized some of the cost for maintenance and boarding fees. (Lerat & Unger, 2005, p. 86)

The establishment of the church and residential school resulted in increased contact between the Native people and the settlers. Settlers from all over the Qu'Appelle Valley gathered on the Cowessess Reserve to worship. Many people on the reserve converted to Catholicism while others went to the Protestant church. Still, there were those who rejected the influence of the church in lieu of their own traditional belief system. Occasionally, there was conflict between the settlers and the Native people in the Qu'Appelle Valley. (Lerat & Unger, 2005, pp. 86-87) This conflict continued for many years following and arguably continues to this day.

Priests even used emotional manipulation tactics in order to convince parents to send their children to the residential school. In the 1930's, a petition was circulated amongst the Cowessess and Sakimay reserves in order to support the continuance of the residential school in opposition to that of a proposed day school. Fifty signatures were collected and it is proposed that the only reason why parents of these children would be in agreement is because "they went through the residential schools themselves without any parental support or protection, [and] they lost the ability to parent their own children." (Lerat & Ungar, 2005, p. 121) Grant (1996) concurs stating that parents were not learned in the ways of family living as a result of the residential school experience. Further, they had to contemplate that their children would have no access to education if they did not go to residential school. (p. 76) The day school ended up being opened in 1948 with a separate day school opened in 1951 for the Métis.

One of the experiences from the Cowessess Indian Residential School has been characterized by literary scholar, Janice Acoose, who started attending the school at the age of

five. Acoose has identified her experience in this school as part of a long legacy of “legally sanctioned imprisonment, abuse and brainwashing” common amongst her family and her community. (Acoose, 1995, p. 25) Acoose recalls several personal accounts of physical and emotional abuse compounded with cultural oppression. She cites that

[s]ometimes my tears were brought on by desperate longings to be at home with my family. Other times I cried out in pain because a nun had slapped me hard across the face, pounded my knuckles with a wooden block which she had made just for that type of punishment, or taped my mouth shut for long periods of time for speaking out of turn, for asking too many questions, or for showing ‘disrespect’ for their god by asking for proof of ‘his’ existence. (Acoose, 1995, p. 26)

Acoose (1995) writes that her experiences in the Cowessess Indian Residential School were not isolated and that other children were subject to the same abuses. Her assertion is supported by Harold Lerat who also attended the Cowessess Indian Residential School. In Lerat’s book *Treaty Promises, Indian Reality*, Lerat dedicates a chapter to his experiences in the residential school system. Lerat was a child who learned that to be submissive was to survive. He experienced a suppression of his language, neglect of his health and was once strapped by a priest so hard that he was unable to sit properly for weeks. (Lerat and Unger, 2005, pp. 126-131)

The Cowessess Indian Residential School closed in 1978. More recently, survivors of this school were included in a settlement offered by the federal government.

<http://www.residentialschoolsettlement.ca/SchoolsEnglish.pdf>

Despite the past in which the people of Cowessess were victimized through systemically imposed racist measures of oppression, the community has made several positive advancements.

Notably, they have a community justice program and have made strides in the economic and commercial development of their area.

4.4 Sakimay

The Sakimay First Nation is located just east of Round Lake. “Sakimay” comes from the Saulteaux word “sakimē” meaning “mosquito.” (Barry, 1997, p. 15) The reserve was named for the original chief, Chief Sakimay and was established after the signing of Treaty Four on September 15, 1874. (Thompson, 2005, p. 792) Chief Sakimay died in 1881. Following his death, the band became divided in terms of those who desired reform to agricultural ways and those who preferred their traditional lifestyle. Yellow Calf remained on the original plot of land with the “progressives” while the “traditionalists” were led by Shesheep to the northern side of the Qu’Appelle Valley. This shift explains why today two separate reserves exist under the jurisdiction of Sakimay First Nation. (Barry, 1997, p. 15)

According to Razack (2002), Sakimay First Nation is “typical of the spatial configurations that emerged in Canadian colonialism and produced the migration from reserves to the city.”²⁷ (p. 132) During these migrations, Native people left reserves that were often destitute in search of better opportunities in urban areas. Razack (2002) also argues that Sakimay First Nation is representative of the distinction that links the establishment of privileged white spaces to marginalized dark (Native) spaces. To illustrate this point, Razack (2002) refers to the Indian Claims Commission which was established by the federal government as an independent

²⁷ Spatial configurations speak to the significance of racial identification of regions. Goldberg (1993) argues that the consideration of spatial configurations is implicit in understanding racial identity and racism. He states that racisms become institutionally normalized in and through spatial configuration, just as social space is made to seem natural, a given, by being conceived and defined in racial terms.” (p. 185)

body to consult in the settlement of land claims. The Commission contributed to the furthering the colonial agenda of Native dispossession with statutes such as the *Prairie Farm Rehabilitation Act*. In the 1940s when this took place

the federal government failed to consult the six first nations [including Sakimay] involved before passing [the act], which authorized the construction of dams and the flooding of reserves along the Qu'Appelle River. The government also failed to expropriate or obtain surrenders of affected reserve lands. These practices left the Sakimay reserve tremendously impoverished, while white farmers profited from the enhanced irrigation. (Razack, 2002, p. 132)

Generations living in Sakimay today would still be affected by the historical implications of passing such an act.

Recent data shows that Sakimay has a population of 1, 340 people with 238 of those who actually live on the reserve. (Thompson, 2005, p. 792) Considering the small population of people that live, or are affiliated with the reserve, Sakimay has had its share of connections to well publicized violent crime. For example, Sakimay was the home of Pamela Jean George, a woman who was murdered in Regina in 1995, by two Euro-Canadian men, Alexander Ternowetsky and Steven Kummerfield. The sexual assault and brutal murder of George received international coverage and called to attention, the plight of impoverished Native women living in Canada. Razack (2002) argues that it was George's ancestral roots in the colonized space of Sakimay, which led her to the marginalized spaces of Regina subsequently making her vulnerable to victimization. (p. 127)

While George's story is likely the most notorious of all of the examples, it is unfortunately not isolated. Three years before George was killed, a woman named Brenda Morrison found herself in similar circumstances while living on the Sakimay First Nation. She left the reserve to escape a life of living with alcohol addicted family members and suffering abuse. She ran away to the streets of Regina at the age of ten where she became addicted to drugs and was exploited in the sex trade. Years later, Morrison became one of Canada's most dangerous inmates. In 1987, Morrison shot and killed her boyfriend. She received a four year sentence for manslaughter. In 1993, she participated in a robbery, brutal assault and kidnapping of a 53 year old man. Morrison was sentenced to time at the Kingston Prison for Women (P4W) where she was intimately involved in the infamous four day riot that took place there. (Warick, 1997, n.p.)

Five years after the death of George, another violent crime with connections to Sakimay made headlines. On December 29th, 2000, 18 year old Adam Sangwais shot Brian Sparvier and Donald Montgomery to death in a home on Sakimay. Today, Sakimay First Nation has resorted to proactive measures against violence such as a youth board which serves to prevent criminal activity, (MacDougall, 2008, n.p.) as well as strategies for health and social development.

http://www.sakimayrez.com/wp/?page_id=9

4.5 Shared Histories of Land Overhaul and Economic Exploitation in Cowessess and Sakimay

The Sakimay and Cowessess First Nation are part of the Treaty Four area in Saskatchewan. According to Sarah Carter (1993), a scholar who specializes in colonial relationships between Native and non-Native people in Western Canada, Native people who

resided in Treaty Four “were among the most poorly off of all the treaty Indians” in the way of agricultural progress despite effort that had been put forth. (pp. 108-109) This has attributed to many things. Firstly, the Native people in this region had a difficult start due to the starvation crisis of 1879, and at this time many felt desperate for implements to begin farming in order to survive. Very few bands had even settled on their reserves, and a few chiefs were reluctant to settle as they had observed “the government’s timid measures to help those already settled and they believed it would invite starvation and death.” (Carter, 1993, p, 109) Further, one of the farming inspectors believed that the people of Treaty Four had received inadequate farming instruction. (Carter, 1993, p. 109) However, in 1884, there had been some progress made. Carter (1993) argues that the progress made was not enough to warrant the major cutbacks from the government. Native leaders protested that the government had not upheld their promises of the treaty negotiations.

The spirit of discontentment reached its height in 1884 and 1885, but it had been simmering for some years. No plot on the part of Louis Riel was needed to foment Indian dissatisfaction and resentment. Virtually all the Indians’ grievances, however, were ignored by department officials and other representatives of authority. (p. 115)

Officials such as Indian agent, Hayter Reed refuted the validity of any of their claims, insisting that the Native people were “ignorant savages” who did not deserve the benefit of further negotiations. He further argued that the poverty and distress experienced in the Native communities were an imaginary concoction by “‘parasites,’ [who were] living off the work of others – and the cure lay in the reform of their character and tribal society.” (Carter, 1993, p. 144) Reed’s approach to dealing with the grievances of Native people was applauded by senior

government officials. His approach advocated for extreme oppressive strategies in the “management of Indians” and “justified a harsh, strict policy and it allowed Indian grievances to be readily dismissed.” (Carter, 1993, pp. 144-145)

Years later, strict regulations on farming made successful farmers such as Louis O'Soup²⁸, a headmen from Cowessess and representative amongst the Native people in Treaty Four, abandon farming. (p. 231) Under a "greater production scheme" department agents tried to manage Native farms using Native labour and this did not last due to poor management and low economic returns. In the early 1900s people from the area, particularly O'Soup, continued to resist government strategies concerning agriculture and oppression through further economic exploitation.

4.6 Summary of Geographical Significance

The geographical narratives of Round Lake, Sakimay, Cowessess, and to a lesser degree, Regina are important because they speak to the reterritorialization of Indigenous lands and the subsequent displacement of Native peoples. Lands that were once relatively free of barriers to inclusion, now hold intricate networks of spatialized confines which establish hierarchy and dictate exclusion. As Tuhiwai-Smith (2004) asserts, the very space which has been disappropriated by European colonizers, such as the lands throughout southeast Saskatchewan,

²⁸ Louis O'Soup was a renowned spokesperson for Native people. He was once recognized by government official for being a Native man of “sound judgement” but was later dismissed as being “a mischievous, obnoxious influence” on Native people by way of his resistance to colonial interference. (Carter, 1993, p. 207)

has been “gifted back” in the form of reservations. (p. 51) The history of these regions is significant in identifying how we understand interracial violence in southeast Saskatchewan.

Chapter 5: Reading *R. vs. Acoose*

5.1 Highlights of the Court Transcripts

The court transcripts provide a narrative which accounts for the evening that William Dove was murdered by David Acoose, Cory Acoose, and a young offender. William Dove was an elderly man who lived in Whitewood, Saskatchewan with his family, but spent the summer season at his cottage at West End on Round Lake. The three individuals who murdered him were from the Sakimay First Nation. On August 15th, 1992, David Acoose approached Dove at his cabin for help after the truck he and the others were driving got two flat tires. Dove, who had been a mechanic for years before he retired obliged. When Dove struggled to repair the problem, the two men and the young offender beat him to death.

The following day, Cory Acoose and the young offender were arrested near the scene of Dove's car, which they had abandoned in a field and lit on fire. Dove's badly beaten body was found the next day on the outskirts of Regina in a field. David Acoose was arrested on August 18th, 1992 while he had been hiding out at a friend's home in North Central Regina.

A short trial took place in Regina, Saskatchewan from October 26th to October 28th, 1992. Considering the amount of time it often takes for a case to go to trial, the waiting period was relatively brief. During the trial, several witnesses were called. Some of the witnesses included: acquaintances of the accused from Cowessess, who had been at a party on the reserve earlier in the evening, staff from the Mountain View Inn at Bird's Point in Round Lake where they had stopped at, people who were able to place the accused with Dove on the night that he died, several members of the Royal Canadian Mounted Police, as well as Ellen Dove, the wife of the

late William Dove. The accused never took the stand in their own defence. The sentencing took place on January 11, 1993, where all three plead guilty to manslaughter.

As one of the primary documents used for analysis, the court transcripts provide insight into the case against the accused and into the state of race relations in southeast Saskatchewan. Further, the content of the transcripts illustrates and refers to physical reminders of colonial encounters which have taken place in Saskatchewan. Many of the revelations in the transcripts are subtle; however, themes of racism, social problems and colonial history are present. The transcription of the legal proceedings in *R vs. Acoose*, provides a synopsis of the events which occurred on August 15th, 1992. Beyond the synopsis of the circumstances of the murder of William Dove and the charging of his assailants, there are recorded verbal cues which are indicative of the presence of colonialism.

5.2 Identifying the Other and Acknowledging Fear

The concept of “Other” which is explicitly outlined in chapter two, is one of the most rampant themes identified in the court transcripts. The Otherness identified in the accused leads to feelings of apprehension and fear as evidenced in the words of witnesses at the trial. In *R. vs. Acoose* (1992), non-Native eyewitnesses were asked to describe the accused in accordance to their Otherness. One example of this probing is evident during the Crown prosecutor’s examination of William Dove’s widow, Ellen Dove.

Q What was the colour of his skin?

A Well, it wasn’t actually what you’d call dark, but it was coloured.

Q Could you tell what – what was his race?

A Mmhmm.

Q What was his race?

A An indian. (*R. vs. Acoose*, 1992, p. 104)

Throughout the trial, the accused are identified as “Native,” (pp. 72, 79, 129, 131, 152, 153, 250, 272) “Indian” (p. 104) or “Non-White.” (p. 194) Also, the levels of intoxication of the accused were discussed in relationship to their Otherness when the police testified that they had been responding to “an anonymous call that there were three to four drunk natives wandering around the West End, drunk.” (*R. vs. Acoose*, 1992, p. 152)

The three are identified as being “Other” in a predominantly Euro-Canadian “white” crowd. Their “Other” physical characteristics led bar staff to become fearful and suspicious of them. Maggie Newkirk, the manager of the bar made an admission of her suspicions during her testimony at the trial. She recalled that David Acoose had made a request to use the telephone at the bar. She refused his request and advised him to use the pay phone instead. After he left, she made a point to lock the door behind him. It was her feeling that David may have wanted to steal money from their cash register and suggested her staff was nervous and she too, was apprehensive around him. (*R vs. Acoose*, 1992 p. 57-59) During her questioning by Crown prosecutor, she described why she physically positioned herself between David Acoose and the cash register, she said that she thought he was watching the till, but was unable to elaborate on the basis of her fears beyond that of a gut feeling.

Q While they were in the bar was there any problems or any concerns that you had?

A Well they were – there was no problem but the bartender was – I figured he was a little nervous.

Q Okay did you see any reason why he should be nervous?

A Well he – for watching – he was watching the till quite a bit.

Q Who was?

A David.

Q David was?

A Yes.

Q What do you mean by he was watching the till quite a bit?

A Well every time Terry went to open the till or – there was a lot of money in it. It would open and they'd sort – you know, just – we just felt nervous about it that was all.

Q You felt nervous about it as well?

A Yes I did, mmhmm.

Q Did you take any action?

A Pardon?

Q Did you take any actions about that?

A No, then I moved behind the bar and I just stood there.

Q Why did you do that?

A Well, I don't really know. It was just a – something just told me to stay there. (*R. vs. Acoose*, 1992, p. 59)

The moments of Newkirk's visual interrogation of Acoose, which was powerful enough for her to deem him harmful, is like Homi Bhabha's (2005) description of the colonialist gaze which "break up the Black mans' body and in that act of epistemic violence, it's own frame of reference is transgressed, its field of vision disturbed." (p. 60) These actions might also suggest that Newkirk, like many others, was not immune to the culture of fear which pervades the non-Native community in relationship to the Native community. While it is entirely possible that Newkirk's apprehension could have been based on items other than that of Acoose's ethnicity, it is not otherwise indicated in the transcripts. Newkirk was obviously unconcerned with his intoxication as evidenced by the responses to the questions posed by the defence for David Acoose:

Q Would you – was there anything to lead you to believe that David Acoose was maybe taking something other than alcohol that evening?

A I don't know much about it, so I wouldn't say.

Q Can't say one way or another?

A No.

Q Okay, but you can say he was drinking fairly heavily in the short time he was in the bar?

A No.

Q Okay. You saw him have two doubles, two vodkas – two doubles of vodka and he had perhaps more in the 20 minutes he was in there and you don't call tht heavy drinking?

A Not really.

Q You're the manager. You decide who gets to drink and who doesn't pretty much I would expect?

A Yes, and my bartender does too.

Q And your policy obviously is if someone is drunk you're not supposed to serve him?

A That's right.

Q Similarly if he's impaired, in your opinion, of alcohol or a combination of drugs and alcohol you're not supposed to serve him.

A That's right.

Q So you're telling us that in your opinion at that time it hadn't got to that stage?

A No, he wasn't drunk at that time, I wouldn't say.

Q Well, he wasn't too drunk to serve in your opinion?

A No.

Q Okay and you base that on simply looking at him from 10 or 15 feet away?

A Mhmm. (*R. vs. Acoose*, 1992, pp. 65-66)

Even if Newkirk had agreed that David Acoose was inebriated, it was in her best interest as the manager of a licensed establishment to state otherwise. Other witnesses, including staff of the Mountain View Inn were also asked to comment on the sobriety of the accused, all had differing opinions.

That evening the bar was said to have had high patronage. According to the staff of the Mountain View Inn who testified during the trial, the establishment was very busy. According to Newkirk, the capacity of the bar was that of about 60-63 people. Joanne Hedstrom, who was serving on that particular evening was prompted by counsel to identify the accused according to their race. In her testimony, she acknowledged that the accused were Native in a predominantly white crowd.

Q I understand the bar was about three quarter full on Saturday night?

A Yes.

Q Okay and that would be about 40, 50 patrons?

A Around 50, yeah.

Q And I take it these wouldn't be the only native people in the bar would they, the three that you've indicated?

A Can you say that again?

Q Would they be the only three native in the bar? Native people?

A No.

Q Can you give me a rough mix of – would it be predominantly native people or – maybe it’s a different question. Did you notice?

A Well, no I couldn’t comment. They wouldn’t be the only natives. (*R. vs. Acoose*, 1992, p. 72)

It would appear that even if the witness was not fixated on the Otherness of the accused, the legal counsel was there to ensure that it was used as a means to identify and differentiate them.

Later that evening, Brent Hedstrom, a sibling of witness Joanne Hedstrom, drove passed the accused and noticed that their truck was stalled off of the road onto some property that belonged to his uncle. (*R. Vs. Acoose*, 1992, pp. 76-77) The accused tried to flag Hedstrom down, and he initially drove past them and dropped off his two friends. When he drove by them a second time, he offered to tow their truck out of the ditch. While the accused offered Hedstrom some beer for his efforts, he stated that they did not appear to be drunk as far as he was able to assess. (*R. vs. Acoose*, 1992, p. 85) When asked to recall their physical appearance, he advised counsel that “[t]hey were [N]ative.” (*R. Vs. Acoose*, 1992, p. 79) Hedstrom did not end up towing the truck as the accused ended up declining his offer in lieu of wanting a ride back to the reserve. The accused persisted that Hedstrom should agree to chauffeur them back to reserve. He offered to take them a short distance within the resort village, but would not agree to take them back to the reserve. Hedstrom acknowledged to counsel during questioning that he refused the accused a ride to the reserve on the grounds that he did not feel safe doing so. (*R. Vs. Acoose*, 1992, p. 90) At the moment that Hedstrom elected to leave the scene, he recognized William Dove’s newer model Mercury Sable pull up behind him. He stated that he began to feel apprehensive because two of the accused began whispering to each other at this point. (*R. vs. Acoose*, 1992, p. 84)

According to Ellen Dove's testimony, Cory Acoose showed up at the Dove cottage between 10:30pm and 10:45pm and asked for tires. William Dove obliged, and left with the accused in his car to provide assistance. Another eyewitness, Michael Balan testified that he saw William Dove as he attempted to assist the three accused with their tires. He drove passed the scene and proceeded to his cabin which was close enough for him to see and hear what was going on. After Balan left the cabin, he returned to the scene where he said they seemed to be struggling to remedy the situation with the truck. When Balan approached the scene in his car, he was able to get a clearer view of the accused. Balan pronounced the Otherness of the accused at the prompting of the Crown Prosecutor who asked him to distinguish the "race." (*R vs. Acoose*, 1992, p. 129) Later that evening, Balan decided to call the police based on his suspicions of the individuals. He testified that he believed that these individuals appeared desperate enough to find tires for their truck that they were liable to commit theft:

Q Why – why did you decide that? [Call the police]

A The fact – my fear was that these individuals were going to find some tires one way or another. I'm a cabin owner down there and I feared that there might be a break in and somebody might lose some tires or worse (*R vs. Acoose*, 1992, p. 135)

It is difficult to determine the basis for Balan's fear. After all, he acknowledged that apart from the accused appearing intoxicated, they seemed friendly. They complimented him on his car, and thanked him for stopping to see if everything was okay. It is plausible that Balan consciously or unconsciously feared the accused based on their race.

Witnesses in the trial were able to identify, yet not necessarily articulate the fear they felt of the accused. Certainly, the accused had engaged in suspicious behaviour prior to their encounter with Dove, but I suggest that the expression of fear was also ingrained in the colonial subconscious of the witnesses. This “fear” is explained by Cariou (2002) in his memoir on Meadow Lake where he acknowledges that he too had been apprehensive in the presence of Native people during his youth. Cariou (2002) recalls

I was afraid of Native people...I felt vaguely threatened by them, though I didn't know why. They were different, they seemed to set themselves apart, and I suppose that was enough. That and the stories about tomahawks and scalping and eyes pinned open to the sun...I suppose the division was what reinforced my fear of them. I knew Native people were different from me, but it was more alarming to recognize that *I* was different from them. They made me feel uneasy, like I didn't belong in my hometown... It's clear to me now that there was a vast history to my fear, one that began before my birth and that I would not become aware of for many years. It was built on stereotypes of savages and heathens...” (pp. 102-104)

Cariou's analysis of his own fear of the Other may also be applicable to the witnesses who were able to identify their own similar fears. Considering the history of the region, it is possible that commonly held notions of racial disequilibrium are transferable from early colonial encounters.

5.3 The Role of Alcohol

The role of alcohol was another theme throughout the court transcripts. Alcohol was considered in determining the inhibitions and intent of Dove's assailants. On the night of the

murder, David Acoose, Cory Acoose and the young offender went to the local bar, the “Mountain View Inn” at Bird’s Point in the Round Lake resort village presumably, to engage in consuming alcohol. It can be assumed that this type of activity would be pursued based on the information provided in the court transcripts which indicates that the accused were intoxicated prior to entering the bar and that David Acoose himself consumed six ounces of vodka within a short period of time before he was asked to leave, at which point he purchased 24 beer to take with him. (*R vs. Acoose*, 1992, pp. 42-45)

Prior to the arrival of David Acoose, Cory Acoose and the young offender at the Mountain View Inn at Bird’s Point, their evening began at Cowessess First Nation, a few kilometres west of the resort village. Billy Jack Delorme had been at a friend’s home on the reserve and had an encounter with the accused. He testified that the three accused showed up looking for a driver to take them to Bird’s Point. Delorme advised counsel that David, Cory and the young offender were intoxicated at the time. Delorme’s aunt, Anna Delorme corroborated his statement to the court during her testimony by agreeing that she believed the three to have been intoxicated. The cross examination of Anna Delorme by Cory Acoose’s lawyer, Mark Brayford reads:

Q Miss Delorme the – with respect to the symptoms of drunkenness or impairment that you observed, you had given a statement close to when this happened; is that right?

A Yes.

Q And at that time you described them as, all of them were staggering around, they weaved a lot, I mean they were unsteady on their feet. Would you agree that that’s the type of description that’s in your statement?

A Yes.

Q And so they had obviously had enough to drink, that not only did it affect their sort of personalities, but it was also physically affecting them?

A Yes.

Q And other than the fact that they had appeared to have drunk too – or had been drinking to the point that they were under the influence of alcohol did you see any other reason why they would need a driver?

A No. (*R. vs. Acoose*, 1992, p. 35)

Even though Brent Hedstrom had suggested that there were no visible signs of intoxication in the accused when he met them that night, Michael Balan who saw them minutes after believed that the individuals were under the influence of alcohol. He identified that there was a lot of “stumbling” around the truck as they attempted to fix it and he also stated that when the young offender approached him at his vehicle, he was slurring his words. (*R vs. Acoose*, 1992, pp. 126-131)

Constable Brian Bellegarde of the Esterhazy RCMP detachment had been in the Round Lake area earlier in the evening dealing with some campers who were “partying” and causing problems. The race of the campers was not disclosed in the court. Bellegarde testified that he returned to the area later on when he responded to a call “that there were three to four [N]atives wandering around West End, [an area of the resort] drunk.” (*R vs. Acoose*, 1992, p. 152) What is noticeable about both of Bellegarde’s calls is that they both concerned unfavourable social

behaviour stemming from people consuming excessive amounts of alcohol, but only the accused were identified in terms of their different ethnicity.

Most of the information concerning alcohol consumption that evening was with respect to David Acoose. As previously stated, it is suspected that David Acoose may have already been intoxicated by the time he entered the Mountain View Inn. It was there that he was said to have consumed six ounces of hard alcohol in approximately ten minutes before purchasing 24 beer and leaving the premises. Most witnesses testified to have believed that he was drunk as well. Beyond that, there was little personal information provided about David Acoose with regard to drug and alcohol use apart from the crime he had committed.

Years later in an interview with Kevin Blevins of the Saskatchewan Sterling Network, David Acoose elaborated on the state of his drunkenness the night he participated in ending Dove's life. He stated how his inebriation contributed to his violence that evening and he provided further insight into his addictions. In the article, Acoose admits guilt in killing Dove and recounts, in his words, how alcohol played a role in his actions that night. The court transcripts say little about precisely what happened during the encounter with Dove except to suggest that David Acoose was the main perpetrator though he did not take the stand to personally refute this. The story Acoose imparts to Blevins contradicts the evidence provided in the court transcripts which state that Acoose hid out at a home in the core area of Regina after he committed the act of murder against Dove. According to the information supplied in the court transcripts, Police acted on a tip and located him at which point, he provided them with a false identification. He was later arrested and charged. However, Acoose told Blevins that after they drove to Regina, he got out of the car and passed out on a bench. He stated that when he woke up the following morning, he went to a downtown bar and proceeded to drink until the police

arrested him. Acoose stated that he began abusing drugs and alcohol at the age of 14 as a coping mechanism after witnessing and experiencing unconscionable levels of abuse. He asserts that domestic violence was an everyday occurrence in his home and that he was physically and sexually abused by a relative. These experiences spawned his addictions and resulted in criminal activity²⁹. (Blevins, 1997, p. A11) While the defence asked the court to consider levels of intoxication of the accused, the information concerning the precursor to David Acoose's perpetual problems with substance abuse were not disclosed, and further not considered in his sentencing.

During the sentencing of Cory Acoose, his lawyer Mark Brayford³⁰ deemed it significant to advise the court that his client's "misfortune[s] were caused, in part, by his involvement with drugs and alcohol." (*R. vs. Acoose*, 1993, p. 10) According to Brayford, Cory Acoose had been expelled from school on a suspicion of using marijuana. He also maintained that he began to get involved with alcohol use at this time which also adversely affected his life. It was also disclosed in court that as a youth, Cory Acoose had been charged with an alcohol related offence. (*R. vs. Acoose*, 1993, pp. 9-10)

²⁹ In an extensive report compiled by the *Aboriginal Healing Foundation*, intergenerational trauma is identified as a root of harmful behaviours such as substance abuse disorders. (Chansonneuve, 2007, n.p.)

³⁰ It is interesting to note that Cory Acoose's attorney, Mark Brayford has been involved in defending other high profile cases concerning interracial violence in Saskatchewan. In 1996, he was on the defence counsel for John Martin Crawford, a serial killer from Saskatoon who preyed on Native women. Crawford was found guilty of murdering three women, but was suspected of killing more than that. (Goulding, 2001, n.p.) In 2003, Brayford also defended Jeffery Brown, a non-Native man who was one of three others who were accused of raping a twelve year old Native girl in Tisdale, Saskatchewan. This particular case also drew outrage as the defense concluded that the young girl had been "the aggressor." (Warick, 2003, p. A1)

Another defense lawyer, who is unnamed in the court transcripts, acknowledges that the young offender had a personality that was adversely affected by alcohol. The reads from a court report which states “When sober [the young offender] is described as being an extremely pleasant youth. Yet when suspected of being high or intoxicated, reveals a more aggressive and rebellious youth.” (*R. vs. Acoose*, 1993, p. 14) This statement reflects the theory that suggests that alcohol and other drugs contribute to violent behaviour in some individuals.

Because alcohol was a significant factor in determining the intent to kill, the charge of manslaughter was sought as opposed to first or second degree murder. There are parallels between the Dove murder and the murder of Pamela George as far as the interracial component and the role of alcohol are concerned. Counsel in both the George murder and Dove murder presented the accused as engaging in regular alcohol abuse. In both cases, the accused had previous encounters with the law as a result of abusing alcohol. (Razack, 2002, p. 138) The accused in both murders had engaged in consuming alcohol before moving outside of their own social sphere. It is not unreasonable to assume that the consumption of alcohol contributed to the individuals being able to move into these opposing spheres with a degree of confidence that they may not have otherwise had without alcohol. It is also noteworthy to mention that Cory Acoose was freed on a statutory release in July of 1996 and returned to prison in September of 1997 after getting into an alcohol-related car accident. (Blevins, 1997, p. A5) Similarly, Alexander Ternowetsky was freed on a statutory release in August of 2000, and in August of 2001, he was charged with “assault, robbery, mischief, impaired driving, and refusing to take a Breathalyzer test.” (Razack, 2002, p. 125)

5.4 Geographical Narratives/Racialized Spaces Theory/Other Theories of Violence Interpreted from the Court Transcripts

Razack's (2002) theory of racialized spaces as outlined in chapter three is relevant when considering the significance of geography and spaces in the context of interracial crime. Razack discusses racialized spaces in the context of the Pamela George murder in 1995, and her theory is also applicable to the Dove murder. Like George, David Acoose, Cory Acoose and the young offender also came from a space created by Canadian colonialism. When Razack (2002) describes the inner city of Regina in relationship to the more "respectable" areas of the city, she asserts that this area "represented the dangerous world of racial Others, a frontier on the edge of civilization." (p. 141) She also advises that "the inhabitants of such zones were invariably racialized, evacuated from the category human, and denied the equality so fundamental to liberal states." (Razack, 2002, p. 144) The same can be perceived of the reserve areas that are situated on the outside of the resort villages on the Round and Crooked Lakes. The government - legislated "space" which is often perceived as a place of degeneracy is not welcome to cast its literal dark shadow on the resorts.

In the context of the Pamela George murder, Razack (2002) describes how the two men accused of murdering her became "marked" by their white skin upon entering the racialized urban space of "the stroll." (p. 142) The same can be said of David Acoose, Cory Acoose and the young offender in the sense that their dark skin identified them as "Other" in the racialized white space of the resort village bar. After all, they were easily identified in terms of their ethnicity against the larger white crowd that populated the Mountain View Inn that evening.

When the accused entered into the white space, they were assured of their identity of being Other- degenerate, thieving, drunk, combative, and dark. By virtue of the accused simply entering the bar, an act of physical “trespassing,” which was visibly evident by the colour of their skin, occurred. Quite simply, when the accused entered the space of the bar, they were out of place. Apart from the fact that they were asked to leave the bar on account of their behaviour and their bringing a minor in, it can be assumed that they were not necessarily welcome there to begin with. According to Ashcroft, Tiffiths and Griffin (1998), “[t]he concepts of place and displacement demonstrate the very complex interaction of language, history and environment in the experience of colonized peoples and the importance of space and location in the process of identity formation.” (p. 177)

In Razack’s analysis of the Pamela George murder, she asserts that when the accused entered the “dark”, degenerate space in which violence is organic, they may have perceived their whiteness as making them vulnerable to victimization themselves. It is telling that they drove George outside of this racialized space to an area in which they were able to feel safe in an area of racial ambiguity on the outskirts of the city. Like Kummerfield and Ternowetsky, David Acoose, Cory Acoose, and the young offender exited the area of the resort village, and abandoned the body of Dove outside of the city of Regina, just as had been done with George.

The act of removing Native people to outskirts of populated areas has been a common practice in the Canadian prairies. Razack 2002 refers to this as a “literal cleansing of the white zone” (p. 143). Some other examples, amongst many include: Neil Stonechild, a seventeen year old Cree boy whose frozen body was discovered outside of the city of Saskatoon. It was

suspected that he had been dropped off by Saskatoon City Police in the freezing conditions³¹; and in The Pas, Manitoba, Helen Betty Osborne, a young Cree woman, was abducted by four white men, taken outside of the community where she was sexually assaulted and then murdered. Both of the cases mentioned were subject to public inquiries.

Part of the exteriority which indicates places of social superiority is evident in the clothing worn by the accused. Of Pamela George's murderers, Razack (2002) states that "[t]he suburban households out of which they came enabled them to wear expensive clothing, including the labels of Club Monaco, Nike and Timberland..." (p. 140). In fact, the shoe imprints in the mud at the murder scene indicated that Caldera Nike boots, a more expensive brand, had been worn by one of the murderers. (Razack, 2002, p. 146) Compare this to the Gamepoint and Cochise³² brand running shoes worn by the young offender and Cory Acoose that left imprints at the scene where Dove's body was found. The shoes belonging to Cory Acoose were described as being "very well worn," with a hole right through the toe of one shoe. (*R. vs. Acoose*, 1992, p. 365) The Gamepoint shoes were described as "inexpensive" and the Cochise running shoes were not an easy brand to find when the investigating officers attempted to find a pair to compare impressions to. They eventually found that they were a low cost brand retailing for \$9.99 through a Woolworth's department store. (*R. vs. Acoose*, 1992, pp. 439-443) Of his

³¹ Stonechild was one of many Native victims who were allegedly dropped off on the outskirts of the city in freezing temperatures. In 2001, two police officers, Ken Hachen and Dan Munson were found guilty of illegal confinement for apprehending Darrell Night, a Native man, without cause, and driving him to the outskirts of Saskatoon in subzero temperatures. Night was able to get help at a nearby power station, and may not have survived otherwise. (Wong, 2001, p. A4)

³² It is interesting to note that these economical brand running shoes bare the same name as a great American Indian leader. He had a prominent place in American colonial history and was described "as a much-feared yet in many ways an admirable man who dominated Indian-White relations on an expansive frontier." (Sweeney, 1991, p. xiii)

difficulties in locating the shoes, Constable Jonathan Forsythe stated that “[i]t’s not like you’re dealing with Nike or a Reebok or an Adidas where you could find out the distributor. This is a very inexpensive running shoe. Obviously mass produced.” (*R. vs. Acoose*, 1992, p. 446) The shoes worn by the accused may speak to their social class. They certainly were not like the shoes of the colonizer which Fanon (1963) has described as “strong...with no holes or stones.” (p. 39)

Further arguments which support the establishment of class through material objects are revealed in the court transcripts. When the accused entered the Round Lake resort village, they were driving an “older model Ford half ton” which did not belong to any of the accused. The vehicle was registered to someone by the name of Sylvia Perkins, and though it was not disclosed who this individual was, it was known that Cory Acoose had access to this vehicle in the past. (*R. vs. Acoose*, 1992, pp. 185-186) When Dove first came into their vicinity, he was driving a newer model Mercury Sable, which was described as Dove’s “pride and joy.” (Ungar, 1993, p. A. 24) After they summoned Dove to help them, they were encountered by Michael Balan who was driving his 1968 Pontiac 2+2 convertible. According to Balan, when stopped to check on the situation, Cory Acoose approached him and said “Hey man, nice car.” (*R. vs. Acoose*, 1992, p. 130) Discussions concerning the car continued under the cross examination by Cory Acoose’s defense, though it is not really clear why it was even relevant.

Q ...Mr. Balan what kind of car were you driving?

A A 1968 convertible?

Q And what model of convertible?

A It’s a Pontiac two plus two.

Q Okay and so I take it it would be a nice car?

A It's fairly nice, yes, sir.

Q It's a bit of an oddity and it's the kind of car where that's a common comment for someone to walk up and say 'Nice car.'?

A Yes it is.

Q So you wouldn't read anything into a comment like that about your car?

Q Not a bit. (*R. vs. Acoose*, 1992, pp. 136-137)

Perhaps the defense was searching for some context into Balan's encounter with the accused, or trying to establish the normalcy in the dialogue that they had engaged in. At any rate, the attention that was drawn to Balan's "status" car is indicative of the extravagance described by Fanon in the white settler space. The town of which is "a well-fed town, an easy going town; it's belly always filled with good things." (Fanon, 1965, p. 39) Since the accused were coming from a community which has existed in spite of years of colonial imposed poverty and were in a present state of humility by virtue of being stranded in a "better" space at the side of the road with a modest vehicle, it is not unreasonable to assume their envy of Balan. Fanon (1965) has described this mental disposition of the colonized in similar circumstances and he states:

The look that the native turns on the settler's town is a look of lust, a look of envy; it expresses his dreams of possession: to sit at the settler's table, to sleep in the settler's bed... It is true, there is no native who does not dream at least one day of setting himself up in the settler's place. (p. 39)

In a sense, the accused did end up setting themselves in the place of the “settler.” They ended up taking Dove’s car and stealing his wallet. Of course, they did this violently.

Though the concepts of race, racism and Otherness were not explicitly explored according to the court transcripts, they were inconspicuously identified as pertinent by the defence. Despite pleas that this act was irrational, and occurred without the intent to murder, the defence counsel employed the rationality of personal historical contextualization. When one was to consider the troubled past of the accused, the irrational act is fundamentally more rational. In the documentation of the guilty plea and sentence, defence counsel noted that both David and Cory Acoose were from the Sakimay First Nation. By drawing attention to the fact that they grew up on the reserve, they provide a context which others them in terms of their social identity. According to their defence and to media reports about the social problems in Sakimay, their experiences growing up in this community were not conducive to an unchallenging future.

5.5 Uncovering Normalized Violence and Intergenerational Trauma

Years after the trial, David Acoose publicly disclosed that his father regularly beat his mother and that he had been a victim of childhood sexual abuse by a relative. At the time of his trial, he was separated from his wife and his two young children. He had a lengthy criminal record which involved violent offences. When he applied for parole in 1995, he was considered too dangerous for release and was transferred to Saskatoon’s Regional Psychiatric Centre for intensive counselling. This evidence suggests that David Acoose had a significant problem with substance abuse and emotional issues which were frequently manifested in violence. (*R. vs. Acoose*, 1993, p. 8) (Blevins, 1997, p. A11) David Acoose’s experiences of witnessing abuse and

suffering from it firsthand may support the causation that the normalization of violence and exposure to trauma contributed to his violent behaviour. As Wesley-Esquimax and Smolewski (2004) have advised in their research on trauma in Aboriginal communities, violence is sometimes expressed as a defence mechanism or as a response to stressful situations. Using this theory, we can speculate that his defences may have been sensitive after being asked to leave the bar. Feelings of stress were likely caused by the fact that their truck got flat tires, that they could not get a ride back to the reserve, and that Dove was unable to fix them so that they could drive themselves. David Acoose allegedly saw violence in his own family as a way to communicate anger and stress, so it is plausible that his violence was a conditioned response.

According to the historical information regarding the communities associated with the accused, they would not have been exempt from experiencing intergenerational trauma. Both Sakimay and Cowessess share extensive histories of colonial oppression including land dispossession, exploitation, and the residential school system. Intergenerational trauma and the violence which sometimes results stems from a history of colonial oppression and has affected several generations, and certainly affected the accused in some way. Considering that Cory Acoose and the young offender are from the same family and community as David Acoose, it is likely that their immediate family would have been affected by violence in some way, even if not directly.

5.6 Internalized Colonization of the Accused

The accused were repeatedly acknowledged as Other in the trial, and it can be assumed that this was not their first experience in being identified as Other. According to the theory on

internalized colonization, identifying as Other can cause an internalized narrative of racist ideas which can become outwardly displayed in a violent matter. A system of internalized colonization spawns notions of self-hatred, weakens ties to society and can result in the rejection of socially acceptable norms and enhance delinquent behaviour. Internalized colonization has been linked to the legacy of the residential school system, which has also played a significant role in intergenerational trauma. Considering that the accused were part of the colonized group of Other, and that they came from the community of Sakimay, which was affected by the residential school system, it is probable that they suffered from some degree of internalized colonization. It is important to state that not everyone who experiences internalized colonization reacts violently. Indeed, if they did, the community of Sakimay would be inept to function, and clearly it does. In this regard, the internalized colonization experienced by the accused, would have only been one part of the larger picture of an overall psychological profile which includes variables such as substance abuse.

5.7 Loathing and Longing for the Colonial Position

Fanon (1963) had argued that despite the lowly position of the colonized which had been created out of the racist intentions of the colonizer, the Other is envious of the colonizer and aspires to the same position of superiority. He argues that the “native is an oppressed person whose permanent dream is to become the persecutor,” (1963, p. 53) and that representations of authority, such as the police, are enticing in what power they signify.

RCMP Constable Roderick Robert Knecht, testified to some of this behaviour which was displayed by Cory Acoose shortly after he picked him up near the scene of the burning vehicle.

In the testimony, in which Constable Knecht was questioned by Crown prosecutor, D.L. Rayner, he described some of these actions:

Q Did you have any further conversations?

A Not at that time sir. Not other than general conversation. He started to –was in the back seat of the police car at this time. I had then moved to the front seat of the police car in the driver’s seat and started the police car up and fired up the air conditioning because it was getting awfully hot and he did start to complain about the heat. At that point he started to make a shooting motion towards myself and into the back seat of the police car with his hands.

Q What do you mean by that?

A He’d just go pchoo (sic), pchoo.

Q Perhaps if we could just describe it for the record now, sir. You put both hands out in front of you, cuffed together?

A That’s correct and pointing one finger or two fingers, I don’t recall, and then just pointed it at me and then pointed it into the back seat of the police car. I then asked him what he was doing. He then asked me, “Can I see your gun?”, and I told him no and he said “Why not?”, and I said well I’d probably get in a little trouble if I was to give you my gun. He continued to do this and then he asked me again if he could see my gun and I told him no and then he just slumped back. (*R. vs. Acoose*, 1992, pp. 259-260)

Despite Cory Acoose’s social behaviour which would indicate his aversion for an

authority such as the police, he later engaged in a discussion with officers indicating that he was applying for the RCMP. Constable Knecht recounted:

A I believe I asked him whether he was working and he said no, he's applying for the R.C.M.P. and was trying to get into the R.C.M.P. He then – I did respond to what he said. I told him that probably a charge of arson or theft of auto would impair his probability of being hired by the R.C.M.P. He then got off his seat and he walked over to the chalk board. There was some writing on the chalk board. I don't recall what it was. One of the statements was, "Power to the people.", was written in chalk and he went over and he commented on that and he said, "Right on." He then focused his attention on the chalk board at which point I terminated the interview. (*R. vs. Acoose*, 1992, pp. 265-267)

It is interesting that despite the circumstances, Cory Acoose had disclosed an interest in becoming an RCMP officer at this time. His subsequent attraction to the words "Power to the people"³³ may indicate that this interest was only feigned in revelation of what those words meant to him, or he could have himself been confused in a state of wanting to make a positive impression upon the officer, a figure of authority which he also wanted to resist. In Fanon's philosophy on existentialism, the Other feels a sense of grief in negotiating their identity in the sense that they are not "like" the colonizer. (1967, p. 98)

³³ "Power to the People" is a protest song by John Lennon in which his lyrics are, "Power to the people. Right on." It is also a song by hip hop artist Public Enemy from an album that was released in 1991, not long before the murder. Public Enemy is well known for their political statements concerning the oppression of Black people and their song lyrics have openly criticized the police.

5.8 Responses to the Outcome of the Trial

The outcome of the sentencing for the trial of *R vs. Acoose* instigated an outcry from both the family of William Dove and the public. After Dove's widow Ellen heard of the plea bargain for her husband's murderers, she was quoted as saying "I think it's a dirty shame I can't see why they don't bring the death penalty back." (Wattie, 1993, A4) Of course, the reaction of Ellen Dove is likely not an unusual considering the circumstances.

It has been documented that many believed that the case was mishandled by the RCMP and that the sentences were too lenient. According to journalist, Linda Ungar (1993), the communities in southeast Saskatchewan were severely wounded following the murder of Dove and the sentencing of his assailants. (p. A24) Ungar (1993) stated that the community response was one of outrage at the perceived leniency of the sentence and that the crime further alienated the Native communities. (p. A24) Dove's neighbour, Doug Hanson circulated a petition demanding an appeal of the sentence. Tory Justice Critic, Don Toth, whose provincial riding included Dove's hometown of Whitewood, stated that his office received several calls from those concerned with the outcome of Dove's murder trial. Toth addressed the community's concerns with plea bargains during his address to the Legislative Assembly of Saskatchewan in 1993. He is quoted as saying

a community in my area was really jolted in the violent death of an individual by the name of Mr. Dove. A number of questions have risen. And as we've had discussion over the past . . . on numerous occasions over the past number of years I think, Mr. Minister, we're all aware of the fact that even though there was a lot of anger and people were

really annoyed at how the case was handled. (Legislative Assembly of Saskatchewan, May 13, 1993, p. 1681)

Toth also referred to a letter of concern on behalf of the town council in Whitewood to Justice Minister Bob Mitchell. Though there was agreement echoed that Dove's death was indeed a tragedy, it was disagreed upon by Justice Minister Bob Mitchell that the case had been inappropriately resolved on account of the evidence presented at the trial. (Legislative Assembly of Saskatchewan, May 13, 1993, pp. 1681-1682) Three years later, Toth addressed the issue of the Dove murder to the Legislative Assembly again. After the parole of Cory Acoose, he expressed concern over the decision of the parole board and acknowledged that the community of Whitewood was still concerned with the way that justice had been meted out. Despite the lingering concern over the handling of the Dove case, Toth also spoke about hope that Cory Acoose would seek forgiveness from the community and that this forgiveness would be granted. (Legislative Assembly of Saskatchewan, March 6, 1996, p. 103)

5.9 Concluding Ideas

The court transcripts do not reveal much about who the accused were on a personal level. What is clear is that all three had been living on the Sakimay First Nation, had been consuming alcohol, and that all three had criminal records prior to this offence. Of the accused, it was specifically stated that Cory Acoose and the young offender had histories of substance abuse and the young offender in particular experienced behavioural instability when he did. During the sentencing, the defence lawyers took the opportunity to disclose personal details of their clients' lives. It might be assumed, that the intention of providing this information was to contextualize

their mindset at the time of the crime and humanize them in a positive frame. Of the information they revealed to the court, the vote of confidence to the character of the accused included that David Acoose had intended to upgrade his education in the fall before he had been arrested (*R. vs. Acoose*, 1993, p. 8); Cory Acoose was “intellectually quite a bright young man” with an “aptitude for Art” and that he was “exceedingly remorseful about [the accused’s] collective actions...[and felt] guilty about what happened and very, very sad about the deceased’s death.”(*R. vs. Acoose*, 1993, pp. 10-11); and finally the young offender’s character was only briefly addressed as the lawyer noted that “the sentence being requested is one at the maximum range and in youth court on [the] offence at the time this matter came into being.” (*R. vs. Acoose*, 1993, p. 14) The young offender was simply described as being pleasant with the exception of when he was under the influence of a controlled substance. (*R. vs. Acoose*, 1993, p. 14) What may be of significance is what is *not* said. During the brief background information that the defence provided, there were little to no assertions made that the accused had any positive contributions, to their families or their community, in the way employment or anything else. Of the three, Cory Acoose received the most favourable review and was the only defendant who received a letter of support which came from a former teacher. It is not known to what extent this information was sought out by the defense, or whether there were few or no reasons to conclude that the accused had strengths worth mentioning, or people to speak on their behalf. The little information provided and the lack of a positive characteristics and contributions may suggest that the accused were living a troubled life with few supports in their communities before they committed murder.

The reinforced interracial division in the area after the murder that Ungar (1993) describes is not unlike that which was experienced in The Pas after the murder of Helen Betty

Osborne. Osborne, a Cree woman from Norway House, was sexually assaulted and brutally murdered in the The Pas in 1971 by four non-Native assailants. After Osborne was murdered, it was said that “[the Native community] felt helpless and cheated, and their resentment and distrust of whites intensified.” (Priest, 1989, p. 81) While it was documented that racial tension was present in The Pas prior to Osborne’s murder, her death reaffirmed its existence and would later allow for international attention on the community’s racial divisions. While the Dove and Osborne murders differ in many ways, they are similar in the sense of the impact that they had on racial divisions in the communities where they lived.

The information provided should not be interpreted as fodder to the conception that witnesses in the trial were “correct” in their assumption that they had reason to be fearful and suspicious of David Acoose, Cory Acoose, and the young offender by virtue of their “Nativity.” Rather, it is notable to bring to light that the accused were identified and evaluated based on their Otherness. Further, it may have been conceived that they appeared to be fulfilling some sort of stereotype based on their consumption of alcohol in juxtaposition to the larger non-Native population in the resort that evening who were engaging in the same kind of activity. After all, the police testified that August 15th, 1992 had been a particularly busy night on account of problems with people who were at a dance at Bird’s Point and “problems with some campers at Bird’s Point [who were] partying and causing problems with other campers.” (*R. vs. Acoose*, 1992, p. 153) Constable Bellegarde was unable to respond to the report he received concerning the “drunk natives” as he was occupied at the detachment conducting a breathalyser test. (*R. vs. Acoose*, 1992, p. 153)

I suggest that the impulsivity of the accused to react violently toward Dove was a result of several factors beyond an apparent lack of self-control. Apart from the lowered inhibitions of

the accused from their alcohol consumption, it may be worthwhile to consider that poor coping and socialization skills from intergenerational trauma were ignited by their rejection in the higher social order in the white space of the bar. That evening, the accused engaged in behaviour that was socially and legally unacceptable while they attempted to co-exist in a bar at a resort village. The staff at the Mountain View Inn responded appropriately by refusing to serve Cory Acoose on account of his lack of identification and the young offender on account of his being a minor. This being said, we must also consider that all three of the accused did not “belong” in the establishment anyway as the result of a sophisticated systematic process which procured their estrangement. In their state of humiliation and antipathy, they tried to leave the space in which they were not welcome, and were further obstructed by the flat tires which inhibited their departure. Dove, who was innocent in this encounter, represented the white face of rejection that the accused had already confronted that evening. Dove was not the enemy, he was the scapegoat. After analyzing the court transcripts, it is my assertion that the experience of indignity perceived by the accused was fuelled by the over-consumption of alcohol which subsequently exploded into an impulsive and thoughtless act of violence. These components all have links to colonialism in southeast Saskatchewan.

Chapter 6

6.1 Summary of Findings

Historical data of the geographical region of study has revealed a legacy of interracial tensions brought on by colonial enterprises which have dispossessed Native people. Government sanctioned methods of alienation and oppression are visible in legislation such as the Indian Act and in structures such as the Residential School system. The extensive research I have done reveals an established correlation between these legacies and instances of social concerns, specifically violence. The areas which I have chosen to focus this research on have been affected by these systems of oppression and have had to exude tremendous resiliency in response.

The court transcripts uncloak themes related to alienation through racialized spaces, class systems, substance abuse, and racial discrimination...all of which are directly linked to colonial history. Through the words of the witnesses, a common narrative of fear emerges which my theoretical foundation links to scathing depictions of First Nations people throughout history. It is also apparent that there was a disruption that occurred when their “native” presence intersected that of the “settler”³⁴ world.

Racism, which was not explicitly named in the trial, was revealed through the disassociation of the white majority from the Native Other. The theories of Other as explained by Razack, Memmi, Said, Dhamoon, and Green helped me to identify how usage of colonial language implicates racist ideology. It is ironic that the authorities of a court room, which is

³⁴ Fanon’s terminology.

supposedly guided by the ideals of blindness to components of race and class, very distinctly removed their “blindness” by continuously insisting upon identifying the accused as Other. If justice is blind, what purpose is there in the explicit naming of the Other, especially when there is never a naming of the white?

In consulting theories about racialized spaces, I gained insight into the physical and psychological barriers that colonial regimes have created. The concept of these spaces- the reserves, the resort village, and the Mountain View Inn, were discussed in the court transcripts and spoke to the ideology of how spaces become associated with racial identity, and appeal to notions of exclusion. As Fanon has suggested in his work, these spaces invoke an internal battle by which the colonized are forced to reckon with their position of social inferiority to the colonizer.

Internalized colonization, as it has been identified by Fanon’s work, lent further comprehension of what the psychological profile of the accused may have been. Fanon has suggested that those who are colonized suffer from an inferiority complex which leads them not only to loathe the position of the colonizer, but also long for their social position. He stated that under these conditions, the colonized are often unable to negotiate such an imposition in their mind. In reading *R. vs. Acoose*, I considered this theory and it helped me to understand the conditions by which the accused may have felt inferior in their social position. The desirable position of the colonizer was made evident in the court transcripts: nice cars, money, and the respect that such possessions incite. The limitation of this theory is that it could not help me to conclude with certainty that this aspect of internalized colonization was one of the motivators of the crime. Because the accused did not take the stand in their own defence, certain aspects of their behaviour are unable to be assessed beyond the speculation that this theory allows for.

Consultation with historical research has indicated that the communities of Cowessess and Sakimay First Nations were not exceptions to colonial enforced trauma. According to the research conducted by the Aboriginal Healing Foundation, all Native people are affected in some way by trauma, whether directly or by proxy. This information helped me attempt to understand some of the motivations of the accused to behave in a certain ways. Also, I had consulted other related theories such as those offered by Perrault and Proulx which assisted me in understanding how violence is a learned and normalized behaviour as a consequence of intergenerational trauma. As previously stated, David Acoose in particular disclosed the prevalence of witnessing and experiencing physical and sexual abuse in his own life, though this information was not revealed in the court transcripts. These theories were only able to help me to a certain extent as the court transcripts provided little in the way of personal information about the backgrounds of the accused.

The court transcripts revealed that the role of substance abuse was one of the foremost important considerations in understanding the behaviours of the accused. By examining theories of substance, specifically alcohol abuse and violence, I was able to conclude that there is a causal relationship between aggressive/violent behaviour and alcohol consumption in the case of the William Dove murder. Studies also supported the idea that the Aboriginality of the accused is significant in this context. Theories suggest that Native people are sometimes more vulnerable to alcohol related instances of violence on account of some of the social conditions that they are confronted with. The theories concerning substance abuse and violence cannot be interpreted as a sweeping generalization of all First Nations communities, because not all Native people engage in substance abuse, nor are all affected by it. However, this is a theory that seems to be supported by the evidence provided in the court transcripts.

Despite a thorough analysis of the court transcripts and extensive research with associated literature, there are questions that will go unanswered. It has never been publicly verified precisely what happened during the perpetrators' encounter with the victim. It is known that William Dove died a violent death. Given the amount of information available to the public and the different interpretations of what happened by the accused, it is unlikely that anyone will know how or why this tragedy occurred. The research I have done is an attempt to answer some of those questions which have gone unanswered.

I began embarking on this research in order to confront some of the challenges I was met with as a non-Native woman in a Native Studies discipline. I was motivated to produce a contribution to decolonization by acknowledging the rarity of violent encounters against non-Native victims and by deconstructing an event in the geographical context where it had actually occurred. Despite the assertion made by Judge Anysie Chorneyko that there were no mitigating factors in the Dove murder case, I believe that this research indicates otherwise. I hope that this work will motivate others to acknowledge the intricate web of causation factors stemming from colonialism when violent crime is linked to Native perpetrators. This research may be consulted if examining other cases of interracial violence in areas affected by colonialism. This work is not to be misinterpreted as an excuse for violence, but an explanation of the context in which some violent encounters occur. I also hope that this research raises awareness about how we are all individually affected by colonialism in Canada regardless of our racial identity. Colonialism does not hold the accused personally irresponsible to their own moral failing, but the collective failure of Canada to acknowledge and combat colonization surely did not help to deter it.

It should be reiterated, that this case is unusual. The accused and the victim were unknown to each other, and very few cases of Native perpetrated violence on non-Native people have been reported, particularly in comparison to the amount of violence which occurs within Native communities. Despite decades of oppression experienced in the Native communities that surround white spaces, there is little evidence to support that there has ever been an issue of Native people seeking out non-Native people whom they want to harm. In fact, any other suggestion as such may be an indication of the colonial agenda which seeks to encourage an unfounded fear of the “savage.”

Colonization has challenged the resiliency of Native people in Saskatchewan and throughout Canada. Many people continue to thrive in spite of such oppression, but there are exceptions. I do not excuse David Acoose, Cory Acoose and the young offender for what was clearly an act of inhumanity. I do however acknowledge that colonization certainly affected their personal lives and would have had some part in explaining their violent reaction to William Dove. The statement made by the judge in this case which advocated that there “were no mitigating circumstances” (*R, vs, Acoose, 1993, p. 16*) is dismissive of the colonial context. The Dove murder, though an extreme example, reveals how we are all negatively affected by colonization, whether we identify with the colonized or not.

6.2 Final Thoughts

One of the major perpetrators behind the colonial legacy is racism itself. It is no wonder we continue to lose the battle toward a more tolerant and egalitarian society when we are at the mercy of its clutches. Ironically, dominant society is consciously losing the battle against racism

in stride with ignorance and even complacency. This phenomenon can be seen in instances of resistance to learning about the realities of Canada's colonial history. It is seen in school history curricula, which still reflect a false reality of history, and in the administrators who resist revision. It is seen when politicians vehemently deny fiduciary responsibility. *It is seen every day and on so many levels in Canada.* I have been seeing and experiencing it for years. I see it and feel it every time someone spouts off blatantly racist language, or is angry with me and challenges me for having a different viewpoint. Racism is powerful enough to make some people want to lose to it. It is much easier to be in a position of "superiority." If someone else is taking the blame for the pitfalls of society, we never have to look at ourselves. If someone else's culture and ethnicity is the object of a joke, we are less likely to be faced with that kind of humiliation. If we never challenge racism, we may not feel so alienated in social situations. The racism which lends itself to have us believe that we are somehow immune to a condition which continues to exploit, oppress and devalue others is intoxicating. There is a feeling of safety associated with this.

We cannot deny that colonization happened, but certain sectors of society will proceed to deny the longstanding effects of the colonial legacy, one of those effects, is that of racism. As Memmi (2000) states "We are all tempted by racism. There is in us a soil prepared to receive and germinate its seeds the minute we let down our guard. We risk behaving in a racist manner each time we believe ourselves threatened in our privileges, in our well being, or in our security." (p. 23) We cannot continue to deny malignant colonialism that pervades Canadian society. If we can humbly acknowledge our own shortcomings as contributors to a perpetual colonial existence, we can begin to make change. This change is empowering for everyone who is brave enough to accept it. We can accept that colonization has occurred, but we do not have to accept its legacy.

The colonial legacy has survived, in part, by virtue of its transformative nature. It is constantly reinventing itself and adapting to new environments and has done so since the first point of contact. For example, where it is no longer socially acceptable to publicly declare the belief of the inferiority of Native people, as government officials such as Hayter Reed once did, the message is communicated systemically. If there is any cause for doubt of this assertion, one needs not to look further than the high rates of poverty experienced in First Nations communities, mortality rates, over-representation in the criminal justice system, and beyond. Colonialism has bred a powerful degenerative legacy which has permeated Canadian society at every conceivable niche, from our legislators, our court rooms, our classrooms, our informal interpersonal conversations and beyond. The impact of this legacy is not as readily acknowledged at a systematic level, but the impact can be seen in the lives of David Myles Acoose, Hubert Cory Acoose, the young offender... and in the death of William Dove.

The colonial legacy “empowers” aspects of the colonizer, namely, the Canadian imperialist, but mostly, it is disempowering as a whole. Colonialism is the metaphorical puppet master which allows the colonialist to enjoy advancement through oppression and conveniently ignore it’s cost. One of those costs were the many lives that were irrevocably changed as a result of William Dove’s murder. Ellen Dove lost her husband, his children lost their father, his grandchildren lost their grandfather, others in the community lost faith. The families and communities that the accused were from lost something too, though what they lost was not measured in the same way. In essence, Dove was not the only one who died that night. A part of our humanity dies every time someone is a victim of violence. We all continue to die literally and metaphorically in the face of the colonial legacy. In southeast Saskatchewan, where it is said that some of the world’s most majestic sunsets take place, the sky appears almost as though it has

a life of its own. While racism and colonialism continue to breed violence, the living skies of Saskatchewan continue to witness the fatality of human decency that is the casualty.

Bibliography

- Acoose, J. (1995). *Iskwewak: neither Indian princesses or easy squaws*. Toronto: Women's Press.
- Adams, H. (2000). Challenging Eurocentric history. In Barron, et. al. (Eds.). *Expressions in Canadian Native Studies* (pp. 40-53). Saskatoon, SK: University of Saskatchewan Extension Press.
- Adams, H. (1999). *Tortured people: the politics of colonization*. Penticton: Theytus Books Ltd.
- Adams, H. (1989). *Prison of grass: Canada from a native point of view*. Saskatoon: Fifth House Publishers.
- Alfred, T. (2005). *Wasase: Indigenous pathways to action and freedom*. Peterborough: Broadview Press.
- Anderson, T. (2010). *2006 Aboriginal population profile for Regina*. Ottawa: Statistics Canada.
- Ashcroft, B., Griffiths, G., & Tiffin, H. (2000). *Post colonial studies: the key concepts*. New York: Routledge.
- Ajzenstadt, M. (1994). The Changing Image of the State: The Case of Alcohol Regulation in British Columbia, 1871-1925. In *Canadian Journal of Sociology*. 19 (4) 441-460.

- Auerhahn, K. & R. N. Parker (1998). Alcohol, drugs, and violence. In *Annual Review of Sociology*. 24, pp. 291-312.
- Bachman, et. al. (2002). *Alcohol related violence among American Indians*. Bethesda: National Institute on Alcohol Abuse and Alcoholism.
- Barker, A. (2009). The contemporary reality of Canadian imperialism: settler colonialism and the hybrid colonial state. In *The American Indian Quarterly*. 33(3) pp. 325-351.
- Berg, B.L. (2001). *Qualitative research methods for the social sciences*. Needham Heights: Allyn and Bacon.
- Bitektine, A. (2007). Prospective case study design: qualitative method for deductive theory testing. In *Organizational Research Methods*. 11(1) pp. 161-181.
- Bhabha, H. (2005). *The location of culture*. New York: Routledge.
- Blevins, K. (1997, October 30). Booze, drugs fueled violence in convict's life. *Saskatoon StarPhoenix*, p. A11.
- Blevins, K. (1997, September 8). Killer back in custody on drunk driving charge. *Saskatoon StarPhoenix*, p. A5.
- Blevins, K. (1997, October 30). Whitewood senior's killer, granted limited day parole. *Saskatoon StarPhoenix*, p. A11.
- Blevins, K. (1996, July 10). Police search for motive in Indian Head murder. *Saskatoon*

StarPhoenix, p. A7.

Brzozowski, J., Johnson, S. & Taylor-Butts, A. (2006). Victimization and offending among the Aboriginal population in Canada. *Juristat, Canadian Centre for Justice Statistics*, 26(3).

Cariou, W. (2002). *Lake of the prairies: a story of belonging*. Meadow Lake Region:

Doubleday Canada.

Caspi, A., Happé, F., Hughes, C., Jaffee, S.R., Moffitt, T., et. al. (2005). Origins of individual differences in theory of mind: from nature to nurture? *Child Development*, 76 (2), pp. 356-370.

Chansonneuve, D. (2007). *Addictive behaviours among Aboriginal people in Canada*. Ottawa:

Aboriginal Healing Foundation.

Chansonneuve, D. (2005). *Reclaiming Connections: Understanding Residential School Trauma Among Aboriginal People*. Ottawa: Aboriginal Healing Foundation.

Coneghan, D. (2005). Regina. In *The encyclopedia of Saskatchewan* (pp. 744-746). Regina:

Canadian Plains Research Centre.

Comaskey, B. & McGillivray, A. (2000). 'Everybody had black eyes': Intimate violence,

Aboriginal women and the justice system. In S. Perrault and J. Proulx (Eds.) *No place for violence* (pp. 39-57). Halifax: Fernwood Publishing.

Conn, H. (1981). How Wolseley and district came to be. In *Bridging the past: Wolseley and*

district 1880-1980. (pp. 1-3)

Cooke, N. (1981). The Perley family. In *Bridging the past: Wolseley and district 1880-1980*. (pp. 401-404)

Cordon, S. (1997, January 31). Murder victim's family angry: Jail terms for two white men who killed an Indian woman in Regina are called inadequate. *The Vancouver Sun*, p. A.7.

Criminal Code, R.S.C. 1985, c. 46, s. 718.2(e).

Dickason, O. (1997). *The myth of the savage and the beginnings of French colonialism in the Americas*. Edmonton: The University of Alberta Press.

Dabulkis-Hunter, S. (2002). *Outsider research: how white writers 'explore' Native issues, knowledge, and experiences*. Bethesda: Academica Press.

Dhamoon, R. (2009). *Identity/difference politics: how difference is produced and why it matters*. Vancouver: UBC Press.

Eigenbrod, R. (2005). *Travelling knowledges: positioning the im/migrant reader of Aboriginal literatures in Canada*. Winnipeg: University of Manitoba Press.

Eisler, D. (1997, Feb 6). Pardon my insolence, but... *Saskatoon StarPhoenix*, p. A2.

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

Fanon, F. (1963) *The wretched of the earth*. New York: Grove Press.

Frankenburg, R. (2001). The mirage of an unmarked whiteness. In Klinenberg, et. Al

- (Eds) *The making and unmaking of whiteness*. (pp. 72-96). Durham: Duke University Press.
- Frideres, J. (1998). *Aboriginal peoples in Canada: contemporary conflicts*. Scarborough: Prentice Hall.
- Gautier, D.A. (2005). Message from the publisher. In *The encyclopedia of Saskatchewan* (pp. xi-xvi). Regina: Canadian Plains Research Center.
- Goldberg, D. (1993). *Racist culture: philosophy and the politics of meaning*. Cambridge: Blackwell Publishers Inc.
- Goulding, W. (2001). *Just another Indian: a serial killer and Canada's indifference*. Calgary: Fifth House Ltd.
- Grant, A. (1996). *No end of grief: Indian residential schools in Canada*. Toronto: Pemmican Publications.
- Green, J. (1997). *Exploring Canadian Identity and Citizenship: Aboriginal Women, Bill C-31 and the Sawridge Case*. Edmonton: University of Alberta Press.
- Green, J. (2006). From Stonechild to Social Cohesion: Anti-Racist Challenges for Saskatchewan. [Electronic Version] *Canadian Journal of Political Science*. 39:3 ; pp. 507-528.
- Isman, E. (1981). Dr. G.B. Isman. In *Bridging the past: Wolseley and district 1880-1980* (pp.

294-296) Wolseley: Friesen Printers.

Jacobs, K. (2010). Discourse analysis. In Walter (Ed) *Social research methods, second edition*. (pp. 351-376), South Melbourne: Oxford University Press.

Jennings, F. (1976). *The invasion of America and the cant of conquest*. New York: W. W. Norton & Company Inc.

Jiwani, Y. (2002) The Criminalization of 'Race,' and the Racialization of Crime. In W. Chan & K. Mirchandain (Eds.), *Crimes of Color: Racialization and the Criminal Justice System in Canada*. (pp. 67-86). Peterborough: Broadview Press Ltd.

Kyle, A. (2008, December 11). Systemic racism still rampant: expert. *Regina Leader Post*, p. A6.

LaRocque, E. (1994). *Violence in Aboriginal Communities*. Ottawa: Public Health Agency of Canada.

LaRocque, E. (2010). *When the other is me: native resistance discourse 1850-1990*. Winnipeg: University of Manitoba Press.

Lawrence, B. (2002). Rewriting histories of the land: colonization and indigenous resistance in eastern Canada. In S.H. Razack (Ed.), *Race, space, and the law: unmapping a white settler society*. (pp. 21-46), Toronto: Between the Lines.

Lerat, H. & Ungar, L. (2005). *Treaty promises, Indian reality: life on a reserve*. Saskatoon:

Purich Publishing.

Lightfoot, L. O. & Ross, R.R. (1985). *Treatment of the alcohol abusing offender.*

Springfield: Charles C. Thomas.

MacDougall, K. (2008, October 7). Youth helping to fight crime. *The Grenfell Sun*, n.p.

Mandryk, M. (2001, August 18). Tragedy should concern us all. *The Leader Post*, p. A. 15.

McIntosh, P. (2007). White privilege and male privilege. In Healy, J.F. & O'Brien, E. (Eds.),

Race, ethnicity, and gender: selected readings (pp. 377-384). Thousand Oaks: Pine Forge Press.

McLeod, N. (2007). *Cree narrative memory*. Saskatoon: Purich Publishing Ltd.

McDonald, R. (2008) *The discord between policy and practice: defence lawyers' use of section 718.2(e) and Gladue*. (Master's thesis). Available from MSpace at the University of Manitoba. (<http://hdl.handle.net/1993/3084>)

Memmi, A. (1965). *The colonizer and the colonized*. Boston: Beacon Press.

Miles, R. & Brown, M. (2003). *Racism*. New York: Routledge.

Miller, J.R. (2000). *Skyscrapers hide the heavens: a history of Indian-White relations in*

Canada. Toronto: University of Toronto Press Incorporated.

Moss, W. & O'Toole, E.G. (1991). *Aboriginal people: history of discriminatory*

laws. Government of Canada.

Natalier, K. (2010). Research design. In Walter (Ed) *Social research methods, second*

- edition*. (pp. 31-60), South Melbourne: Oxford University Press.
- O'Connor, K. (2002, July 19). Tuckanow gets life in prison: Victims' families upset young killer eligible for parole in seven years. *The Leader Post*, p. A1.
- Ogloff, J.R.P., & Welsh, A. (2008). Progressive reforms or maintaining the status quo? An empirical evaluation of the judicial consideration of Aboriginal status in sentencing decisions. In *Canadian Journal of Criminology & Criminal Justice*, 50 (4), pp. 491-517.
- Pacholik, B. (1997, October 17). Cousins found guilty in restaurateur's murder. *Saskatoon StarPhoenix*, p. A11.
- Perrault, S. & Proulx, J. (2000). Introduction. In S. Perrault and J. Proulx (Eds.) *No place for violence* (pp. 13-21). Halifax: Fernwood Publishing.
- Poupart, L. (2003). The familiar face of genocide: Internalized oppression among American Indians. *Hypatia*, 18, 86-100.
- Priest, L. (1989). *Conspiracy of Silence*. Toronto: McClelland & Stewart Inc.
- Province of Manitoba. (1991). *Report of the Aboriginal justice inquiry of Manitoba: the justice system and Aboriginal people*. Altona: D.W. Friesen and Sons Ltd.
- R. vs. Acoose*. (1992). Preliminary Inquiry, S.K.P.C.
- R. vs. Acoose*. (1993). Guilty Plea and Sentence, S.K.P.C.
- Razack, S. (2002). Gendered racial violence and spatialized justice: the murder of Pamela

- George. In S.H. Razack (Ed.), *Race, space, and the law: unmapping a white settler society*. (pp. 121-156). Toronto: Between the Lines.
- Razack, S. (2002). When place becomes race. In S.H. Razack (Ed.), *Race, space, and the law: unmapping a white settler society*. (pp. 1-20). Toronto: Between the Lines.
- Reid, J. (2008). *Louis Riel and the creation of modern Canada: mythic discourse and the colonial state*. New Mexico: University of New Mexico Press.
- Roberts, D. (1996, December 26). Pair guilty in slaying of Regina prostitute verdict shows two classes of justice, band chief says. *The Globe and Mail*, p. A1.
- Ross, J. I. (2004). *Violence in Canada: sociopolitical perspectives*. Piscataway: Transaction Publishers.
- Rush & Ogborne. (1992). Alcohol treatment in Canada: history, current status and emerging issues. In Hunt, G., H. Klindemann, & J. Takala (Eds), *Cure, care or control: alcohol treatment in sixteen countries*. (pp. 253-268) Albany: University of New York Press.
- Said, E. (1994). *Orientalism*. Vintage Books: New York.
- Saskatchewan Legislative Assembly, *Debates and proceedings* (13 May 1993) online: 1993 Debates and Proceedings (Hansard)
<http://www.legassembly.sk.ca/Hansard/22L3S/930513e.PDF>
- Saskatchewan Legislative Assembly, *Debates and proceedings* (6 March 1996) online: 1996

Debates and Proceedings (Hansard) <<http://www.legassembly.sk.ca/hansard/23L1S/96-03-06.pdf>>

Scott, N. (2002, January 25). SaskTel service staff endure 'frightening' number of threats. P. A.1.

Silversides, E. (1981) *Untitled poem*. In *Bridging the past: Wolseley and district 1880-1980* (p. 603) Wolseley: Friesen Printers.

Smolewski, M. & C.C. Wesley-Esquimaux. (2004). *Historic trauma and Aboriginal healing*. Aboriginal Healing Foundation: Ottawa.

St. Denis, V. (2007). Aboriginal education and anti-racist education: building alliances across cultural and racial identity. *Canadian Journal of Education*, 30(4), 1068-1092.

Sweeney, E. (1991). *Cochise: Chiricahua Apache Chief*. Norman: University of Oklahoma Press.

Thompson, C. (2005). Sakimay First Nation. In *The encyclopedia of Saskatchewan* (p. 792). Regina: Canadian Plains Research Center.

Tuhiwai-Smith, L. (1999). *Decolonizing methodologies*. New York: Palgrave.

Unger, L. (1993, April 28). Requiem for a quiet man JUSTICE? *The Globe and Mail*, p. A24.

van Dijk, T. (1987). *Communicating Racism*. Newbury Park: Sage Publications.

http://www.sakimayrez.com/wp/?page_id=9

Warick, J. (2003, June 25). Girls story wasn't truthful, court told. *The Saskatoon StarPhoenix*, p.

A1.

Warick, J. (1997). Power in the spirit: Okimaw Ohci healing lodge. [Electronic version]. *Justice as Healing*, 2 (4), 1-4.

Warry, W. (2007). *Ending denial: understanding aboriginal issues*. Toronto: Broadview Press.

Wattie, C. (1993, January 4). Manslaughter plea causes wave of protest. *The Ottawa Citizen.*, p. A14.

Waubageshig (1972). The comfortable crisis. In *The only good Indian* (pp. 65-89). Toronto: New Press.

Willis, K. (2010). Analyzing qualitative data. In Walter (Ed) *Social research methods, second edition*. (pp. 407-436), South Melbourne: Oxford University Press.

Wills, J (2007). "‘Telling it like it is’: Jim Pankiw and the politics of racism." In *Rhetoric: Journal for the Canadian Society for the Study of Rhetoric* 2 (2007), 1-23.

Wong, C. (2001, September 21). Policemen guilty of illegal confinement: Saskatoon

officers dumped native man outdoors on frigid winter evening: Final Edition. *The Ottawa Citizen.*, p. A4.

York, G. (1990). *The dispossessed: life and death in Native Canada*. Toronto: Little Brown and Company (Canada) Limited.