Race, Ethnicity, Crime, and Justice

An International Dilemma



Shaun L. Gabbidon



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PREFACE

p front, I must acknowledge my intellectual debt to three scholars whose work opened my eyes to both the international nature of race, ethnicity, and crime and to the significance of the colonial model to contextualizing that issue. First, a decade ago I was introduced to Ineke Marshall's pioneering volume, *Minorities, Migrants, and Crime: Diversity and Similarity Across Europe and America* (1997). The edited volume examined, in detail, several European countries and how race and ethnicity influenced justice system outcomes. For someone who thought that race and crime issues in the United States were the most pressing ones globally, I quickly realized how wrong I was and became fascinated with the international nature of the issue. In short, the book was my initial glimpse into the magnitude of the problem.

A few years earlier, I was exposed to Becky Tatum's work on the colonial model (see Tatum, 1994), which I was first introduced to through the work of Frantz Fanon during my early exposition into Black history (see Fanon, 1963, 1967a, 1967b). But, for the most part, my initial introduction to the model was shortsighted and did not look past its application to Black involvement in crime in America. More recently, through the work of Biko Agozino (see Agozino, 2003), I have continued to be enlightened concerning the role that colonization has—and continues to play—in the fate of racial and ethnic minorities in justice systems around the world. Collectively, I view the work of these scholars, along with the increasing body of international scholarship that I uncovered during my last book project (Gabbidon, 2007), as the impetus for the current volume.

As for my specific aims with this project, I had two. First, I sought to determine the depth of the race and crime problems facing countries around the world. That is, I wanted to explore the "international dilemma" related to race, crime, ethnicity, and justice. So, what is this "dilemma"? In the most basic

sense, this terminology represents the fact that racial and ethnic minorities are often overrepresented in justice systems around the world. Ah, but it is really not that simple. Too often those observing these patterns engage in simplistic, shortsighted, and ahistorical analyses to contextualize this issue (Rushton, 1995). In reality, the real "dilemma" is that because of early European colonization based on White supremacy, racial and ethnic minorities have been and continue to be the populations often targeted for justice system attention. This notion is developed further throughout the chapters by providing an expanded historical analysis for each of the countries profiled. Why spend so much time on history? Well, because in some ways colonization and its brutal processes have much to do with explaining the status of racial and ethnic minorities. And no, this is not about making excuses for modern day criminals; it is more about understanding why, in many instances, racial and ethnic minorities are in disadvantaged positions within their societies, and Whites are more often than not in privileged positions. And if one follows the criminological literature, societal conditions and one's status within society have seemingly always played a role in who becomes enmeshed in justice systems (Gabbidon, 2007).

Second, as Marshall and her contributors did in her earlier volume (for another important early volume, see Tonry, 1997), I wanted to examine the similarities and differences of the experiences of racial and ethnic minorities in the profiled countries. In short, does the role of colonization impact all societies the same? Or, are some racial and ethnic minorities able to "recover" from colonization and other forms of oppression (e.g., apartheid). And, if so, what were the factors associated with such a recovery.

Before I move on to the contents of the work, I must admit, to date, this was my most challenging book project. Why? Because I had to learn about countries I knew very little about. In all honesty, for some reason, because of my diverse background as a naturalized American citizen who was born in Wolverhampton, England, to Jamaican parents, I was under the illusion or, more correctly, delusion, that I had an advantage in writing this work. I was wrong. In fact, considering that much of my formal education has been American-centered (for an early discussion of this limitation, see Friday, 1973, p. 155), the sobering reality is that I was likely at a disadvantage writing this work. Nevertheless, it has been a labor of love that has been both challenging and draining. The work has been the most draining because I'm human, and reading about the plight of Black people around the world is, at times, depressing. There is no other way to describe it. The fact that I can get on an airplane

and fly to any one of the countries profiled herein and become the target of criminal justice attention—just because of the color of my skin—makes me angry but also sad that color matters just about everywhere. There is no escaping it. Thus, if anything, writing this book has made me a bit more cynical. After reading the book, I suspect some readers might also feel the same way. While this was not my intent in writing this work, I also do not see a reason to "sugar coat" the daily reality of countless people of color who interact with justice systems around the globe.

BOOK CONTENTS

In terms of the content and scope of the book, it was never my intention to write the "definitive" work on the topic. Rather, I saw this effort as, hopefully, serving as a bridge to continue the dialogue on the international nature of race and crime concerns (see most recently, Bosworth, Bowling, & Lee, 2008; Kalunta-Crumpton & Agozino, 2004; Phillips, 2008; Saleh-Hanna, 2008; Weber & Bowling, 2008; Webster, 2007). To do so, I concentrated on the following five countries: Great Britain, United States, Canada, Australia, and South Africa. I selected them for two key reasons. First, colonization and/or some other repressive system previously were a part of or remain a chief characteristic of each society. More specifically, since I was curious about the role of colonization and/or other repressive forms of government and their initial and long-term effects on crime and justice for racial and ethnic minorities (especially Black people), I decided to examine the said countries. Second, in the absence of being able to visit the countries, I needed to select ones where national official data were accessible via the Internet. Further, I wanted to focus on countries where there had been some discussion about race and crime issues. As such, there would be ample scholarship available to gauge the nature of the problem in each respective country.

There are seven chapters in the book. Chapter 1 introduces and provides background information on the colonial model, which is the theory used to contextualize race and crime in each of the countries. It is important to note that this book is not a formal test of colonial theory. In my view, the perspective simply serves as the best criminological theory to understand the development of race and crime issues in the countries profiled herein. The next five chapters profile the individual countries, each starting with a deep, historical

review of the society, followed by a presentation of contemporary demographic information on the citizens of the country. Each chapter concludes with a discussion of race and crime-related issues specific to each country. Finally, Chapter 7 concludes with some general thoughts on the international nature of race and crime issues as well as noting some similarities and differences of the challenges being faced by each country.

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* ONE *

INTRODUCTION

A fter studying race and crime for more than a decade, one thing has become apparent to me: The colonial model is vastly underappreciated as a potential perspective to contextualize the overrepresentation of racial and ethnic minorities in justice systems around the globe—particularly in post-colonial societies. This short introduction first provides an overview of the terms *race* and *ethnicity* and then briefly discusses the perils of using crime statistics to examine race and crime cross-nationally. An overview of the colonial perspective is next. As noted in the Preface, though not a direct test of the perspective in the countries profiled in the subsequent chapters, only those readers wearing blinders will miss the connection between colonialism and race, ethnicity, crime, and justice.

RACE AND ETHNICITY

The terms *race* and *ethnicity* are both used to classify groups. Race is seen as the more distinctive marker, by some. The term has a long history and was created by the Swedish botanist Carolus Linnaeus. Johan Fredrich Blumenbach built on Linnaeus's work by separating the people into five races: Ethiopian (African or Negroid), Mongolian (Asian), American (Native American), Malaysian (Pacific Islander), and Caucasian (White). This division set off an infinite debate as to whether there are truly distinct races. That is, do the differences between the assorted groups make them so distinct that they warrant

a different classification? DNA research suggests that there are some slight biological differences between groups; as examples, mostly Blacks get sickle-cell anemia, and some drugs have been found to be more effective for some groups than others (Soo-Jin Lee, 2005). However, this does not prove that the use of racial distinctions is appropriate, especially considering that the Human Genome Project has found "that humans share 99.9% of their genetic makeup" (Soo-Jin Lee, 2005, p. 2133).

In light of the existing scientific evidence, social scientists have tended to view race as a social construct or a manufactured term simply used to identify people based on their color. In the United Kingdom, for example, scholars use inverted quotes when they use the term race to signify that it has no scientific meaning (e.g., "race"). Other countries, such as Canada, minimize the use of race altogether, especially in government documents. In a similar vein, residents in the United States referred to as "people of color" or racial and ethnic minorities, are considered "visible minorities" in Canada. As you will see in subsequent chapters, countries tend to handle the use of the term differently. In addition, each country has its separate racial classification scheme for who is deemed a racial minority.

Ethnicity also is a term used to classify groups. However, rather than being based on color or rooted in biological notions, although genetic inheritances and certain traits are characteristic of ethnic groups, the term ethnicity relates more to a group's cultural traditions, geographical ties, common language, and other commonalities. Both terms are imprecise and have their limitations. Nonetheless, over time, they have been used as a means to better understand the experience of assorted groups across the globe. Hence, the terms are reluctantly used herein under a similar guise.

CRIME STATISTICS

In his recent work, A Suitable Amount of Crime (2004), Criminologist Nils Christie discusses the numerous problems with the term "crime." He writes: "Crime does not exist. Only acts exist, acts often given different meanings within various social frameworks. Acts, and the meaning of them, are our data" (Christie, 2004, p. 3). While Émile Durkheim would certainly take issue with this statement, one can see where Christie's insight would be particularly useful when examining crime cross-nationally. Thus, the way one society defines or views a certain

offense could influence the extent of the problem, as compared to another society. So, if one country is obsessed with marijuana use and criminalizes it while another country does not, there could be a "wave" of crime noted in one country, whereas in the other country because of its different approach, no crime "wave" would exist. Taking this example one step further, if one country decided to crack down on street crimes in communities heavily populated by racial and ethnic minorities, as opposed to crime in other areas where the majority group tends to predominate in crime commission, then statistics will distort the nature and scope of the crime problem (see Chambliss, 2004). In this case, "the crime problem" will be translated into the "minority crime problem." Scholars around the globe have noted this racialization of crime (Brewer & Heitzig, 2008; Chan & Mirchandani, 2001; Covington, 1995; Hall, Critcher, Jefferson, Clarke, Roberts, 1978; Knepper, 2008). However, Christie's important work reminds us of this important consideration, as we try to make sense of race, ethnicity, and crime across the globe. The next section provides an overview of the colonial perspective.

THE COLONIAL MODEL

So why provide an overview of the colonial perspective? The answer is simple: Because criminologists have excluded the perspective from the criminological canon, and though most students of crime and justice reading this text are likely to have heard of the word colonialism, they likely have never been exposed to a criminological perspective based on it. Colonialism, as defined in a recent dictionary, refers to "control by one power over a dependent area or people" (Merriam-Webster, 2004, p. 142). Several decades ago, the work of Frantz Fanon (1963, 1967a, 1967b) popularized the perspective among scholars seeking to contextualize the relations between Blacks and Whites in colonial and post-colonial societies (Agozino, 2005; Blackwell, 1971; Hall et al., 1978; Killingray, 1986; Onyeozili, 2004; Saleh-Hanna, 2008). In the United States, for example, the perspective caught on because of its adoption by those associated with the Black power movement (Carmichael & Hamilton, 1967). But it was the early work of Blauner (1969) and Staples (1974, 1975) who applied the theory to Blacks and the work of Moore (1970) and Mirande (1987) who applied it to Latinos in America. More recently, several scholars have revived the colonial perspective (Agozino, 2003; Bosworth, 2004; Bosworth & Flavin, 2007; Saleh-Hanna, 2008).

So how does colonialism help contextualize race and crime? Well, to answer that question, one has to first understand the nature of colonialism. In recent years, the work of Becky Tatum (1994, 2000a) has served as one of the best articulations of the perspective because it addresses more traditional forms of colonialism and also the notion of internal colonialism, which represents another way that colonialism takes hold and transforms a society, and from the native's perspective, usually for the worse.

Tatum's Articulation of the Colonial Model

Drawing on the work of Fanon, Tatum's (1994) conception of the colonial model, classifies it as a socio-psychological perspective. That is, it combines sociological factors with psychological factors to explain the etiology of crime and justice in society. More specifically, the perspective examines the intersection of "structural oppression, alienation and three adaptive forms of behavior—assimilation, crime or deviance, and protest" (p. 34). Early in her articulation of the model, Tatum (1994) points to the connection between colonialism, race, and crime:

Individuals who are the victims of social, economic and political oppression are likely to perceive that oppression and as a result, develop feelings of alienation in which the commission of crime is an adaptive response. In the colonial model, race or color is the ascriptive criterion for differences in subjection to situations of oppression. (p. 34)

Taking a holistic view of colonization, Tatum breaks the process down into four phases. The first phase usually involves the invasion of one racial group into the country of another. More often than not, this involves a minority group (typically Whites) who takes control of the majority population (typically people of color). Here, as aptly noted by Tatum, "The primary objective of the outsiders is to obtain valuable economic resources" (p. 35). Initially, though, the foreign group seeks to trade with the natives, but at some point they dupe the natives into settling for things of minor value in exchange for more valuable resources (e.g., gold). In some instances, when the natives refuse to trade with the foreigners, they decide to pursue brutal measures (e.g., torture, biological warfare) to extract the desired resources (see Crosby, 1972; De Las Casas, 1992 [1552]; Smolenski & Humphrey, 2005).

Following the initial phase of colonization, it becomes apparent that the colonizers have their minds set on controlling the country. But to do so, they

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have to think of a strategy that will allow a small minority (of foreigners) to rule over a society mostly composed of native people. The answer, which is the second phase of colonization, is the formation of a colonial society. So what does such a society involve? Tatum (1994) argues that colonial societies "can be characterized by three interrelated processes of cultural imposition, cultural disintegration, and cultural recreation" (p. 35). Once a colonial society is in place, there is the presumption that the culture of the colonizer is superior to that of the colonized. As such, the colonizer spares no expense in minimizing the culture of the colonized. Going even further, the colonizer uses their resources to constrain, transform, and destroy native customs, culture, and values (p. 35). In fact, as part of this phase, the colonizer "paints the native as the quintessence of evil" and uses "Zoological" terms to describe the natives (p. 35). It makes no difference whether the natives are rebelling against the colonizer to secure the most basic rights. The colonized remains "the problem." Finally, during this phase, the society's history is rewritten and the language is changed to that of the colonizer. And, in the end, any reference to native culture and history is seen as referring to "primitive societies" and reference to the colonizer is considered a reference to a more "advanced society" (for an excellent discussion of this phenomenon, see Ani, 1994). By this point in the colonization process, White supremacy has firmly taken hold and has become a key aspect of the colonial "machinery."

Tatum's (1994) third phase of the colonial process involves the governing of the natives by "representatives of the colonizer's power" (p. 36). Thus, even though the colonized represents the majority population, the colonizer uses the police and military as the maintainers of the peace or, more accurately, as controlling "agents of the state." The final phase of the colonization process, as outlined by Tatum (1994), involves "the development of a caste system based on racism" (p. 36). With White supremacy firmly in place, the development of such a caste system is imminent. Such a caste system results in a society where all those in the privileged groups (typically Whites) have access to the best jobs and other opportunities that assist them in flourishing within the colonial society. On the other hand, the worst jobs and least stable opportunities are reserved for those in the non-privileged groups (typically people of color). This, in the end, secures the place of the colonized at the lowest stratum of society. Tatum, though, clearly notes the role of class in the colonial structure. Tatum (1994) writes:

All colonized individuals do not suffer from the oppressive conditions of the social order to the same extent. In fact, the bourgeois faction of the colonized

people represent the part of the colonized nation that is necessary and irreplaceable if the colonial machine is to run smoothly . . . Although their position in society is lower than the colonizers of any status, in regards to the natives, they enjoy more privileges. As a result, there is an antagonism which exists between the native who is excluded from the advantages of colonialism and his counterpart who manages to turn colonial exploitation to his account . . . The colonialists make use of this antagonism by pitting one against the other. (p. 37)

During the implementation of the four phases of the colonial process, there are psychological consequences for the colonized. The late psychologist Bobby Wright addressed the role of psychology in the context of Black people in oppressed situations. In doing so, he coined the term "mentacide" to describe the use of psychology to destroy a group (particularly Black people around the world). In his words, mentacide is the "deliberate and systematic destruction of a group's minds with the ultimate objective being the extirpation of the group" (Wright, 1994 [1984], p. 20). Fanon, in his classic volume, *Black Skin, White Masks*, provides additional foundation for understanding the consequences of what amounts to psychological warfare. From the need of Blacks to prove that they are not intellectually inferior to Whites, to the desire of Black women for White men and Black men for White women, both solely in an effort to get as "close" as possible to the colonized, Fanon's (1967a) work gets at the heart of the alienation and "confusion" that results from colonization (see also, Akbar, 1992 [1984]).

Essentially, there are several ways that alienation or estrangement from one's culture that colonization relates to race, crime, and justice. One way alienation manifests itself is in self-hate. This relates both to the individual and the group. For example, hating oneself can result in one not wanting to identify with who they are or, depending on complexion, "passing" so that others see the individual as being a member of the colonizing group. This results in the shedding of one's native identity. But the self-hatred extends beyond the self and includes the group. The alienation can result in attacks against the people that the colonized now hate the most: *themselves*. Of this, Tatum (1994) writes: "Here, the individual hates in others those characteristics he hates most in himself" (p. 38).

Another type of alienation results in racial groups being estranged from each other. This produces racial violence which is often based on a mutual lack of trust that results in paranoia. Cultural alienation typically results in the colonized distancing themselves from their native language and history. And the