"A Series of Nasty Situations":

The Causes and Effects of Riots at Kingston Penitentiary

by

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ABSTRACT

Historically, prisons have been largely excluded from the thoughts and debates of the external society in which they are located. All know of their existence, but few are aware of, or even care, how penitentiaries are run and criminal offenders are treated. Only when the prisoners manage to gain the attention of the public and policy-makers do the inner workings of the penal system come to the forefront.

An effective means for prisoners to draw attention to their plight has been through protests or riots. Such challenges to authority have had significant affects on penitentiaries and penal systems. As important and telling events, prison riots have drawn much attention from criminologists and sociologists who have formulated many theories to explain what factors have caused them in the past, and how they have changed over time.

The inmates of Kingston Penitentiary have staged a major riot on three occasions during the twentieth-century. While prompted by numerous internal and external factors, each of the uprisings was primarily a result of the failure of the penitentiary system and staff to effectively implement and pursue a policy that sought the rehabilitation of the inmates rather than mere custody and control. Case studies of the 1932, 1954, and 1971 Kingston Penitentiary riots that address the state of penal philosophy at the time, the causes and events of the disturbances, and the effects that each had on penal policy at the prison and throughout Canadian institutions illustrate that very little progress was made toward the rehabilitation of offenders during this period. The significance of the Kingston riots is evident by the inquiries into the penal system and the shifts in penal policy that they helped stimulate. Much can be learned about the penal system and the society in which it exists through studying the causes and effects of inmate uprisings.

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My family certainly must not be forgotten. All of my parents provided me with tremendous love and encouragement throughout my life and university career, supporting my decision to pursue an academic degree while only asking what type of job I was going to get a few hundred times. My brother spoiled me in a pursuit to ensure that I was comfortable and that I would not go mad. My greatest blessing is undoubtedly my family and the relationship that I have with them. Perhaps the only exception to this is my soul-mate and life-partner, Lisa, who knows best how much support I have needed over the past years. She is a remarkable human being and I am truly a better person for having loved and been loved by her. Without these people I do not know how I would have completed this project. Thank you all.

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CHAPTER ONE: INTRODUCTION

Prisoners have often been forgotten people. Many of the members of the society against which they have offended view them with contempt or, at best, indifference. Few know the workings of the prison and penitentiary system in Canada and perhaps even fewer care. Offenders are quite literally "put away" for punishment and, maybe, some rehabilitation. From time to time, however, inmates in a penitentiary or other correctional institution manage to gain the attention of the "outside" populace. They arise in protest against their situation, against the conditions of the penitentiary, against being forgotten, or against a score of other wide-ranging issues. Canadian prisons have been the theatre for many protests throughout the penitentiary system's tumultuous history. They are dramatic and significant events that provide an excellent means through which to examine the penitentiary system and the people who inhabit it on both sides of the bars.

Riots are much more than instances of violence that colour the record of an otherwise peaceful regime. They are defining moments in the evolution of penal policy and philosophy. On the importance of prison riots, Charles Bright states the following:

> Riots are the central moments of any prison's history. Like wars, they are the ordeals of fire that illuminate hidden landscapes and form the benchmarks or turning points in time, long thereafter remembered by participants and forever prepared against by those fearing recurrence.[1]

A riot is an eruption wrought from the tensions built up within a repressive system. Even when they appear merely to be acts of random aggression, "a riot is taken to be prima-

[1] Charles Bright, The Powers That Punish: Prison and Politics in the Era of the "Big House," 1920-1955. (Ann Arbor, MI: The University of Michigan Press, 1996), 205-206.

facie evidence that the system has broken down."[2] Not only do riots show that the penal system has failed in one way or another, but they also often tell of the pressures and mistreatment experienced by the prison inmates. As John Sloop explains, "riots are not abuses by prisoners... but signs that prisoners have been abused."[3] Penitentiary inmates do not often resort to uprising without some cause that is believed to be just. Phil Scraton, Joe Sim, and Paula Skidmore argue that "conscious and considered decisions by prisoners to riot, hold hostages, and occupy roof-tops are not taken lightly... prisoners who protest expect immediate retaliation through physical beatings and solitary confinement followed by heavy sentences."[4] They go on to state that "[past riots] represented the sole means available to prisoners to protest about conditions at the prison."[5] While prison inmates are aware that there will most certainly be some type of repercussions for their uproarious actions, they really have no other means to gain attention to their plight. These are but a few of the factors that demonstrate the significance of riots and the impact they have had on the history of penal systems. Riots are a phenomenon that speaks volumes on the nature of the penitentiary system as well as the society in which it exists.

Further evidence that riots are key moments and turning points within penal thought and policy are the attention and changes that they have prompted. Bert Useem

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[2] Karl Menninger, "The Crime of Punishment," in Prisons, Protest and Politics. ed. Burton M. Atkins and Henry R. Glick, (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1972), 53.

[3] John M. Sloop, The Cultural Prison: Discourse, Prisoners, and Punishment. Tuscaloosa, AL: The University of Alabama Press, 1996.

[4] Phil Scraton, Joe Sim, and Paula Skidmore, "Through the Barricades: Prisoner Protest and Penal Policy in Scotland," Journal of Law and Society. 15, 3 (Autumn 1988): 256.

[5] Phil Scraton, Joe Sim, and Paula Skidmore, "Through the Barricades," 256.

and Peter Kimball explain that "a prison riot can be both a tragedy and an opportunity."[6] Others who have studied riots and penology concur with this view. Karl Menninger states: "Prison riots might be... blessings in disguise. They call attention to some of the rottenness of prisons. The only trouble is that they do not keep the attention of the right people long enough nor do they call attention to the real things that provoke the riot."[7] Herbert Gamberg and Anthony Thomson suggest that if nothing else, "large-scale prison disturbances have one salutary consequence: they bring conditions within the prison to the attention of the media and the public."[8] It is only through gaining public attention and sympathy that widespread reforms and changes can be brought about. Without public protest, or at least support, such reform is unlikely. As the Chicago Law Review explains, "as representative bodies, legislatures are naturally sensitive to public opinion, and that opinion historically has been unsympathetic to prison reform."[9] Once the attention of the general public and governing bodies is gained, the inmates' grievances may be addressed. Robert Adams states the following on the effects that riots have had on corrections in the United States: "It is only a modest exaggeration to suggest that all major changes in penal policy and practice in the US have been predicated at least in part on the prevention of collective violence, including rioting, by prisoners."[10] The decision to riot is thus a

[6] Bert Useem and Peter Kimball, States of Siege: US Prison Riots, 1971-1986. (New York: Oxford University Press, 1989), 188.

[7] Karl Menninger, "The Crime of Punishment," 53-54.

[8] Herbert Gamberg and Anthony Thomson, The Illusion of Prison Reform: Corrections in Canada. (New York: Peter Lang Publishing, Inc., 1984), 41.

[9] The Chicago Law Review, "Legislative, Executive, and Judicial Barriers to Prison Reform," in Prisons, Protest and Politics. ed. Burton M. Atkins and Henry R. Glick, (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1972), 144.

[10] Robert Adams, Prison Riots in Britain and the USA. (New York: St. Martin's Press, Inc., 1992), 47-48.

significant step for prison inmates to take and is certainly viewed as such by the public, prison authorities and the government.

The inmates of Kingston Penitentiary have participated in major riots on three occasions during the twentieth-century. The first was in 1932 during the Great Depression and was quite sensational at the time due to the apparent attempt on the life of Tim Buck, the imprisoned leader of the Communist Party of Canada, made by prison staff during the upheaval. Most of the penitentiary shops were destroyed in the great fire that was the next large riot in 1954. The most infamous of these three riots occurred in 1971. This disturbance was very much unlike its predecessors in terms of the tactics used and violence involved. Each of these protests were turning points for penal policy and philosophy in Canada.

These disturbances at Kingston Penitentiary provide excellent case studies for examining the nature and development of prison riots due to the fact that they differed greatly in terms of the tactics used by the inmates and by the officials who were attempting to end the uprisings, and because they occurred approximately twenty years apart from each other. They also allow for an analysis of what the impact of the riots was in terms of how the penal system evolved after each of these protests. There are several obvious questions that the Kingston Penitentiary riots raise: what factors prompted the inmates to take the desperate actions that they did, when they did; how did the riots differ in terms of their events and official responses; and how did they affect penal policy and popular opinion of the penitentiary system in Canada over this forty to fifty-year period. These questions will be addressed in this essay.

While riots are obviously significant events in the history and development of a penal institution or system, why and when they occur is not always clear. Criminologists, penologists and others who have studied prison systems have put forth a fair number of theories in an attempt to do so. These theories centre around such factors as conditions within the penitentiary, administrative changes or inadequacies, unrest in society outside of prison, as well as many other issues. Each of the prominent theories on the causes of prison riots will be outlined in **Chapter Two**. The basic concept of each of the theories on what causes prison riots to occur will be explained with reference to its main proponents as well as points that have been made that attempt to refute these hypotheses. Each has merits and is applicable in varying degrees to one or more of the major riots in North American prisons during the twentieth-century. That such a wide range of credible hypotheses exists attests to the difficulties that arise when trying to explain such sensational and diverse events. **Chapter Two** will also contain an examination of how these experts have categorized the different types of riots that have occurred in the past and how they have changed over time. It will also address theories on how prison and state officials have dealt with riots historically and which tactics have been the most successful in ending disturbances without loss of life.

A case study of the 1932, 1954, and 1971 Kingston Penitentiary riots will be presented in **Chapter Three**, **Chapter Four**, and **Chapter Five** respectively. Each of these case studies will include the following: a brief outline of the historical period in question in terms of the state of Canadian penology as well as the main societal events and developments that would have influenced the penitentiary system to some degree; an analysis of the general conditions of Kingston Penitentiary and the state of its

administration at the time; the detailed events of each riot including the tactics employed by the inmates as well as the immediate responses and actions of penitentiary officials; and finally the short-term results or impact that the riot had on conditions in the penitentiary and on penal philosophy in general. It will be evident from these case studies that each of the main theories on the causes of prison riots applies to at least two, but most to all three of the riots in question. That all of these theories are applicable to two or three of these disturbances shows that there are numerous internal and external factors that can precipitate a riot. It also indicates that the types of causes did not change much for the Kingston Penitentiary riots even though they occurred at fairly distant intervals, and that the largely inept penal system really did not make much progress in addressing some of the issues, primarily the question of rehabilitation, that prompted the inmates to protest over this forty to fifty-year period. The underlying factor behind each of the three uprisings was that the penitentiary system and staff failed to adequately implement and maintain a policy based upon the rehabilitation of the inmates rather than mere custody and control. What did change with each of these riots, however, was the tactics employed by the inmates or the type of protest, the method through which each uprising was brought to an end, and the direction of the shift in opinion and penal philosophy that each brought about. **Chapter Six** will further synthesize this analysis. Prison riots are extraordinary events. They are challenges to power and against the pathology of crime and the way in which offenders are treated. Trying to explain what incited the men at Kingston Penitentiary to revolt at these particular moments allows for interesting insight into the weakness of the

Canadian penal system as well as the difficulties inherent in maintaining order in a repressive habitat.

CHAPTER TWO: THEORIES ON PRISON RIOTS

Prison riots have, quite rightfully, spawned much interest from academics and other experts on criminology and penology. Attempting to explain what spurs prisoners to revolt at a given time is not an easy or clear-cut task. While no one claims to have an answer that is applicable to every type of prison uprising, several thoughtful theories have been put forth and warrant an examination so that they may later be tested against the three large riots that have occurred at Kingston Penitentiary. While each of these theories has its own basic components, they are not all mutually exclusive from each other; some of them overlap to a small degree. They are discussed below in no particular order in terms of merit or subject.

Most who have studied prisons agree that life in confinement is filled with tension. This is a constant in the existence of any type of prison and is inherent in the whole notion of keeping people contained against their will. One would expect, this being the case, that riots would occur on a regular basis as inmates and prison employees are always under high levels of stress. Of course, large-scale riots are not constantly transpiring in Canadian prisons or those of other Western countries. This fact has led to the development of the "spark" or "powder keg" theory on prison riots. The basic notion of the powder keg theory is quite simple: a single unusual or dramatic event or occurrence provides the charge that sets off the tension within the prison and leads the inmates to upheaval. John Bartlow Martin views this theory as being quite sound. He states, "the experts agree that a riot requires two conditions: underlying unrest and a spark to touch off the explosion."[1]

[1] John Bartlow Martin, Break Down the Walls. (London: Victor Gollancz Ltd., 1955), 203.

Nick Larsen suggests that the powder keg theory can be placed in a "grievance" category of the types of prison riots. These types of riots historically have centred around grievances regarding conditions within the penitentiary, and were spontaneous uprisings that featured very disorganized inmates.[2] The inmates are under a great deal of stress and wish to bring about change, but they are only moved to action when a specific event or moment triggers their discontent into upheaval.

While the powder keg theory applies to the vast majority of prison riots, it is not without its opponents. Fred Desroches explains that some have argued that the powder keg theory is refuted by the fact that historically there were more riots, that were also more violent, as conditions within penitentiaries improved.[3] Thus the underlying tension would have been alleviated. One cannot underestimate, however, the force of the daily pressure exacted within even the seemingly most enlightened penitentiary. "Brutality, indignity and anonymity, the deprivation of taken for granted rights in a relentless succession of minutes turning into hours, into days, months and years is the core of the prison experience," is how Gamberg and Thomson describe this constant tension.[4] Even as the quality of food improved, more types of recreation were introduced and educational programs implemented, prison inmates were still living in confined spaces, largely removed from outside society and under a strict regimen. There is always tinder in a penitentiary readily awaiting to be set off by a piece of flint. This is the view of those who

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[2] Nick Larsen, "The Utility of Prison Violence: An A-Causal Approach to Prison Riots," Criminal Justice Review. 13, 1 (Spring 1988): 30.

[3] Fred Desroches, "Patterns in Prison Riots," Canadian Journal of Criminology and Corrections. 16 (1974): 341-342.

[4] Herbert Gamberg and Anthony Thomson, The Illusion of Prison Reform: Corrections in Canada. (New York: Peter Lang Publishing, Inc., 1984), 5.

argue that prisons are inherently repressive and always contain a significant level of tension: "Of course it produces riots. What else would it produce?"[5] Michael Jackson asserts that psychological and scientific data have shown "that inescapable punishment [such as prison] causes violent and psychotic behaviour."[6] People are going to react violently to repression. Even when conditions have improved on the surface, prison life is still plenty harsh enough to incite a riot. As Adams explains, "prison riots are not so much a product of prison conditions as of the condition of imprisonment."[7]

The surface conditions of daily life have been the cause for protest in the past. A survey of any number of grievance lists put forth by inmates during or after a riot would reveal that the living conditions of a prison were viewed to be worthy of complaint. Historically, these have included such items as the poor quality of food, guard brutality, overcrowding, petty rules, and many others. In order to get these grievances redressed, inmates had to get them heard. Richard Wilsnack suggests that rioting is a form of protest by a fairly powerless group seeking the assistance of a third party in order to precipitate change.[8] The sympathy of the public and the government is needed by inmates as their conditions can usually only be improved by direct alterations to the legal or penitentiary system. Ted Robert Gurr argues that the tactic of seeking publicity and popular support is employed by all who believe that they can only obtain their desired goals by changing

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[5] John Bartlow Martin, Break Down the Walls. 205.

[6] Michael Jackson, Prisoners of Isolation: Solitary Confinement in Canada. (Toronto: University of Toronto Press, 1983), 74.

[7] Robert Adams, Prison Riots in Britain and the USA. (New York: St. Martin's Press, Inc., 1992), 236.

[8] Richard W. Wilsnack, "Explaining Collective Violence in Prisons: Problems and Possibilities," in Prison Violence. ed. Albert K. Cohen, George F. Cole and Robert G. Bailey (Toronto: D.C Heath and Company, 1976), 72-73.

some part of an institution or system.[9] This view is also supported by Ronald Berkman who claims that riots are a way to express discontent as political means to do so do not exist for inmates.[10] Thus, inmates riot in order to get their grievances heard by the public and officials so that they may gain sympathy and support in order to get the conditions of life in prison changed.

As a challenge to the theory that inmates riot in order to get their grievances about penitentiary life heard, some point to past riots where grievance lists were not compiled until after the riot had already begun. In some instances, inmates seemingly scrambled to make a list of complaints once prompted by officials. Desroches states that in such cases, "inmate demands arise only after the riot has begun and are therefore not the cause of the riot, but rather function to help leaders justify and maintain power."[11] Grievances were needed to give the impression of cause to the riot and to get those inmates who may have liked to see the riot end to hold out for potential gains. These grievances would usually be a standardized list of what inmates tend to dislike about life in the penitentiary. However, just because a list of grievances is technically compiled after the fact, it does not mean that it was not embedded in the minds of those making the statement when the inmates originally made the move to riot. Whenever the grievances may be presented, they represent a desire on the part of a group of inmates to bring about change to their situation.

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[9] Ted Robert Gurr, Why Men Rebel. (Princeton, NJ: Princeton University Press, 1970), 212.

[10] Ronald Berkman, Opening the Gates: The Rise of the Prisoners' Movement. (Toronto: D.C. Heath and Company, 1979), 37.

[11] Fred Desroches, "Patterns in Prison Riots," 344.

While inmates may riot to get attention and support for the improvements that they desire, changes in the prison routine imposed from above or other sources could also ignite an uprising. It has already been noted that the prison atmosphere is quite tense and volatile. This makes it extremely sensitive to change, as it can easily be upset. In its examination of the riots of the 1950's and 1960's that plagued prisons in the United States, the American Correctional Association declared, "inmates often react violently to unexpected or sudden changes in institutional routine or practices."[12] John Irwin agrees that a change in the daily prison routine can be enough to cause a riotous reaction.[13] Michael Yates, a former corrections officer in the Canadian penal system, also puts forth this view: "Each change that comes from on high, if not gradually introduced, produces a reaction in the form of riot, sit-down, and so on."[14] In relation to the sensitivity of the prisoner's routine is the balance of power or control between staff and inmates that is needed to maintain order. Catherine Douglas, Joan Drummond, and C.H.S. Jayewardene contend that riots can occur when this delicate balance of power is upset, as does Desroches.[15] Any change in the daily routine or even the indefinable "feel" of a prison can be enough to spark a disturbance.

A change in an institution's top-level administration can also negatively affect inmates. New wardens, superintendents, and other leading staff usually bring a shift, even if only slight, in the general philosophy and organization of the penitentiary. Mark Colvin

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[12] Causes, preventive measures, and methods of controlling riots & disturbances in correctional institutions. (Washington, DC: American Correctional Association, 1970), 7.

[13] John Irwin, Prisons in Turmoil. (Toronto: Little, Brown and Company, 1980), 26.

[14] Michael J. Yates, Line Screw: My Twelve Riotous Years Working Behind Bars in Some of Canada's Toughest Jails. (Toronto: McClelland & Stewart Inc., 1993), 315.

[15] Catherine Douglas, Joan Drummond, and C.H.S. Jayewardene, "Administrative Contributions to Prison Disturbances," Canadian Journal of Criminology. 22 (1980): 198-199; Fred Desroches, "Patterns in Prison Riots," 344.

argues that "prisons are especially subject to instability when a new set of top administrators takes over and attempts to remold the organization in a new direction."[16] Christopher R. Adamson also expresses this sentiment: "each new 'direction' in prison management has tended to create as many problems as it has solved."[17] This can especially be true if that new "direction" is seen by the inmates as a threat to those aspects of life in the penitentiary that they value.

A change in administrative philosophy can often mean more rigid discipline and fewer privileges, which tends not to go over well with inmates. This relates to the "J-curve" theory on why and when prison riots occur. The J-curve theory on prison riots is formulated by William D. Pederson. It too centres around the notion that a change in the order or routine of a penitentiary can instigate an inmate uprising, but it is more specific as to which type or direction these changes must take in order to have such a profound effect. Pederson argues that "the J-curve model of progressive deprivation, with its emphasis on the satisfaction of human needs over time, seems to provide the most useful basis for explaining when and why inmate movements develop."[18] The basic premise of the theory, as stated by Pederson, is as follows:

> The likelihood of widespread violence increases as the relative deprivation gap widens between what individuals want and what they get... Inmate violence is most likely to occur after a period of improvement that is followed by reforms the inmates view as threatening to further progress as well as to the loss of previous improvements.[19]

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[16] Mark Colvin, The Penitentiary in Crisis. (Albany: State University of New York Press, 1992), 3-4.

[17] Christopher R. Adamson, "The Breakdown of Canadian Prison Administration: Evidence from Three Commissions of Inquiry," Canadian Journal of Criminology. 25 (4 October 1983): 434.

[18] William D. Pederson, "Inmate Movements and Prison Uprisings: A Comparative Study," Social Science Quarterly. 59, 3 (December 1978): 520.

[19] William D. Pederson, "Inmate Movements and Prison Uprisings," 510-511.

Thus, according to the J-curve theory, riots do not occur when conditions are consistently improving, nor when conditions are steadily harsh, but they come about when a period of reform ceases or when conditions regress.

> Inmate movements are most likely to occur when improvements in prison conditions are followed by a period of tightened security measures that can turn a dull feeling of relative deprivation into an 'intolerable gap'. After the threshold is reached, frustrated inmates withdraw their hostility from themselves and each other and project it onto the guards, who are viewed as symbols of the government.[20]

While Pederson conceptualized the J-curve theory, others, such as Colvin and Martin, have also suggested that prison riots transpire when a period of reform or innovation gives way to a tightening of security and a removal of privileges.[21] Part of maintaining balance and control in a penitentiary is gaining the compliance of the inmates. Colvin argues that a key aspect of whether this compliance is achieved is if the inmates feel as though they have something to gain, such as education or employable skills, through going along with the penitentiary's program.[22] If these rehabilitative programs and privileges are removed, or, as Scraton, Sim, and Skidmore contend, if the prisoners feel there may also be little or no chance for parole or other gains, they may adopt a "nothing to lose" attitude and revolt.[23] As stated above, changes in the prison routine or in the privileges and activities that have been granted to inmates can upset the order of the institution and potentially lead to a riot. Proponents of the J-curve theory contend that inmate uprisings are even more probable

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[20] William D. Pederson, "Inmate Movements and Prison Uprisings," 512.

[21] See Mark Colvin, The Penitentiary in Crisis: From Accommodation to Riot in New Mexico. 75; John Bartlow Martin, Break Down the Walls. 206.

[22] Mark Colvin, The Penitentiary in Crisis. 36-37.

[23] Phil Scraton, Joe Sim, and Paula Skidmore, "Through the Barricades," Journal of Law and Society. 15,3 (Autumn 1988): 258.

when the improvement of conditions stops or when privileges are curtailed in favour of greater discipline.

An ineffective or unorganized staff can also shake the stability of an institution and upset its balance. This can take the form of a hesitancy in making firm, assertive decisions, a lack of communication between the various departments -- correctional staff, classification staff, administration -- of the prison, or simple disorganization. Douglas, Drummond, and Jayewardene argue that "it is the degree of this administrative indecision... that determines whether a prison would erupt into violence or not."[24] Wilsnack maintains that "administrative conflict and instability" leads to unrest.[25] The American Correctional Association agrees, declaring that communication between penitentiary departments, as well as staff and inmates, is one of the keys to preventing prison riots.[26] Communication leads to understanding and tighter organization. A lack of organization within the institution or governing bodies on penal affairs, according to Useem and Kimball, can lead to a disturbance: "The key factor has not been organization of the inmates but the disorganization of the state."[27] A general ineffectiveness or poor quality of personnel also does not bode well for the order of the penitentiary. Peg and Walter McGraw suggest that inadequate line staff and other personnel significantly harm the quality and stability of the institution.[28] Liberal reforms and positive rehabilitation

[24] Catherine Douglas, Joan Drummond, and C.H.S. Jayewardene, "Administrative Contributions to Prison Disturbances," 201.

[25] Richard W. Wilsnack, "Explaining Collective Violence in Prisons: Problems and Possibilities," 72.

[26] Causes, preventive measures, and methods of controlling riots & disturbances in correctional institutions. 19-20.

[27] Bert Useem and Peter Kimball, States of Siege: US Prison Riots, 1971-1986. (New York: Oxford University Press, 1989), 28.

[28] Peg and Walter McGraw, Assignment: Prison Riots. (New York: Henry Holt and Company, 1954), 217.

programs mean little if there is not adequate staff to carry them out while also maintaining the integrity of the prison. A lack of organization and leadership, at any level of the staff of a penal institution, can be disruptive enough that the inmates feel the need or see the opportunity to take action to invoke change.

Internal factors are obvious determinants of the loss of order in a penal institution to rioting inmates. However, many who have studied prison riots argue that external factors -- events and sentiments occurring outside the prison walls -- also have helped cause uprisings in the past. Curt T. Griffiths and Simon N. Verdun-Jones state that, "similar to many other types of organizations, prisons are influenced by the larger societal context in which they exist."[29] Useem and Kimball explain how this societal context sets a stage for prison riots: "[Prison riots] are shaped by the political events and issues of the day, the prevailing ideas about imprisonment, and the political struggles in and around prisons."[30] Luc Gosselin also makes the link between prison riots and the larger social milieu: "[Riots]... accompanied by demands for prison improvements, reflect the social climate to be found outside the institution, which itself has hardly been a model of peaceful calm."[31] This is particularly the case when the social climate is critical towards authority or general social conditions. The American Correctional Association states that when there is criticism of the conditions of society outside of the prison, inmates may take the opportunity to stage a disturbance in hopes of gaining sympathy and support to change the

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[29] Curt T. Griffiths and Simon N. Verdun-Jones, Canadian Criminal Justice. (Toronto: Butterworths Canada Ltd., 1989), 396.

[30] Bert Useem and Peter Kimball, States of Siege. 9.

[31] Luc Gosselin, Prisons in Canada. (Montreal: Black Rose Books, 1982), 36.

negative aspects of the conditions within the prison.[32] Pederson also makes this argument. He contends that,

> There is also a temporal relationship between outside events and the development of inmate movements. Political violence appears to spread into prisons during times of outside wartime protests... The civil rights movement in the United States during the sixties most probably played an important role in the inmate movement in American penitentiaries during the Vietnam War.[33]

Though Pederson chooses the civil rights movement and the anti-Vietnam War protests as examples, it does not always take something that profound to set the inmates off. Colvin maintains that even something as seemingly unrelated to prisons as high unemployment can ultimately lead to a riot. When unemployment is high, more people tend to be sent to prisons, which causes overcrowding and deteriorating conditions, and so on.[34] Riots also tend to come in clusters which suggests that riots at other penitentiaries can cause an institution to explode. It is worth noting that the three Kingston Penitentiary disturbances in question coincided with the main periods of prison riot activity in the United States, which Robert Adams determined were 1928 to 1929, 1951 to 1953 and 1968 to 1970.[35] This was not a mere coincidence, as will become evident within the case studies of the Kingston riots presented below. Whether a riot is successful in gaining concessions is also largely dependent on outside circumstances. As Useem and Kimball explain, factors such as penitentiary and national budgets and whether a more liberal or conservative government is in power can determine if reforms are brought about.[36] Prisons are products

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[32] Causes, preventive measures, and methods of controlling riots & disturbances in correctional institutions. 38.

[33] William D. Pederson, "Inmate Movements and Prison Uprisings," 521-522.

[34] Mark Colvin, The Penitentiary in Crisis. 22-23.

[35] Robert Adams, Prison Riots in Britain and the USA. 1.

[36] Bert Useem and Peter Kimball, States of Siege. 225.

of the greater society in which they exist and, as such, they too feel the impact of social upheaval and political unrest.

Social and political unrest that occurs in the outside society can often be the work of some type of radical agitator, be it an organization or a small group of individuals. These people can also have a direct impact on the prison environment. They may draw attention to the prison system or, as the American Correctional Association points out, the leaders of social movements may be arrested and sent to the penitentiary where they can lead inmate movements and organize and incite prison riots.[37] Burton M. Atkins and Henry R. Glick contend that "organizing in prison often is easier than it might seem because radical leaders sometimes are greeted as celebrities by other prisoners."[38] Pederson describes the influence that these types of radical inmates have as follows:

> These are the elites [sic] [of the prison] who have time to think about their situation, and to connect outside events with those experienced inside prison. They are the inmates who are most likely to identify with outside protesters as well as to empathize with inmates inside prison who are worse off then themselves. Often they become the self-appointed leaders of prison protests.[39]

As they did on the outside, these leaders or agitators encourage other, often less politically motivated inmates to focus their discontent toward the prison system and the society which has built and condoned it. They help to place blame and can convince their fellow inmates that a riot is the best or only means to draw attention to their lot. Too much weight must not be given to these activists, however. Though leaders may emerge during

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[37] Causes, preventive measures, and methods of controlling riots & disturbances in correctional institutions. 15.

[38] Burton M. Atkins and Henry R. Glick, ed. Prisons, Protest and Politics. (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1972), 8.

[39] William D. Pederson, "Inmate Movements and Prison Uprisings," 512.

an uprising, they are not always necessarily the instigators of the revolt but merely those who take centre stage after other troublemakers have begun the insurrection.

In summation, the most prevalent theories on the causes of prison riots that have been formulated by sociologists, criminologists, and others who have studied them, can be listed as follows:

- prisons are "powder kegs" that are ignited by a specific moment or spark that brings about a riot
- the conditions of the penitentiary are harsh or demeaning enough to cause the inmates to riot in order to improve them
- inmates riot in order to get their grievances heard as they lack other means to enact change and need the sympathy of the public and government
- changes in the daily routine or the administration of the penitentiary and its general philosophy disrupts its social system and upsets the balance of power that maintains order within the prison
- inmates are prone to riot when a period of reform or improvements is ceased or curtailed in favour of tighter discipline and fewer activities: the "J-curve" theory
- an ineffective and unorganized staff can fail to properly enforce penal policies and programs and can result in a lack of order that leads to a disturbance
- external factors, such as political and social unrest in the greater society in which an institution is situated, and riots at other prisons, may cause inmates to believe that they too could gain from challenging authority
- politically-minded agitators may lead and focus the discontent of the inmates, prompting them to riot

These theories touch upon a wide range of factors both internal and external to the prison and centre upon both the inmates and their keepers. This indicates how sensitive the penal system is and how riots can seemingly occur at any moment. They are difficult to predict and almost impossible to prevent. It is also a great deal of pressure with which wardens and other penitentiary officials have to contend. People imprisoned against their will are easily moved to rebellion.

Historically, large-scale prison riots have taken several forms. There has been a basic development in the types of riots or the tactics employed by inmates as the twentieth-century progressed. In general, those who have studied prison rebellions have outlined an evolution in riot tactics that can be placed within three basic time periods. Prior to roughly the period of the Second World War, riots were relatively less violent protests, in terms of damage to person and property, that focused almost exclusively on grievances surrounding the conditions of the penitentiary. The riots of the post-war period were generally more destructive than their predecessors, but they still tended to focus on complaints about the prison environment. The prison uprisings, according to the theorists, of the late 1960's and early 1970's were markedly different. Hostage-taking became a popular tactic of the inmates with more damage being done to prison property and, quite unfortunately, more loss of life. The inmates were also more organized and politically conscious, making complaints not only about the conditions of imprisonment but also about social injustice and inequalities and believed biases in the judicial system. "What they trace is an evolution from acts of individual rebellion to ones of collective grievances, accompanied by the destruction of walls and washstands."[40] These arguments are based upon the American and British experience, but they are also applicable to that of Canadian prisons as well. Thus, prison riots have become more aggressive, more destructive, and more politically organized and motivated over the period from approximately 1930 to the 1970's.

[40] Luc Gosselin, Prisons in Canada. 36; See also Robert Adams, Prison Riots in Britain and the USA. 78-79, 104, 236; Fred Desroches, "Patterns in Prison Riots," 332; and Eric Cummins, The Rise and Fall of California's Radical Prison Movement. (Stanford: Stanford University Press, 1994).

Whatever the causes and the inmate tactics of a prison riot may be, penitentiary officials must act to contain the uprising and to bring it to as peaceful a conclusion as possible. It is obvious from the points on causes and tactics listed above that achieving these goals is no easy task. As Bert Useem, Camille Graham Camp, and George M. Camp explain, "it is unrealistic to expect that any process can produce a riot control plan that anticipates all possible occurrences."[41] Nonetheless, they state that "rapid response in executing a riot control plan can be crucial in minimizing harm to staff and to inmates."[42] Useem, Camp, and Camp, as well as Useem and Kimball, argue that once a riot is contained from expanding, it can end through three possible means: the use of force, negotiation with inmate leaders, or through waiting for the inmates to surrender from exhaustion and emotional drainage.[43] Desroches maintains that force should not be used by officials as a means to end prison uprisings as it can lead to loss of life for inmates and penitentiary staff. He suggests that the warden or the person in charge accept the grievances put forth by the inmates as they are often superficial, and it serves to undermine the authority of the riot leaders. This can also be accomplished by offering to allow those inmates who do not support the cause to exit without penalty, as many are often uninterested bystanders.[44] How to react to a prison uprising is a difficult choice for penitentiary officials to make. A wrong decision could not only result in loss of life, but could also cause the inmates to perceive their challenge to authority as a success which could lead to subsequent revolts or similar challenges in other prisons. If the riot is dealt

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[41] Bert Useem, Camille Graham Camp, and George M. Camp, Resolution of Prison Riots: Strategies and Policies. (New York: Oxford University Press, 1996), 149.
[42] Bert Useem, Camille Graham Camp, and George M. Camp, Resolution of Prison Riots. 4.
[43] Bert Useem, Camille Graham Camp, and George M. Camp, Resolution of Prison Riots. 5; Bert Useem and Peter Kimball, States of Siege. 191.

with quickly and decisively, the inmates may think twice about taking such action in the future.[45]

As will be illustrated, the factors listed in relation to the theories above were all prominent in causing, shaping, and determining the outcomes of the riots that occurred at Kingston Penitentiary in 1932, 1954, and 1971. All of the types of causes will be evident in the 1932 riot, with most appearing in relation to the causes and events of the riots of 1954 and 1971. That so many issues were involved in precipitating these inmate uprisings is testament to the difficulties inherent in maintaining order in a penitentiary. In addition, they indicate that a good number of the problems that existed within the penal system, and Kingston Penitentiary in particular, in 1932 also were in place to some degree in 1954, and still by 1971. While the theories cited all have some merit and are applicable to the Kingston riots, the primary factor for the uprisings was the failure of the penal system and staff to institute a policy based upon the rehabilitation of the offenders as opposed to simple custody and control. Though each of the riots had similar types of causes or circumstances that sparked them, the tactics used by the inmates, the way in which each riot was resolved, and the short-term impact each had on penal developments and popular opinion differed a great deal, in close accordance with the interpretations of prison riots in general discussed above. An examination of the causes, events, and effects of each of these three riots will support this argument.

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[44] Fred Desroches, "Patterns in Prison Riots," 347-348.
[45] Bert Useem and Peter Kimball, States of Siege. 209.

CHAPTER THREE: FORCING CHANGE

The period of the 1930's is synonymous with the Great Depression. The drastic economic downturn, signalled by the 1929 New York Stock Exchange crash, brought about terrible economic and social conditions throughout the world, with Canada being no exception. As businesses became bankrupt and manufacturing all but ceased, hundreds of thousands of Canadians lost their jobs and many of those who did not could barely survive and support their families on what little wage they did receive. The government of Prime Minister R.B. Bennett was slow to realize the seriousness of the situation and to take action to relieve the plight of Canadians. Programs that were to provide the immediate assistance that many needed were implemented reluctantly and were often futile when put in place. Relief was inadequate and difficult for many to obtain. As the decade moved on, the situation, along with numerous Canadians, became increasingly desperate. Many began to look for guidance and assistance outside of traditional political means in an attempt to confront the Bennett government and to somehow alleviate the widespread hardship.[1]

Political challenges to the Bennett Conservatives, aside from William Lyon Mackenzie King and the Liberals, ranged from the somewhat moderate left-wing, to the more radical. The Co-operative Commonwealth Federation (CCF), under the leadership of J.S. Woodsworth, played an influential role in Canadian politics in the Depression era even though it never held many governmental seats on the federal level.[2] The CCF also had the

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[1] Alvin Finkel, Margaret Conrad, with Veronica Strong-Boag, History of the Canadian Peoples: 1867 to the Present. (Toronto: Copp Clark Pitman Ltd., 1993); John Herd Thompson with Allen Seager, Canada, 1922-1939: Decades of Discord. (Toronto: McClelland & Stewart Inc., 1985).

[2] Alvin Finkel, Margaret Conrad, with Veronica Strong-Boag, History of the Canadian Peoples. 377-378.

support of Agnes Macphail, the most persistent and celebrated advocate of prison reform in the period.[3] Although its doctrines were quite radical for the time, the CCF did not extend as far left as the Communist Party of Canada (CPC). Despite being constrained by Section 98 of the Criminal Code and the "iron heel of ruthlessness" of the Bennett government, the CPC still managed to leave its mark upon the period and provide an outlet for those Canadians who felt cast aside by prevailing political and social programs. For instance, even with leader Tim Buck, Tom McEwen, and the rest of the "Toronto Eight" stewing in Kingston Penitentiary as a result of Section 98, the Communists inspired the inhabitants of the degrading Relief Camps, constructed to keep unemployed transients out of sight and mind, to depart from British Columbia on an "On-to-Ottawa Trek" in order to draw attention to their situation and to challenge the Bennett government to come up with a better way to aid Canada's unemployed young men. The meeting between the Prime Minister and the leaders of the Relief Camp Workers Union was a mere façade as Bennett had no intention of giving the men an honest and impartial hearing. Meanwhile the "iron heel" was lowered on the trekkers waiting in Regina where the RCMP brought the protest to a violent halt.[4] While the plight of the trekkers was somewhat indicative of the desperation of the period and of the Bennett government's handling of the crisis, the young men of the Relief Camps were not the only forgotten souls trying to draw attention to their dire predicament in order to gain assistance.

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[3] Terry Crowley, Agnes Macphail and the Politics of Equality. (Toronto: James Lorimer & Company, 1990), 128-146.

[4] Ramsay Cook, "The Triumph and Trials of Materialism (1900-1945)," in The Illustrated History of Canada. ed. Craig Brown, (Toronto: Lester Publishing Limited, 1996), 447; John Herd Thompson with Allen Seager, Canada, 1922-1939: Decades of Discord. 270-272.

With many Canadians concerned about whether they would be able to feed themselves and their families, few, if any, gave much thought to those housed in the country's penitentiaries. Some may have even thought that prisoners were better off as at least they had a roof over their head and knew where their next meal was coming from. In the first years of the decade, Parliament and the Canadian public cared little about the harsh conditions of imprisonment.[5] John Kidman states that articles in the Toronto Globe and Maclean's at the time gave the public their first view of these conditions.[6] Life was certainly a difficult struggle for most Canadians during the Depression, but those confined to Canadian penitentiaries were living within a poorly run, archaic and dehumanizing system. Prisoners, like many living outside of the stone walls, saw the need to protest their situation. From 1925 to 1937, there were no fewer than 20 serious disturbances in Canada's penitentiaries, sixteen of which occurred from 1932 to 1937.[7] The Kingston Penitentiary riot of 1932 was the largest of these uprisings and precipitated the call for penal reform in Canada.

"No one who really knows Kingston Penitentiary from within could possibly be surprised at the outbreak of the riot of 1932. The wonder is that it was delayed so long."[8] This statement was made by Oswald C.J. Withrow, a former Kingston Penitentiary inmate, in Shackling the Transgressor, a controversial book that caused much debate in the Canadian House of Commons when it was first published in 1933. Living conditions in the

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[5] Terry Crowley. Agnes Macphail and the Politics of Equality. 133.

[6] John Kidman, The Canadian Prison: The Story of a Tragedy. (Toronto: Ryerson Press. 1947), 42-43.

[7] Royal Commission to Investigate the Penal System of Canada. (Ottawa: King's Printer, 1938), 69; D. Owen Carrigan, Crime and Punishment in Canada: A History. (Toronto: McClelland & Stewart Inc., 1991), 367.

[8] Oswald C.J. Withrow, Shackling the Transgressor: An Indictment of the Canadian Penal System. (Toronto: Thomas Nelson & Sons, Limited, 1933), 2.

nearly hundred year old institution were both physically and emotionally taxing. There was very little to stimulate the minds and bodies of the inmates and many aspects of life in prison caused them much resentment and frustration. Penitentiaries at this time were militaristic institutions that sought to shape and control the inmates through a strict regimen of discipline and countless regulations, often breaking their spirit in the process. After his visit to Kingston Penitentiary in the months before the revolt, the newly appointed Superintendent of Penitentiaries, General D.M. Ormond described the inmates: "It was evident to the most casual observer that they lacked life and movement; that the young men were stiff instead of lithe."[9] This was a direct result of the penitentiary routine: "The gruelling grind slowly wears away the soul of a man until, if he remains long enough, there is little left."[10] An examination of the conditions of life in Kingston Penitentiary will attest to the validity of these statements.

Those unfortunate enough to be delivered to Kingston Penitentiary for a stay in the 1930's were told the rules of the institution upon entry. Tim Buck recalls that "repression seeped out of every one of the 22 rules." Buck also states that inmates were informed by the warden during this initial address that, "'You are not a person in the eyes of the law.'"[11] A statement that a drill sergeant might give to new recruits, it would not take the inmates long to realize that it was true. After this preliminary lecture, the inmates were stripped, had their heads shaved, and were deloused with acetic acid. Then they would be brought to their cells, five feet by eight feet, that contained a small folding bed, a table and

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[9] Report of the Superintendent of Penitentiaries: Kingston Penitentiary Disturbances, 1932. (Ottawa: King's Printer, 1933), 10.

[10] Oswald C.J. Withrow, Shackling the Transgressor. 31.

[11] William Beeching and Phyllis Clarke, ed., Yours in the Struggle: Reminiscences of Tim Buck (Toronto: NC Press Limited, 1977), 196.

chair, sink and toilet, and a copy of the Bible. The cells were poorly lit, damp, and unsanitary. Small holes in the cell walls allowed guards to peer in on the inmates.[12] Some were not lucky enough to receive the relative privacy of a cell. Due to acute overcrowding, it was necessary for some of the approximately 950 inmates living in Kingston Penitentiary in 1932 (the penitentiary had means to accommodate 805 inmates in cells) to sleep in the corridors.[13] They would wait in their new quarters, home for the next two, five, ten, or more years, in silence, until the penitentiary's daily routine began the next morning.

Kidman outlines the inmate's basic daily schedule for the 1930's as follows: the inmates were awakened at 6:30 in the morning; were to wash and be dressed by 7:00; they would then go pick up their breakfast trays and return to their cells to eat; they would work in a shop, in the agricultural fields, or on maintaining the buildings until noon; lunch in their cells until 12:40; back to work until 5:30, though this period would also contain 30 minutes of exercise, which consisted of silently walking around in a circle and only took place when the weather permitted; supper in cells until 6:00; the inmates were then confined in their cells, where they could read until 9:00, until the next morning.[14]All of this was done in silence. Mixed into this routine was a weekly shower and a monthly hair

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[12] D. Owen Carrigan, Crime and Punishment in Canada. 365-369; D.M. LeBourdais, "Show-Down or Blow-Up?: What's Back of Our Prisons?" Maclean's. (1 March 1933), 13.

[13] Annual Report of the Superintendent of Penitentiaries. (Ottawa: King's Printer, 1933), 11. The population of Canadian penitentiaries in general was unusually high in the early 1930's. Minister of Justice Hugh Guthrie explained to the House of Commons that the population was usually between 2400 and 2500, but in 1932-1933, 4500 people were serving time in Canada's penitentiaries. Debates: House of Commons of Canada. Volume 1, (1932-1933), 872; Royal Commission to Investigate the Penal System of Canada. 14.

[14] John Kidman, The Canadian Prison. 71-73.

cropping.[15] The inmates spent an average of fifteen to sixteen hours per day alone in their cells. This was only the routine for weekdays; on weekends inmates were confined to their cells from Saturday after supper until Monday morning, only to be released to pick up meals and for one hour of church service.[16] If Monday was a holiday and the prison was closed, the inmates would be confined to their cells for even longer.

To occupy their minds, inmates could write to a family member, though the letter could only be one page long and only one per month was permitted. Incoming mail was censored by prison officials, and no pictures or postcards were allowed to be passed along to the inmates.[17] One thirty minute visit from a member of the inmate's immediate family was permitted every two months. Buck states that inmates complained to him about the arrangements of these visits. Bars separated the prisoner from his guest and a guard sat with them and would interrupt the conversation when it touched upon "inappropriate" topics.[18] Inmates could borrow a book or magazine from the prison library which held approximately 13,000 volumes. No newspapers were allowed, even though the committee appointed to inquire into penitentiary regulations and the Penitentiary Act in 1921 had "a strong opinion that ordinary newspapers should be admitted to the penitentiaries"[19] Not being able to keep up with the news and daily events of the world further isolated the inmates from outside society. The 1938 Royal Commission on the Penal System in Canada

[15] C.W. Topping Canadian Penal Institutions. (Chicago: The University of Chicago Press, 1930), 38.

[16] Royal Commission to Investigate the Penal System of Canada. 109.

[17] Oswald C.J. Withrow, Shackling the Transgressor. 37-38.

[18] William Beeching and Phyllis Clarke, ed., Yours in the Struggle. 204-205; Oswald C.J. Withrow, Shackling the Transgressor. 159.

[19] Report: A Committee Appointed by the Rt. Hon. C.J. Doherty, Minister of Justice to Advise Upon the Revision of the Penitentiary Regulations and the Amendment of the Penitentiary Act. (Kingston, ON: The Jackson Press, 1946), 42-43; C.W. Topping Canadian Penal Institutions. 41.

(Archambault Report) describes the effects of this lack of mental and emotional stimulation: "They have no varied social or mental contacts to keep their minds active, and so are thrown almost entirely into retrospection and brooding, subject to a constant craving for freedom, a furious hatred for all restraints, and a hunger for bodily and spiritual necessities."[20] The following view is reflective of how the 1921 Committee described the negative impact of this isolation and the time spent silently alone in a cell for many hours each day:

> When human beings are confined without occupation which provides an interest in life, are forbidden to give rein to the fundamental gregarious instinct and to communicate, except impersonally, with any one, are confined for fifteen or sixteen hours of every twenty-four in a cell three or four times the size of a piano case, with their sufferings and the sufferings of their dependents as the most likely subject of their meditation, the result is likely to be, if not a disturbed mentality, at least a rebellious attitude of mind which can perhaps in some circumstances be prevented from exhibiting itself dangerously only by the most severe measures.[21]

Even the little diversions from the mundane, like smoking a cigarette, were not without their frustrations. While inmates were allotted a small ration of tobacco, they were not given cigarette papers in which to roll it and had to use toilet paper instead: "This is the sort of thing that impressed you with the futility of so much that was done in that place."[22] The penal system did little to provide for the mental and emotional stability of the prisoners.

The physical, as well as mental and emotional well-being of the inmates was also often challenged when the importance of discipline and punishment in the penitentiary was impressed upon them. A violation of the penitentiary rules, such as speaking when not

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[20] Royal Commission to Investigate the Penal System of Canada. 109.

[21] Report: A Committee Appointed by the Rt. Hon. C.J. Doherty, Minister of Justice to Advise Upon the Revision of the Penitentiary Regulations and the Amendment of the Penitentiary Act. 48.

[22] William Beeching and Phyllis Clarke, ed., Yours in the Struggle. 200.

permitted to, being in the wrong place at the wrong time, committing a nuisance, or attempting to commit a number of other offenses, would result in the application of a swift and harsh punishment.[23] The Archambault Report states the following on the rules of the penitentiaries in the 1930's: "The regulations provide so many trivial offences that may be punished in a drastic manner that it is almost impossible for prisoners to avoid committing some punishable breach of the rules."[24] The punishments rendered for prison offenses ranged from forfeiture of privileges like tobacco, letter-writing, or visits, to isolation in a "punishment cell" and corporal punishment.[25] Being accused of committing a breach of prison rules by a guard or other staff member would result in the inmate being brought for a hearing in the warden's court. These trials were very one-sided affairs, it being the inmate's word against that of the guard.[26] The outcome was invariably that the inmate was found guilty of breaching one or more of the prison regulations and received some type of punishment, depending on the seriousness of the offense and on the behavioural past of the inmate. For an example of the certainty of a guilty verdict, consider that from April 1931 to April 1932, there were 2,012 hearings in the warden's court at Kingston Penitentiary, and only thirteen resulted in acquittals.[27] This caused the inmates to feel as though the system was unjust which, according to the Archambault Report, made them angry and frustrated: "It is a major contributing cause of breaches of discipline, conspiracies, assaults, and riots in the penitentiaries."[28] The workings of the warden's

[23] For a list of the rules for penitentiary inmates in the 1930's see, Royal Commission to Investigate the Penal System of Canada. 55-57.

[24] Royal Commission to Investigate the Penal System of Canada. 54.

[25] For a list of the types of punishments used in penitentiaries in this period see, Royal Commission to Investigate the Penal System of Canada. 58-61.

[26] John Kidman, The Canadian Prison. 43,73.

[27] Royal Commission to Investigate the Penal System of Canada. 64.

[28] Royal Commission to Investigate the Penal System of Canada. 61-62.

courts only added to the negative image and lack of respect that the inmates carried for the penal system.

Having to face one of the more harsh and degrading forms of punishment also would have added to this resentment. Inmates who committed one of the more serious breaches of prison regulations were whipped or paddled with a heavy strap. For strapping, the inmate was bent over a table, restrained with his pants lowered, and blindfolded. The tool for this torture is described by Withrow:

> For the paddle is a thick strap between thirty and forty inches long and two or three inches wide, with a wooden handle for the brutal hands of the burly guard. Diamond-shaped holes are cut in the material and sometimes it is soaked overnight in water, the more effectively to mutilate the victim. When the paddle is applied to the bare buttocks the skin is sucked through the holes and pieces of flesh may be pulled away.[29]

The physical and mental suffering and indignity that this ordeal would have wrought on the man is obvious. A sentence of confinement in a punishment cell was also a strenuous ordeal for a prisoner to live through. Inmates were placed in solitary confinement for a week or more at a time, on diets of bread and water, with no mattress to sit on during the day, often handcuffed to the bars of the cell, not to be let out for work or other activities.[30] These are but two examples of some of the more harsh punishments that were implemented that testify to the archaic nature of the system at the time and why the inmates would have held it in such contempt.

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[29] Oswald C.J. Withrow, Shackling the Transgressor. 77; See also D. Owen Carrigan, Crime and Punishment in Canada. 365.

[30] D. Owen Carrigan, Crime and Punishment in Canada. 366; "Just a Transfer, Not a Release; Prisoner Jolted," Globe. 22 October 1932, 2; Royal Commission to Investigate the Penal System of Canada. 58, 65.

Other factors in Kingston Penitentiary in the 1930's also served to break the spirit and morale of the inmates. They gained little from the educational and industrial programs of the institution, often being left bored and idle. While the penitentiary had many industrial shops as well as agricultural fields at this time, not much work was being done. The Archambault Report attributes this lack of constructive work to Ormond, the Superintendent of Penitentiaries. From March 1929 to March 1932, the three years before Ormond came into power, the industrial output for Kingston Penitentiary was valued at $375,675.29. The following three-year period, Ormond's first three, saw output drop to a value of $137,580.85, a decrease of $238,094.44.[31] This decline may seem reasonable considering the economic situation in the country as a whole at the time, but penitentiaries were largely self-supplying and did not compete on the open industrial market.[32] The basic requirements for Kingston Penitentiary would certainly have been the same in 1933 as they were in 1931, if not greater since the prison population was on the rise.[33] The Archambault Report states that this decline indicates that the penitentiary shops were inefficient and that work was not being done by the inmates, which could be dangerous: "...idleness is the great enemy of discipline in Kingston Penitentiary... [it can] provoke them [inmates] into flaring revolt or drive them into a state of mental instability."[34] What little work that was accomplished was not necessarily constructive for the inmates. Prisoners did not have opportunity to learn a trade that may have provided for them once

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[31] Royal Commission to Investigate the Penal System of Canada. 127.

[32] A Summary and Analysis of Some Major Inquiries on Corrections - 1838-1977. (Ottawa: Queen's Printer, 1977), 9.

[33] Royal Commission to Investigate the Penal System of Canada. 127-128.

[34] Royal Commission to Investigate the Penal System of Canada. 289.

they were released, despite the fact that trade instructors were in place. As the Archambault Report explains:

> ...although the penitentiary regulations provide that certain officers shall be trade instructors, and although an appropriation is made from the public funds to pay their salaries as trade instructors, a very substantial proportion of their time is taken up in the performance of other duties that do not involve the instruction of prisoners in particular trades.[35]

Once again, much of this was attributed to the inefficiency of the Ormond administration. Instructors interviewed by the Archambault Commission stated that they did not have opportunity to teach trades as their time was consumed with bureaucratic correspondence that, as will be discussed below, ballooned under Ormond.[36] Similar provisions were in place for remedial education as well, but

> the observance of these regulations is largely perfunctory, and individual examination and schooling of the prisoners is almost entirely lacking... Education has been largely neglected in all Canadian penitentiaries, and no real interest has been taken in this important feature of reformative treatment.[37]

Thus, the inmates were idle and frustrated with not having an opportunity to develop valuable work skills and no serious attempt to rehabilitate them was taking place.

While those members of the penitentiary staff who were to provide the education and trade instruction for the inmates were failing, for one reason or another, to fulfill their duties, they were not the only ineffective prison workers at Kingston Penitentiary in the early 1930's. Superintendent Ormond found many examples of the poor quality and general lack of organization amongst the prison staff when he visited Kingston Penitentiary in August and September of 1932; something a military leader could not

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[35] Royal Commission to Investigate the Penal System of Canada. 126.
[36] Royal Commission to Investigate the Penal System of Canada. 126-127.
[37] Royal Commission to Investigate the Penal System of Canada. 114-115.

condone in his officers. Upon his visit, he observed that the main gate had been left open while a large number of inmates were outside in the prison yard and that the weapons stored in the prison armory had not been properly kept so as to ensure that they would function. He also expressed the opinion that unsuitable people were being hired as prison guards and they received little or no training before being placed on the job. Ormond lamented that foot and arms drills were no longer conducted by the guards at Kingston, and that most of them had only reached the unimpressive rank of Private in the military service, "and could not be expected to show a higher standard in civil life."[38] His vision and administration was shaped by his military experience and way of thought. The Archambault Report states that if Kingston Penitentiary employed a better quality of guard in the early 1930's, "there would not be the same justification for complaints of brutality, favouritism, nagging, and laxity of discipline."[39] This echoes the 1914 Royal Commission on Penitentiaries' assessment of the negative impact of poor prison officers: "Their influence must have an evil effect which nothing can overcome. The possible effects of the petty tyranny over prisoners of ignorant and brutal guards are painful to think of."[40] As the front line of the penitentiary service -- the members of the staff who had the most contact with the inmates -- the quality and effectiveness of the prison guards had a profound impact on the spirit and functioning of the penitentiary.

The lack of discipline and organization that was characteristic of the guards is not surprising considering that there was not a warden in office for most of 1932 to keep them in line. Warden J.C. Ponsford, who retired at the end of 1931 after twelve years as the

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[38] Report of the Superintendent of Penitentiaries. 8-9.

[39] Royal Commission to Investigate the Penal System of Canada. 289.

[40] Report of the Royal Commission on Penitentiaries. (Ottawa: King's Printer, 1914), 41.

head of Kingston Penitentiary, was not truly replaced until after the riot in October. Gilbert Smith served as Acting Warden beginning in January of 1932. Smith's ineffectiveness was especially apparent, according to Ormond, in the days immediately before the inmate protest when he failed to take action even though unrest was evident. Ormond states that Smith neglected to create a reserve force of guards in case of trouble, to tend to the lack of security at the main gate, and to keep his staff functioning properly: "This heedless attitude can only be explained by the state of lethargy into which the supervision, inspection and management had fallen in Kingston Penitentiary."[41] The staff of Kingston Penitentiary was in poor order from top to bottom, but this also included the man at the head of the entire system.

Superintendent Ormond had as much to do with the administrative problems at Kingston Penitentiary in 1932 as any other staff member. He took a very hands-on approach to his job, so much so that nothing, however minor, could be done without his approval. "When the Superintendent assumed office he introduced into the penitentiary system a more drastic policy of militaristic control than had prevailed during the previous administration."[42] Adamson describes the negative influence of Ormond's "tyrannical rule" as follows:

> Wardens were unable to influence Penitentiary Branch policies. The Superintendent deliberately excluded them from the decision making process... General Ormond's approach was extremely rigid -- bureaucratic in the worse sense. He did little more than issue petty regulations and lengthy circulars on cost accounting and other management procedures. Wardens were required to obtain special permission if they wanted, for example, to replace school supplies, repair typewriters, or paint a hospital wall.[43]

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[41] Report of the Superintendent of Penitentiaries. 13.

[42] Royal Commission to Investigate the Penal System of Canada. 44.

[43] Christopher R. Adamson, "The Breakdown of Canadian Prison Administration: Evidence from Three Commissions of Inquiry," Canadian Journal of Criminology. 25, (4 October 1983): 438.

The Archambault Report also put forth this evaluation of Ormond when it recommended that he be "retired":

> He has displayed an irritating manner of exercising authority which, we are convinced, has been reflected, not only in the discipline of the penitentiary staff, but in that of the inmates, and, in our opinion, this was one of the major contributing causes of the sixteen riots or disturbances which have taken place since the Superintendent assumed office.[44]

A telling example of the absurd control that Ormond practiced was the number of penitentiary regulations that he implemented during his short tenure. He increased the number of regulations from 194 to 724, and also issued approximately 230 circulars that were to be treated as policy. Neither the staff nor the inmates could have possibly known and lived by all of these nearly 1,000 minute regulations.[45] Much of the time of the administrative staff was taken up with correspondence to Ormond in Ottawa and other bureaucratic duties. This would obviously affect the quality of their work, as has already been alluded to in the discussion on trade education. Although he liked to make rules, Ormond did not always abide by them. He was blamed by the Archambault Commission for having an inmate who complained about guard brutality flogged (this inmate was also shot during the riot), and for placing several Kingston inmates in solitary confinement, without work or other privileges, for over two years, the men never having been given a proper hearing. It was not within his authority to assign these punishments.[46] Ormond tried to shape the penitentiary system from the moment he came into office in August 1932, and as a result, the penitentiary personnel could not properly do their jobs, staff and

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[44] Royal Commission to Investigate the Penal System of Canada. 51.

[45] D. Owen Carrigan, Crime and Punishment in Canada. 366; Debates: House of Commons of Canada. Volume III, (1935), 2431-2432.

[46] Royal Commission to Investigate the Penal System of Canada. 44-48.

inmates were unable to follow the ridiculous number and types of regulations, and the inmates suffered through having to live in an unorganized prison rife with tension.

This was the atmosphere of Kingston Penitentiary in October 1932. Conditions were harsh and degrading, there was little to stimulate the mind and body of the inmate, there was no type of rehabilitation of the prisoners being done, the punishments meted out for breaches of prison discipline were deemed by the inmates to be unjust, and the staff was ineffective and unorganized at all levels. It was an archaic system that was in disarray. Tim Buck recalls that inmates began to approach him with their complaints about Kingston Penitentiary soon after he became a prisoner in the spring of 1932. These grievances centred around such issues as the environment in which visits were conducted, the number of letters that were permitted, and the lack of exercise and recreation time. Buck responded by drawing up a list of these complaints, which also included a request for an inquiry into the penitentiary system, that some of the inmates brought to Acting Warden Smith. The imprisoned leader of the Communist Party of Canada also declared to some of his fellow prisoners that in order for changes to be brought about, the inmates would need to get their grievances known to the public.[47] Although he does not claim to have instigated the protest that became the riot of 1932, as a known political agitator, Buck's words would have been heeded by his inmate peers. Smith also sensed this tension and discontent. In a letter written to penitentiary headquarters just three days prior to the protest, Smith stated that, "for the past few days there has been a spirit of unrest evident among the inmates of the institution. I believe that it is due to the lack of paroles, the overcrowded condition of the prison, the lack of suitable employment, and possibly also

[47] William Beeching and Phyllis Clarke, ed., Yours in the Struggle. 204-209, 233.

the season of the year." He erroneously concluded this correspondence, however, by stating, "I consider the situation well in hand and do not require any assistance."[48] Nevertheless, many of the inmates had had enough, and on 17 October they made the move to stage a protest in order to have their complaints heard.

At approximately three o'clock in the afternoon on 17 October, a large number of the inmates working in the shops at Kingston Penitentiary went on "strike" to protest the conditions of imprisonment. Their main demands were for cigarette papers and longer hours of recreation. Having sensed this protest, the prison staff's immediate reaction was to lock the inmates in the shops in order to keep them under control. Those inmates who were barricaded in the blacksmith shop used an acetylene torch to cut their way out and then proceeded to release the inmates in the other shops. Some 250 of the inmates then gathered together in the area of the shop dome where, according to Ormond's report on the incident, several took their place as leaders. Acting Warden Smith and a few other staff members were locked in the dome with the inmates, though it was of their own accord, as there was opportunity for them to leave. From the dome, Smith sent word to have military support sent to the penitentiary. Within fifteen minutes three batteries, about 100 soldiers, of the Royal Canadian Horse Artillery under the command of Colonel J.C. Stewart, arrived on the scene and surrounded the shop dome.[49]

This was when the protest turned into a riot. The sight of the soldiers caused the inmates to panic. Dennis Curtis and his colleagues contend that, "To this point, the demonstration had been relatively peaceful. It probably would have remained so, had the

[48] Quoted in Report of the Superintendent of Penitentiaries. 11.
[49] Report of the Superintendent of Penitentiaries. 14-17; "Sequence of Events In Prison Rioting," Globe. 18 October 1932, 4.

military not been called in."[50] Some prisoners threatened the staff that was in the shop dome with violence if the military did not withdraw, but it took only a few moments for the soldiers to take action. Deputy Warden Harraway took a truck filled with stone that was on the penitentiary grounds and drove it through the fortified main doors of the shop dome allowing some members of the military to enter. Most of the inmates in the shop dome ran and barricaded themselves in the mail bag shop while the remaining inmates surrendered and were brought to thc main cell block. Those still holding out were greatly bothered by the presence of the soldiers on location and continued to threaten the prison staff and also to burn down the shop if the military caused any of the inmates injury. It was evident that unless brute force was going to be used to subdue this group of prisoners, both sides would have to come to some type of an agreement.[51]

Acting Warden Smith and some of the inmate leaders reached an understanding that brought the first stage of the protest to an end. Ormond explains that "the final agreement arrived at was that the convicts' complaints would be investigated and considered; that no convict would be punished until after he had a proper trial." He also argues that by agreeing to these terms, Smith had "clearly tied the hands of the Department, if his agreement was to be fulfilled."[52] After this understanding had been reached the inmates returned to their cells, or corridors for those not assigned to cells, with some minor noise and commotion, had supper, and were to return to the normal penitentiary routine as soon as possible. The Toronto Globe was much more

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[50] Dennis Curtis, Andrew Graham, Lou Kelly and Anthony Patterson, Kingston Penitentiary: The First Hundred and Fifty Years, 1835-1985. (Ottawa: The Correctional Service of Canada, 1985), 123.

[51] Report of the Superintendent of Penitentiaries. 16-17. "Sequence of Events In Prison Rioting," Globe. 18 October 1932, 4.

[52] Report of the Superintendent of Penitentiaries. 17-19.

sensationalistic in its account of how the protest was brought to an end: "The trouble developed into a riot, and it was only at the point of the bayonet that the unruly convicts were put back into their cells."[53] No matter how they got there, once the inmates were secured in their cells, the protest had seemed to have come to an end.

Accounts of what took place the next morning differ somewhat. Buck claims that the inmates were brought from their cells one at a time and paddled with the leather strap described above which caused a great uproar.[54] That this punishment actually took place is not noted in any of the official accounts of the riot. Ormond travelled to Kingston on 18 October to investigate the events of the previous day. He states that he found a nervous and disorganized atmosphere and that some of the inmates were threatening another riot. The inmates expressed a desire to appoint representatives to bring their collective grievances to the superintendent, but Ormond refused, only willing to meet them individually. These meetings took place over the next few days. Ormond had managed to meet with three inmates over this period. They expressed a number of grievances, with the ban on cigarette papers, the lack of recreation time, and the existing policies on letter-writing, newspapers, and visitation being the standard complaints. Meanwhile, the inmates returned to work on the 19th, under armed guard, in the shops and at cleaning up the debris from the riot on the 17th.[55] The penitentiary was still not at ease and was filled with great tension.

This tension erupted into riot again on 20 October. Ormond contends that on this day the penitentiary staff was unorganized and not prepared to let the inmates go back to

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[53] "Finally Subdued Return To Cells," Globe. 18 October 1932, 1.
[54] William Beeching and Phyllis Clarke, ed., Yours in the Struggle. 219-220.
[55] Report of the Superintendent of Penitentiaries. 20-23.

work, and that Acting Warden Smith and the Deputy Warden were in a "dazed condition." Some prisoners were also making speeches in the cell block that "were subversive of good order and discipline."[56] These factors coupled with the confusion from the events of the previous days helped to set the inmates off once again. This time, however, it was not a peaceful protest but a few hours of destruction and general venting. While Ormond was hearing the grievances of one of the inmates, some of the prisoners began to break out of their cells using two long planks of wood that had been hidden for the occasion. This outbreak was contained to "F", "G", and "H" corridors of the main cell block. These inmates were also damaging the items in their cells, such as the beds, tables, and toilets. As this was taking place, the guards took up arms and got into position and the military was once again asked to return to the prison, as Ormond felt "that no dependence could be placed upon many members of the Penitentiary staff."[57] The actions of the penitentiary staff during this stage of the riot largely attests to this view.

The activities of the inmates who staged the uprising on 20 October consisted of much rowdiness and some damage to penitentiary property, but it did not warrant the response taken by the prison staff and some members of the militia. Many gun shots were fired at various times on this day. Some staff interviewed by Ormond claimed that a number of inmates were trying to loosen the bricks in the wall between a cell and the main corridor in order to escape and warning shots were needed to deter them. At approximately seven o'clock in the evening a number of penitentiary officers were sent into the ducts between the cells and were instructed to fire through the peep holes into the

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[56] Report of the Superintendent of Penitentiaries. 23-24.
[57] Report of the Superintendent of Penitentiaries. 25.

cells to prevent inmates from breaking out. Ormond claims that these guards "fired some eight or ten shots through the peep-holes into the cells, taking care to direct the shots against the walls so that the bullets would not hit either the convicts nor go out through the front of the cells and windows into the Penitentiary yard."[58] One has to wonder if it is possible to take such care while firing through a peep hole. An inmate named Price was struck in the shoulder by a bullet that was said by Ormond to have ricocheted off a wall.[59] The Archambault Report challenges this account, arguing that "the evidence does not disclose any justification whatever for shooting at Price or in his cell ...[and t]he Commission cannot discover any evidence on which to base a finding that the bullet ricocheted." It also states that Price was left in his cell for 22 hours without food or medical attention, indicating that the shooting was viewed by the penitentiary administration as being of a "trifling and accidental nature."[60] The details of this situation illustrate how unorganized and panicked the officers of Kingston Penitentiary were and how they disregarded the safety and well-being of those inmates challenging their authority. However, the Price incident was not the most controversial shooting that had taken place during the riot.

During the second stage of the uprising on 20 October, Tim Buck was locked in his cell, number 16 on range "4D", which was on the fourth floor, about 30 feet from the ground. "D" range was not one of the three in which the inmates broke out of their cells and were destroying prison property. It was also not near "E" range where Price was when he was shot. According to Buck's statement taken during an investigation into the

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[58] Report of the Superintendent of Penitentiaries. 25-26.
[59] Report of the Superintendent of Penitentiaries. 26.
[60] Royal Commission to Investigate the Penal System of Canada. 80-81.

incident, between six and eight p.m. on 20 October several shots were fired into his cell, the first of which came through the window. This prompted Buck to look out the window where he saw several guards in the prison yard armed with rifles. He moved toward the door of his cell when another bullet flew through the window. Buck then shut off the light in his cell so that his silhouette would not provide a clear target. More shots immediately followed: one hit a bar in his window, one hit the wall by his cell door, and one shot "spattered" the rear wall of his cell.[61] A subsequent investigation into the incident by Inspectors Craig and Dawson of the Penitentiary Service determined the following:

> [Buck's] actions and shouts would indicate clearly that he was leading and inciting the convicts... It is considered that the opinion was formed by those on duty in the yard that action had to be taken to suppress Buck and the tumult he was the instigator of... firing was the only reasonable means possible to suppress what was taking place at this stage. It was impossible at this time to take Buck out of his cell without precipitating a worse riot and possibly the loss of lives.[62]

This internal investigation was merely another step in an official conspiracy to blame the riot on Buck and the Communists and to cover up the obvious attempt on his life. Ormond contends that one of the main causes for the disturbance was "admission in the Kingston Penitentiary during the month of February, 1932, of certain convicts who were especially adept in organizing and inciting disturbances against constituted authority."[63] This was the interpretation of penal officials as high up as Hugh Guthrie, the Minister of Justice, who told the House of Commons that the conviction of the eight Communists was the "genesis to the agitation" in the penitentiaries, and Prime Minister Bennett who also placed the

[61] Royal Commission to Investigate the Penal System of Canada. 83-86.
[62] Royal Commission to Investigate the Penal System of Canada. 90-91.
[63] Report of the Superintendent of Penitentiaries. 29.

blame with such supposed agitators.[64] While Buck may have helped bring the protest to fruition in one way or another, the Archambault Report and the judge hearing Buck's case for his role in the riot claimed that Ormond and company tried to saddle the Communist leader with the blame in order to justify the attempt made on his life.

The Archambault Commission was extremely critical of the way the Buck shooting was handled and of the poor investigation made by Inspectors Craig and Dawson: "...either these officers were trying to avoid making a thorough investigation, or they were utterly incompetent to conduct it." The Report goes on to state that to suggest that Buck was agitating the inmates is "absurd", and there was no evidence that he was shouting or trying to lead the prisoners or that "action had to be taken to suppress Buck." During Buck's hearing, Judge Deroche arrived at a similar conclusion regarding his role on 20 October: "There is no evidence that you were an instigator of the assembly which developed into this riot." The Archambault Report concludes that at least three rifle shots and ten buck shot pellets "were fired deliberately at Buck" with intent to injure.[65] The Buck incident attests to the lack of organization and discipline that characterized a number of the staff members at Kingston Penitentiary in 1932 as well as how desperate officials were to place the blame on a notorious agitator in order to cover their own ineptitude and that of the system that they were administering.

When the riot came to an end in the evening of 20 October, the estimated total cost of the damage to prison property was $3,810.74. Because some cells were not usable,

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[64] Debates: House of Commons of Canada. Volume I, (1934), 577; For Bennett see, John Kidman, The Canadian Prison. 49.

[65] Royal Commission to Investigate the Penal System of Canada. 89-97. Deroche's statement quoted on page 82.

a number of the inmates had to be transferred to the Penitentiary's Prison for Women.[66] A total of 29 inmates were charged for their role in the riot, 27 receiving some type of sentence. Tim Buck got nine months added to his sentence for "riotous destruction of property."[67] The Archambault Report states that "it is important to bear in mind that, although a large number of prisoners were prosecuted as a result of disturbances on the 17th, no prisoners were prosecuted as a result of disturbances on the 20th when the shooting took place."[68] In his official report, Ormond summarized the main complaints of the inmates (See Appendix I) as well as what he believed to be the principal causes of the insurrection (See Appendix II). The inmate grievances focused exclusively on the conditions of imprisonment, with the ban on cigarette papers, the lack of recreation time, and the desire to have newspapers permitted in the prison being those most commonly expressed.[69] Ormond's list of causes surrounded the poor quality and organization of the penitentiary staff and administration, the conditions of imprisonment, and the influence of inmate agitators.[70] The sentencing of those inmates found guilty of participating in the protest, the cleaning and repairing of the cells and shops, and Ormond's investigation and report of the incident may have brought immediate closure to the riot at Kingston Penitentiary in 1932, but the impact that the uprising had on the Canadian penal system extended far beyond its conclusion and official assessment.

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[66] Annual Report of the Superintendent of Penitentiaries. 39; Report of the Superintendent of Penitentiaries. 27.

[67] Annual Report of the Superintendent of Penitentiaries. 38.

[68] Royal Commission to Investigate the Penal System of Canada. 79.

[69] "Three Main Grievances Listed As to Convicts' Resentment," Globe. 21 October 1932, 1. These three complaints were consistently noted in reports in the Globe and the Kingston Whig-Standard.

[70] Report of the Superintendent of Penitentiaries. 29.

The riot did achieve some immediate gains for its participants and subsequent inmates of Kingston and other Canadian penitentiaries, although the Archambault Report complains that "good prison management should have recognized injustices existing in the prisons before being driven to recognize them by riotous conduct resulting in the destruction of life and property."[71] Judge Deroche also expressed the opinion that the fact that a number of the inmates' grievances were redressed after the riot shows that their complaints were "reasonable."[72] The basic penitentiary regulations were revised a great deal at the start of 1933, the first such modification since 1898.[73] With this revision came an expansion in the number and types of privileges granted to the inmates. Cigarette papers were introduced to be used with an increased tobacco ration, visitation and letter-writing privileges were expanded as was the exercise period, radios were introduced into the penitentiaries to a limited extent, conversation was allowed at certain times, and corporal punishments were modified with the size and weight of the strap being reduced and shackling to the bars of a cell gate no longer permitted.[74] Programs to aid in the rehabilitation of the inmates were also introduced. In August 1933 education for "teachable" illiterates became compulsory.[75] Beginning in January 1935 inmates were paid five cents per day for their work. While not enough to support their families, this did allow the inmates to save a small sum of money for their release which could help them to get

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[71] Royal Commission to Investigate the Penal System of Canada. 73.

[72] Royal Commission to Investigate the Penal System of Canada. 77.

[73] Michael Jackson, Prisoners of Isolation: Solitary Confinement in Canada. (Toronto: University Toronto Press, 1983) 40.

[74] Annual Report of the Superintendent of Penitentiaries. 41; John Kidman, The Canadian Prison. 44; D.M. LeBourdais, "Show-down or Blow-Up?" 51-52; Dennis Curtis, Andrew Graham, Lou Kelly, and Anthony Patterson, Kingston Penitentiary. 81.

[75] Summary of the Proceedings of the First Canadian Penal Congress. (Montreal, 1935), 9.

settled and avoid a possible return to criminal activity.[76] Macphail commented on the value of these slight reforms in the House of Commons in 1934, but she stressed that there was still a need for better qualified and trained staff and a greater emphasis on the rehabilitation of the offender.[77] Terry Crowley writes of the reformer's views on penology: "Macphail objected to the Canadian penitentiary system because it had failed in its essential purpose: reformation of criminals so that they might lead productive lives after they had served their sentences." Although these superficial changes made prison life a bit more pleasant for the inmates, penal reform still needed to go further. As D.M. LeBourdais wrote in Maclean's in 1933, "these riots have resulted in a number of improvements, but the essential nature of the institutions remains."[78]

Despite the opinions of notable government leaders, such as Minister of Justice Guthrie and Senator Arthur Meighen, who maintained that a full inquiry into the penal system was not warranted as its problems were minor, the 1932 Kingston Penitentiary riot, as well as the riots at other Canadian institutions that followed, prompted a popular call for such an investigation.[79] This demand came from a variety of sources. J.S. Woodsworth declared in the House of Commons: "It seems to me that the troubles in the penitentiaries offer the government a splendid opportunity to investigate not merely the administration of the penitentiaries, but also the whole matter of the treatment of

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[76] Summary of the Proceedings of the First Canadian Penal Congress. 10; Royal Commission to Investigate the Penal System of Canada. 141; Terry Crowley, Agnes Macphail and the Politics of Equality. 139.

[77] Debates: House of Commons of Canada. Volume IV, (1934), 4622-4625.

[78] D.M. LeBourdais, "Show-down or Blow-Up?" 13.

[79] "Kingston Prison Inquiry Is Not To Be Enlarged," Kingston Whig-Standard. 29 October 1932, 5; E. George Smith, "Prison Riot Probe Closed To Public, Guthrie Announces," Globe. 29 October 1932, 1.

criminals."[80] Those who met at the First Canadian Penal Congress also expressed the desire for an inquiry to be made on the scale of a Royal Commission, as did Agnes Macphail, and a number of newspaper editorials from the period: "It is a job for a Royal Commission, which can tackle the subject from all sides and make a report without fear or favor."[81] Prime Minister King answered the request of the reformers, the editors, and those inmates who protested for an examination into the penal system by appointing a Royal Commission to conduct such an inquiry in 1935.

Reference has already been made to the 1938 Royal Commission to Investigate the Penal System of Canada, known as the "Archambault Report" after its Chair, Justice Joseph Archambault. The other two members of the Commission were R.W. Craig and J.C. McRuer. The profound impact that this report had on the penal system in Canada cannot be emphasized enough. Kidman declares that the Archambault Report is "the most challenging document that has been put forth on Canada's penal problems."[82] The basic contention of the Archambault Report is that the rehabilitation of the offender must be the primary goal of the penal and justice system. It argues that the protection of society is only possible if crime is prevented by reforming criminals and assisting them upon release so that they do not fall back into their criminal ways:

> the task of the prison should be not merely the temporary protection of society through the incarceration of captured offenders, but the *transformation* [italics in original] of reformable criminals into law-abiding citizens... [an offender] will not be reformed if, during his term in prison, his spirit is broken, his habit of industry (if it ever existed) suppressed, and his morals corrupted by prison association.[83]

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[80] Debates: House of Commons of Canada. Volume II, (1932-1933), 1635.

[81] Quote from "A Full Probe Wanted," Globe. 7 November 1932, 4; See also, "Riots To Show Need of Inquiry," Kingston Whig-Standard 9 November 1932, 1; Summary of the Proceedings of the First Canadian Penal Congress. 32.

[82] John Kidman, The Canadian Prison. 51.

[83] Royal Commission to Investigate the Penal System of Canada. 8-10.

The prison system as it stood in the 1930's was counter-productive and only succeeded in making criminals more corrupt, immoral and angry. What was needed was a penitentiary system with a philosophy centred upon a well-formed rehabilitative program that focused on the individual's problems and needs while treating both mind and body.

> Without proper *classification and segregation* [italics in original], without education, without effective means of understanding the offender, the motivation of his offence, and his basic capacity for effective citizenship, without physical and mental exercise, moderate recreation, and above all, without *humane approach*, any treatment is bound to fail.[84]

Thus the focus was to henceforth be on rehabilitation and reformation and not just custody and degrading punishment, which constituted a dramatic shift in the basic philosophy of the penal system in Canada. These were not necessarily new approaches, however. The 1921 committee appointed to inquire into penitentiary regulations and the Penitentiary Act put forth similar suggestions when it condemned the penal system as being "needlessly cruel." This Commission argued that the system needed to provide "a training of the convicted person to retake, as he must, his position in society," and not just focus upon "repression and restriction."[85] The reason why the Archambault Commission was more successful and influential with its call for a penal philosophy based upon the rehabilitation of the inmates than the 1921 Committee was that in the 1930's the Kingston riot had drawn attention and interest to the Canadian penal system.

The Archambault Report also put forth what types of specific changes needed to be made in order to obtain the success of this treatment-oriented philosophy. For instance,

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[84] Royal Commission to Investigate the Penal System of Canada. 10.

[85] Report: A Committee Appointed by the Rt. Hon. C.J. Doherty, Minister of Justice to Advise Upon the Revision of the Penitentiary Regulations and the Amendment of the Penitentiary Act. 11-12.

it argued that "a properly planned program of recreation is a most essential part of prison life." This was a key to rehabilitation, the Commissioners contended, and should include more exercise time and competitive games, such as softball.[86] They also suggested that more concerts and public lectures be allowed to help provide for mental stimulation and development. This development was also to be achieved by permitting "carefully selected" newspapers, more books and magazines, and drawing and other hobby-crafts to be done by the inmates in their cells.[87] While activities such as these were viewed to be critical components of the rehabilitative philosophy, work and education were to be its backbone. Educational instruction in the prisons was so poor that the Archambault Report felt that drastic changes were in order: "Your Commissioners recommend that the entire educational system in Canadian penitentiaries, including school, library, and vocational training, should be revised and remodelled..."[88] The lack of inmate work that characterized the penitentiaries during the Ormond regime was also criticized: "Idleness in Canadian prisons cannot be tolerated. It is destructive to the physical and moral fabric of the prisoners, and it renders ineffective any provision for their reformation."[89] Though these are only a few examples of the specific recommendations put forth in the Archambault Report, they demonstrate the basic shift in penal philosophy and policy that the Commission demanded. As Walter F. Johnstone and B.W. Henheffer maintain, the

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[86] Royal Commission to Investigate the Penal System of Canada. 109-110.
[87] Royal Commission to Investigate the Penal System of Canada. 112-114.
[88] Royal Commission to Investigate the Penal System of Canada. 119.
[89] Royal Commission to Investigate the Penal System of Canada. 128.

Report "was the death knell of the failures and archaic treatments used in Canadian penal institutions."[90]

The 1932 Kingston Penitentiary riot was a direct result of the numerous problems that plagued Canada's penal system up until the Archambault Report. The prison routine focused upon nothing more than the custody and discipline of the offender through techniques that were degrading for the inmate and largely inhumane. Restrictions placed upon seemingly harmless items, like newspapers and cigarette papers, frustrated the prisoners. Limits on the number of visits and letters that were permitted further enhanced the inmate's feeling of isolation and desperation. Punishment for infractions committed against prison regulations were reminiscent of medieval torture and often viewed to be unjust by the prisoners. The staff of the penitentiary left a great deal to be desired, from the poorly trained guards who used their weapons with reckless abandon during the protest, to the absence of a permanent warden to keep the staff organized and disciplined, to Superintendent Ormond whose countless rules and strict hands-on policy greatly hampered the efficiency and effectiveness of the entire penitentiary system. While, as Michel Foucault contends, prisons were created to shape and control people in a manner much like that done in the military, General Ormond attempted to take this premise to the extreme while he was superintendent.[91] The penitentiary system already employed personnel with previous military experience, from the superintendent down to the guards, and strictly regulated and disciplined the conduct of its uniformed men with their closely cropped hair, but these practices were magnified under Ormond. The inevitable result of

[90] Walter F. Johnstone and B.W. Henheffer, "History of Treatment in Canadian Penitentiaries," in Social Problems: A Canadian Profile. ed. Richard Laskin (New York: McGraw Hill Co., 1964), 452.

this increased militarism was the breakdown of the system and the rebellion of Ormond's captive subjects. As poor economic conditions helped to overcrowd the prison and to breed discontent and political unrest in the greater society, riots in Canada, and in the United States and Great Britain became more common.[92] Considering all of these factors, it really should not have been a surprise that the inmates of Kingston Penitentiary staged a protest that got sparked into a riot in October 1932. That their actions resulted in increased privileges for prisoners and a major inquiry that radically altered penal policy and thought in Canada is indicative of how severely the system was in need of reform. The Archambault Commission sought to modernize the system and laid the foundation for the times to come.

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[91] Michel Foucault, Power/Knowledge: Selected Interviews and Other Writings, 1972-1977. (New York: Pantheon Books, 1980), 40.

[92] The Dartmoor Prison Mutiny of 1932 was the largest such incident in Britain in the period. That the early 1930's was a period of numerous riots in the United States has been noted above. See, Robert Adams. Prison Riots in Britain and the USA. (New York: St. Martin's Press, Inc., 1992), 1, 115-117;

CHAPTER FOUR: FROM COMMUNISTS TO PSYCHOPATHS

The Second World War disrupted the lives of many Canadians. Families were broken up as men and women left to join the battle, thousands of whom never returned. A period where lives and dreams were either destroyed or put on hold that began with the Great Depression continued into the war years. Once peace had finally come, Canadians were anxious to get on with living their lives. When compared to the previous decade and a half, the post-war period was generally quite positive for Canadians. Economic controls and developments during the war had brought an end to the Great Depression and the economy continued to boom once the armistice finally came. The shift away from wartime production was a smooth one. Unemployment was steadily very low, wages generally increased and Canadians were making up for the hardship of the previous fifteen years by purchasing many of the new consumer-oriented products that were available. The government continued its more active role through the creation and development of social programs, such as the family allowance, unemployment insurance, and old-age pensions. Canadians wanted more and, for the most part, they were getting more as social and economic conditions improved greatly.[1]

Developments in penal policy were also disrupted by the war. Legislative proposals on penal reform and the implementation of the recommendations of the

[1] Alvin Finkel, Margaret Conrad, with Veronica Strong-Boag, History of the Canadian Peoples. (Toronto: Copp Clark Pitman Ltd., 1993), 342-345; Desmond Morton, "Strains of Affluence (1945-1996), in The Illustrated History of Canada. ed. Craig Brown, (Toronto: Lester Publishing Limited, 1996), 476; Doug Owram, Born at the Right Time: A History of the Baby-Boom Generation. (Toronto: University of Toronto Press, 1996).

Archambault Commission were postponed once the war began.[2] As with the rest of Canadian society, the conclusion of the war signalled a time for the penal system to finally move forward. The reorganization of the Canadian penitentiary system began in 1947 with a newly appointed Commissioner of Penitentiaries, another military man, Major-General R.B. Gibson. Gibson immediately began studying how the ideals put forth within the Archambault Report could be realized; widespread alterations were in order. Johnstone and Henheffer describe the fundamental change that this new direction in penal policy was to take: "Emphasis has been shifted towards the treatment of the individual prisoner. Some of the changes include a system of classification, partial segregation, vocational training of those capable of learning trades, and the establishment of an officer training college."[3] As with the popular belief that society could be made better that was prevalent in Canada as a whole at the time, there was a desire to make the penal system more effective and humane as it sought to actually help rehabilitate the inmates. The treatment of the offender, not just the custody, was to be the purpose of penitentiaries in postwar Canada.

The new treatment-oriented philosophy of the penal system meant that many changes were in order. These reforms even affected the terminology of penology. In the 1950's, prisons and penitentiaries became "correctional institutions", guards were to be known as "corrections officers", and punishment cells, popularly referred to as the "hole", were often called "adjustment centers", to name a few examples.[4] Changing names and

[2] John Kidman, The Canadian Prison: The Story of a Tragedy. (Toronto: Ryerson Press, 1947), 45.

[3] Walter F. Johnstone and B.W. Henheffer, "History of Treatment in Canadian Penitentiaries," in Social Problems: A Canadian Profile. ed. Richard Laskin (New York: McGraw Hill Co., 1964), 452; Luc Gosselin, Prisons in Canada. (Montreal: Black Rose Books, 1982), 75.

[4] Eric Cummins, The Rise and Fall of California's Radical Prison Movement. (Stanford: Stanford University Press, 1994), 8.

titles did not alter function, however, and as Claire Culhane states, the new terms were also deceptive: "The use of 'system' language which denies prisoners the reality of their own existence also serves to cloud public perception of life behind prison walls."[5] The Penitentiary Staff College was opened in Kingston in 1952 in order to ensure that the officers who would be dealing with the inmates on a daily basis were better qualified and prepared.[6] Inmates were classified into programs that were tailored to suit their particular rehabilitative needs, though this was not always an effective process. Treatment also involved programs for inmates with drug or alcohol addictions, including Alcoholics Anonymous meetings.[7] Education and vocational training became part of the daily penitentiary routine. It was all part of a liberalization of the penal system that improved the conditions of prison life for the inmates and sought to cure and prepare them for their eventual release.

The late 1940's and early 1950's saw a great expansion of the privileges and activities available to penitentiary inmates. There was more recreation time and a greater variety of activities with which to fill it. Lonely evenings spent in the confines of the inmate's cell could be filled with listening to a radio program or by having a conversation between cells, at least until eight o'clock.[8] A movie was shown each week for the entertainment of the prisoners.[9] Inmates could fill their free time by engaging in a number

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[5] Claire Culhane, Still Barred From Prison: Social Injustice in Canada. (Montreal: Black Rose Books Ltd., 1985), 20.

[6] Annual Report of the Commissioner of Penitentiaries. (Ottawa: King's Printer, 1955), 24.

[7] D. Owen Carrigan, Crime and Punishment in Canada: A History. (Toronto: McClelland & Stewart Inc., 1991), 372-373; Annual Report of the Commissioner of Penitentiaries. (1955), 24; Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. (Ottawa: Queen's Printer, 1956), 47.

[8] Frank Croft, "What it's like to be in a Prison Riot," Maclean's. (15 October 1954), 114.

[9] Roger Caron, Go-Boy! Memoirs of a Life Behind Bars. (Toronto: McGraw-Hill Ryerson Limited, 1978), 117.

of hobby-crafts, such as painting and woodworking. The products of this craftsmanship were sold to visitors or members of the penitentiary staff, the proceeds being used to fund the hobby and to provide some savings for when the inmate was released. Some of the inmates' work displayed a fair amount of skill and craftsmanship: "Quantity, quality and variety of inmates' hobby products are surprising."[10] In his Annual Report, Gibson declared that "the therapeutic value of craft handiwork is undisputed."[11] The number of newspapers and magazines that were permitted, "with negligible censorship", was also increased. An inmate could write two letters each week and receive one visit per month from a member of his immediate family.[12] These examples represent the expansion in the types of recreation made available to the inmates as well as a relaxation of the traditionally strict discipline of the prison. One sign of the positive effect that the introduction of these recreation programs had was that the number of inmates wishing to visit the prison doctor decreased since they were put in place. Gibson stated that this was because these activities helped to relieve the stress of the prisoners.[13]

Not only were more newspapers permitted in the 1950's so that the prisoners could keep up to date with the outside world, but the inmates also began the printing of their own monthly newsletter, the K.P. Telescope (the paper later became known as just the Telescope). Although the content had to be approved by the warden, this newspaper was an important development for the inmates. Those so inclined could express their thoughts through creating pieces of short fiction and poetry or by writing an editorial or

[10] Annual Report of the Commissioner of Penitentiaries. (1955), 23.
[11] Annual Report of the Commissioner of Penitentiaries. (1955), 23.
[12] Frank Croft, "What it's like to be in a Prison Riot," 114.
[13] Annual Report of the Commissioner of Penitentiaries. (Ottawa: King's Printer, 1956), 42.

news article. Johnstone and Henheffer explain the value of such an expressive outlet: "A medium of expression is provided through the prison publication and radio programs, thus eliminating the riot as the only means of bringing the prisoner's problems to the notice of the public."[14] An editorial from the actual newspaper put forth a similar view: "Within the limitations to which most prison publications are subject, the Tele-Scope affords us the opportunity of voicing our opinion, pro and con, on many subjects."[15] The publication of the Telescope not only provided a valuable intellectual and emotional outlet for its writers, but those producing the physical booklet learned how to operate a printing press. The creation of this publication thus had many values for the inmates at Kingston Penitentiary.

One of the regular news sections of the Telescope was the "Sports Round-Up." The news and statistics of the Kingston Penitentiary softball team were well-presented in each issue, as was other sports news. Physical and mental stimulation was gained through a vast inmate athletic program that was introduced in 1949. A softball diamond was built on the penitentiary grounds with teams organized by the inmates to compete in intramural leagues and even against teams from outside of the prison. Of course, all of the games of the Kingston Penitentiary team were played at "home."[16] Handball and tennis courts were outlined, a horseshoe pitch was dug, and card tables and dart boards were also provided. Weightlifting was another popular physical activity amongst the inmates at this time.[17] Gibson commented on the impact of athletics in his Annual Report: "A definite change in the attitude of inmates is noticeable and tensions have been reduced since the introduction

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[14] Walter F. Johnstone and B.W. Henheffer, "History of Treatment in Canadian Penitentiaries," 253.

[15] Don MacDonald, "Editorially Speaking," K.P. Telescope. August 1953, 32.

[16] Annual Report of the Commissioner of Penitentiaries. (1955), 22.

[17] Frank Croft, "What it's like to be in a Prison Riot," 15; Roger Caron, Go-Boy!. 111-112.

of sports."[18] The prison sports program was also praised for its constructive aspects and as a stress reliever in an editorial in the Telescope: "There is no doubt at all about it easing tension and creating a more wholesome atmosphere among the inmates; one cannot swing bats and think about crime at the same time."[19] Certainly this was the ultimate purpose of the penitentiary's athletic program.

Of course life in the reformed penitentiary was not all fun and games for the inmates. Instilling a sound work ethic while providing education and vocational training was critical to the success that the rehabilitative policy was to have. Work at Kingston Penitentiary still took place in various shops, such as the carpentry, tinsmithing and paint shops, or on the prison's farm, but the inmates were also employed at new tasks, such as producing mail bags for government use. However, Gibson expressed dissatisfaction that the canvas, shoe and print shops at Kingston were under-employed in the 1950's due to a lack of government orders.[20] The pay given to inmates for their labour, first introduced in 1935, was awarded on a graduated scale in the 1950's. An inmate was placed in one of three grades and was paid either 10, 15, or 20 cents per day accordingly. A portion of this pay was put in an account to be saved for when the inmate was released, the rest could be spent at the prison canteen.[21] Work was to be a critical component of the reformed prison.

The focus on education was also evident in some of the changes made to the prison in this period. A building was constructed at Kingston Penitentiary in the early 1950's to be used for educational purposes, complete with a dual purpose gym and

[18] Annual Report of the Commissioner of Penitentiaries. (1955), 70.
[19] Bill O'Sullivan, "Sports in Prison," K.P. Telescope. November 1952, 2.
[20] Annual Report of the Commissioner of Penitentiaries. (1955), 71.
[21] Frank Croft, "What it's like to be in a Prison Riot," 15.

auditorium, classrooms and a library.[22] While educational and work programs at the penitentiary made great strides in the postwar era, the practice of this training still was not up to the ideal. The 1956 Report of the Committee on the Remission Service of Canada (Fauteux Report), the most significant document on justice in Canada since the Archambault Report, declared that there was still need for greater emphasis on the training of inmates despite the progress that had been made.[23] The inertia of the penal system made changing it a slow process.

While the ideals of the penitentiary service and a number of the surface conditions may have improved, there was still a great deal that was unpleasant for the inmates of Kingston Penitentiary in the 1950's. The prison remained overcrowded, containing 836 inmates at the end of March 1954.[24] The Fauteux Report explained that one of the reasons that overcrowding was a problem was that it taxed the resources and staff of the penitentiary, particularly where a number of inmates were segregated for punishment, thus requiring much more supervision: "We cannot condemn too strongly the apparent tendency of many institutions to increase in size indefinitely. It is our opinion that no penal institution, of whatever type, should contain more than six hundred inmates."[25] Overcrowded conditions placed a lot of stress on the inmates and on the penitentiary staff. Despite renovations, the cells of Kingston Penitentiary were still cramped, poorly ventilated and generally disagreeable quarters. The cells measured ten feet by four feet,

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[22] Annual Report of the Commissioner of Penitentiaries. (1955), 19.

[23] Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. 40.

[24] Annual Report of the Commissioner of Penitentiaries. (1955), 64.

[25] Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. 41, 47.

were lit with a 60 watt bulb, and contained a folding bed, table, shelf, wash basin and toilet.[26] Harvey Blackstock, an inmate in Kingston Penitentiary in the 1950's, states that in a number of the cells a cover had to be placed over the toilet so as to prevent rats from crawling into the cells through the plumbing system.[27] Even with the improvements in the privileges and recreation available to the inmates, the men were still living in confinement within an overcrowded, hundred twenty year old facility.

Rules still had to be followed within the penitentiary and there were repercussions when they were broken. Though some of the types of punishments that were meted out changed in the 1950's, the harshness of the ordeal was not alleviated. Inmates lost privileges and statutory remission for their misdeeds, and physical or corporal punishment was also still employed. A prisoner at Kingston Penitentiary in the 1950's could be flogged or placed in solitary confinement for possibly a year at a time.[28] Either of these punishments would be degrading and were emotionally and mentally taxing and physically harmful for the recipient.

However, a new type of "treatment" was introduced in this period that really challenged the mental stability of the inmates. Electro-stimulation and electro-convulsive therapy was practiced at Kingston Penitentiary in the 1950's as part of the new "scientific" approach to treating psychologically ill inmates. Though these treatments were technically for psychiatric therapy, such a practice was synonymous with the goals of discipline and punishment. Roger Caron, an inmate at Kingston in the 1950's claims that he was

[26] Frank Croft, "What it's like to be in a Prison Riot," 15.

[27] Harvey Blackstock, Bitter Humour: About Dope, Safe Cracking and Prisons. (Toronto: D.C. Heath and Company, 1967), 235.

[28] Debates: House of Commons of Canada. Volume V, (1955), 5281.

subjected to shock therapy as a means of avoiding a two-year sentence in solitary confinement.[29] Treatment was used as a form of punishment. Shock therapy began to be practiced during the fiscal year ending 31 March 1954. In this initial period, 200 electro-convulsive and 242 electro-stimulation treatments were administered: "This number it is considered will form the basis to determine the usefulness of such therapy in Prison and permit a preliminary report in due course."[30] It was uncertain as to whether shock treatments would be effective, but the prisoners could hardly refuse their role as guinea pigs. It is interesting that the number of shock treatments given increased noticeably in the year after the riot of 1954. Gibson stated in his Annual Report for 1955, "electro-therapy [specifically electro-stimulation] has increased a good deal this past year... This type of therapy is very valuable in prison as a control measure." During this year, 274 electro-stimulation and 103 electro-convulsive treatments were administered to inmates in conjunction with sedatives and Largactil, a new synthetic drug.[31] Apparently the usefulness of these types of treatments had already been determined. One has to believe that such a "control measure" was deemed necessary in the period immediately after the uprising as the treatments had increased then, only to drop significantly in 1956. "It is felt that due to the increased use of tranquillizers less of this type of treatment was necessary," was the official rational given for the declining use of shock treatments.[32] Drugs provided a more effective means for controlling unruly inmates and shaping their behaviour. Though

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[29] Roger Caron, Go-Boy!. 202.

[30] Annual Report of the Commissioner of Penitentiaries. (1955), 72.

[31] Annual Report of the Commissioner of Penitentiaries. (1956), 70.

[32] From March 1956 to March 1957, electro-stimulative treatments decreased from 275 to 85 while electro-convulsive treatments decreased from 139 to 81. Annual Report of the Commissioner of Penitentiaries. (1958), 68.

masked in the rhetoric of treatment and therapy, shock and drug treatments were used on the inmates for punishment and to control their behaviour, augmenting the militaristic style of discipline that characterized the prison in the past. This more "scientific" thinking also influenced the assessment of the riot and those blamed for it, as will be discussed below.

Even though the punishments were still inhumane and prison life was still stressful, degrading and uncomfortable, one cannot discount the fact that the daily routine at Kingston Penitentiary in the 1950's was considerably better than it had been at any previous time. This made the riot that occurred in 1954 somewhat puzzling. The radical reforms of the postwar period were met with many inmate disturbances, particularly in the United States where developments similar to those in Canada were made in the prison system. While estimates vary slightly, at least 50 major riots took place in American prisons from 1950 to 1953.[33] These riots were generally spontaneous, unorganized uprisings where the inmates were viewed as violent "thugs" and few, if any, demands were made.[34] Pederson explains that even the seemingly most enlightened improvements failed to bring peace to the prisons: "But even with some of the best programs, food, medical services, administration and parole policies, Jackson [State Prison in Michigan] had the largest of the 1952 riots."[35] Shirley Skinner, Otto Driedger and Brian Grainger contend that with these new privileges and loosening of regulations came a relaxation in prison

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[33] Herbert Gamberg and Anthony Thomson, The Illusion of Prison Reform: Corrections in Canada. (New York: Peter Lang Publishing, Inc., 1984), 40; John Pallas and Robert Barber, "From Riot to Revolution," in The Politics of Punishment: A Critical Analysis of Prisons in America. ed. Erik Olin Wright, (New York: Harper & Row, 1973), 238; Mike Fitzgerald, Prisoners in Revolt. (Toronto: Penguin Books, 1977), 199.

[34] Bert Useem and Peter Kimball, States of Siege: U.S. Prison Riots, 1971-1986. (New York: Oxford University Press, 1989), 10.

[35] William D. Pederson, "Inmate Movements and Prison Uprisings: A Comparative Study," Social Science Quarterly. 59, 3, (December 1978): 518.

discipline which helped to cause the many disturbances of the 1950's.[36] The actual effectiveness of these liberal reforms and expanded privileges was also often misleading. Eric Cummins argues that this was the case in California where the prison system experienced a shift in philosophy after the Second World War similar to that which took place in Canada: "Basically the California prisons' devotion to treatment rather than punishment was hollow, substanceless [sic] rhetoric. As before and since, the first function of the prison remained custody, control, and punishment."[37] Whether the policy of the system is based on the rehabilitation of the offender, penitentiaries were still intended to confine and punish them as well, which is what really tests the wills of the inmates. As a former Kingston prisoner explains:

> I know that while riots don't happen every day in the pen, what happens every day has a lot to do with them, for behind each prison riot are the terrible restraints of prison life, the monotony, the longings and frustrations, the drab colors, the rattle of metal plates, the shuffle of heavy boots on concrete, the click of locks, the feeling of being trapped, pressed, confined.[38]

A correctional institution with rehabilitative ideals is still a prison and still subject to the problems inherent in confining people against their will.

R.M. Allan, warden of Kingston Penitentiary since 1934, retired in 1954 after twenty years of service. The period of his administration was one which saw a tremendous number of reforms as the penitentiary progressed from the archaic and unorganized prison of the early 1930's to being an institution with a more modern, treatment-oriented philosophy. Yet, despite these developments, Allan's successor Walter Johnstone was

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[36] Shirley Skinner, Otto Driedger and Brian Grainger, Corrections: An Historical Perspective of the Saskatchewan Experience. (Regina, SASK: Canadian Plains Research Center, 1981), 111.
[37] Eric Cummins, The Rise and Fall of California's Radical Prison Movement. 14.
[38] Frank Croft, "What it's like to be in a Prison Riot," 14.

greeted with a riot only three months after he took office.[39] Johnstone's troubles started with a suspicious fire on 13 August in the attics of the main cell block. The fire began in the attic of the South wing at about two o'clock in the afternoon and soon all four wings were aflame. When Kingston firefighters arrived on the scene, the fires in the East and West wings were quickly subdued, but those in the North and South wings were harder to manage. The structure of the building made battling the blazes difficult as to gain access to the attics the firefighters had to traverse through a small trap door in the ceiling 21 feet up. Each section of the attic was divided by a concrete fire wall with a steel doorway to pass from room to room. Despite these difficulties, with the hard work of the firefighters, who were aided in their struggle by a number of the inmates, the fires were completely out by 10:30 that night.[40] However, the troubles at the penitentiary were just beginning.

Initial assessments of the fires made by Gibson and fire department officials placed their origins with faulty wiring, a logical conclusion considering the age of the structure.[41] However, a subsequent investigation made by Inspector Kendall of the Ontario Fire Marshall's office uncovered an inmate plot to destroy the buildings. Kendall determined that the fire could not have begun in one wing and spread to the others, as originally assumed, because of the fire walls preventing such a path: "After very careful examination I also felt that there was no possible connection between the two fires [in the North and South wings]… There can be no doubt that there were four separate fires, one in each

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[39] Dennis Curtis, Andrew Graham, Lou Kelly and Anthony Patterson, Kingston Penitentiary: The First Hundred and Fifty Years, 1835-1985. (Ottawa: The Correctional Service of Canada, 1985), 125-126.

[40] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 1-2.

[41] Don Soutter and Deane Van Luven, "Defective Wiring Blamed in Prison Fire," Kingston Whig-Standard. 14 August 1954, 1.

attic." In each of the attics of the main cell block, Kendall discovered "several pieces of new lumber built in a pyramid with paper ashes beneath", as well as empty paint cans and copies of the Telescope newspaper. He stated that the existence of these "pyramids", coupled with the fact that the trap door to the attic was located in the ceiling of the Telescope office, and that the locks of the doors of the fire walls were knocked off, the only possible conclusion was that a group of inmates had deliberately built and set the fires. The presence of air vents in the North and South wings meant that there was more oxygen to feed the burning, which made these fires quite large and difficult to manage, while those in the East and West wings smoldered. Gibson added to the report that "further questioning of inmates and penitentiary officers has so far failed to establish the identity of the inmate who must have obtained access to the attics in order to set the fires."[42] Even with the fires extinguished, the difficult work of the penitentiary staff was not over as they had to contend with a damaged and disorganized prison, as well as a number of inmates who were obviously displeased with their situation.

Aside from the damage done to the roofs of the main cell block, the fires on 13 August greatly upset the order of Kingston Penitentiary. Many of the 589 inmates housed in the main cell block had to be moved to other quarters until the structure could once again be made safe. "This involved a major disruption of the routine of the penitentiary," as 436 of the men had to sleep in the prison shops with 108 calling the corridor of the East cell block their temporary home. Gibson reports that "there was no indication of unrest at this time." After the recreation period the next day (Saturday), those inmates staying in the

[42] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 3-4.

shops were told that the main cell block was declared to be habitable and they were to return to their cells. However, many of these inmates refused, doubting the safety of the building. Rather than force the issue, penitentiary officials decided to let these inmates stay in the shops one more night as a Fire Marshall official was coming the next day and could put their fears to rest.[43]

There was an incident that took place on Saturday, 14 August that was cause for concern. When the inmates quartered in the shops were ordered back to their cells, three of them got into a minor altercation with a guard where one of the prisoners actually threw a punch. The inmate was grabbed and pushed back into line by a guard, an action witnessed by the other prisoners,

> with the result that there was some shouting and disorder, several window panes being broken and some damage done to several of the machines in the shop. There was some shouting through the windows to endeavour to persuade those who had agreed to go to their cells to refrain from doing so. This disorder subsided quickly...[44]

This altercation was significant as it seemed to have sparked the disturbance that took place the next day. As Gibson explained, "it now appears that this incident was the subject of considerable discussion among the inmates quartered in the shops during Saturday night, and was played up by a small group of agitators as a case of 'manhandling' an inmate."[45] The fact that the order of the penitentiary was altered with a great number of inmates being housed together, as opposed to the regular segregation of the cells, allowed

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[43] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 5.

[44] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 6.

[45] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 6.

for a group of "agitators" to stir up resentment and plan the action to be taken the next morning. Anticipating the problems that this disorganization could cause, extra guards were called in for duty on Sunday, a number of whom were stationed at the main gate just in case they were needed.[46]

On the morning of Sunday, 15 August the inmates were released from their cells and from the shops in order to begin their recreation period in the penitentiary yard. The regular church service had been cancelled because of problems with the chapel resulting from the fire. A group of inmates refused to proceed to the yard, but Gibson explained that "this was not considered an unusual situation because quite regularly some inmates prefer to remain in dormitories or cells to read, listen to the radio or work on their hobbycraft." A crowd of inmates gathered in the corner of the yard and were heard to have yelled to the others that those prisoners remaining in the shops were being confined there and needed to be somehow released. Approximately 50 inmates assembled in the shop dome, soon followed by others, overpowered the officers and took their keys. They then proceeded to the shops where they began to set fires and destroy equipment. Gibson reports that "no attempt appears to have been made to injure the officers in the midst of the disturbance. Or to take them as hostages or to impede their movement..."[47] Deputy Warden S.C. Davidson, who was rescued from the flaming shoe shop by two inmates, put forth a similar assessment of the way staff was dealt with by the rioters: "What struck me most forcibly was that not a man made any effort to attack any guard... There wasn't any

[46] Peter Fowler, "Prison Trouble Blamed On Group of 50 Convicts," Kingston Whig-Standard 16 August 1954, 9.

[47] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 7.

resentment against the guards and no attempt was made to hold us."[48] The inmates were not after their holders, but they were out of control and on a rampage to cause destruction to the hated penitentiary in which they were held.

As with the riot of 1932, the military was once again asked to send reinforcements to Kingston Penitentiary to help restore order. One hundred fifty soldiers arrived at about 11:30 that morning. Some warning shots were fired so as to control the movement of the rioting inmates, but no prisoner was hit. The Kingston Whig-Standard reported that these warning shots effectively deterred the inmates from making their planned escape attempt, an inaccurate assumption of their intentions: "Despite a very nasty situation, or rather a series of nasty situations, for nearly three hours, the rioting convicts never actually gained a position where a serious attempt at a mass outbreak over the walls was even being organized."[49] Using their bayonets as prods, the soldiers brought the inmates under control, driving them into a corner of the yard:

> Reinforced guards stemmed the tide of yelling convicts with their stream of obscenities. But it was the appearance of more than 100 soldiers in full wartime gear, their bayonets fixed, that took the ginger out of the criminals. The rioters had braved possible death from bullets, but the glistening steel of the bayonets was far more intimidating.[50]

At no point did Warden Johnstone agree to speak with any of the rioters, choosing to take a more forceful approach to quelling the disturbance.[51] The Kingston Whig-Standard went so far as to praise the warden for his calm leadership throughout the ordeal: "One word

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[48] "Prisoners As Rescuers," Kingston Whig-Standard. 16 August 1954, 2.

[49] Deane Van Luven "Riot Leaves Penitentiary in Shambles," Kingston Whig-Standard. 16 August, 1954, 1.

[50] H.D. Wightman, "Uprising At Kingston Worst Ever," Globe and Mail. 16 August 1954, 1; See also, Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 8.

[51] Frank Croft, "What it's like to be in a Prison Riot," 117.

from him was enough to bring even the most hardened of criminals to an abrupt halt in their shouts and insulting of the guards."[52] Not all of the inmates needed to be kept in line by Johnstone and the military, as Gibson stated that "the majority of the prison population had taken no part in these disturbances and had remained in the exercise yard at the southern end of the prison enclosure." These non-rioting inmates were returned to the main cell block after being frisked, while the participants were placed in segregation. By 4:00, all of the prisoners were locked up and the 1954 Kingston Penitentiary riot had come to an end.[53]

The Globe and Mail described the prison grounds in the aftermath of the riot: "About the buildings, and on the ground, lay the debris of destruction. Fireman's hoses, pop bottles, shattered glass, pieces of wood and twisted and broken doors lay in confusion everywhere. Water sloshed underfoot."[54] A great deal of damage was done to the structures of Kingston Penitentiary as a result of the Sunday riot and fires. The carpenter and paint shops were completely destroyed due to the flammable chemicals stored within. The stable, mason shop, and a shed were also devastated, though the inmates took care to rescue the horses. The print and shoe shops were significantly wrecked, and some other buildings suffered smoke and water damage. A number of the machines located in these shops were also damaged from the fire and from the violent actions of the rioters. The total estimated cost to repair the buildings, using inmate labour, was $340,000.[55] In just a

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[52] Peter Fowler, "Prison Warden Remains Cool Under Strain," Kingston Whig-Standard. 16 August 1954, 9.

[53] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 8.

[54] Phil Jones, "Work Buildings Badly Damaged At Penitentiary," Globe and Mail. 16 August 1954, 1.

[55] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 9.

few hours, the inmates had destroyed much of Kingston Penitentiary. Clean-up and repair would take some time, but the really difficult task facing penitentiary officials was explaining the cause of the ruinous behaviour.

While in hindsight it is not difficult to identify those factors that precipitated the riot, it was somewhat troublesome for penitentiary officials to justify or explain an act of such apparent random destruction. In his analysis, Gibson declares that "no demands were submitted to the authorities immediately prior to or during the disturbance, nor was there any question of bargaining with those who participated in it." The inmates did not present a list of complaints as those in 1932 had, nor did they try to gain any type of concessions from Gibson or Warden Johnstone. Gibson states that the inmate committee that was formed partly to bring any complaints to the attention of the warden did not suggest that there were significant grievances when they had last met on 3 August. This made their actions somewhat perplexing, as "many privileges to improve the day to day living and working conditions of the inmates had been introduced at Kingston Penitentiary over the past five years," according to Gibson, but he was also sure to state that "tension is, of course, inevitable in any prison."[56] It was Gibson's task, as part of his investigation and report, to explain what he believed set off this tension that resulted in such destruction.

As with the 1932 Kingston Penitentiary riot, the head of the penitentiary service in 1954 assigned the bulk of the blame for the disturbance to a small group of "agitators." In 1932 the agitators were referred to as "Communists", whereas the "psychopaths" were said to have precipitated the 1954 uprising. Gamberg and Thomson contend that "in all

[56] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 10-11.

official reports [on riots in the early 1950's], rebellious prisoners were described as psychopaths and as being mentally disturbed."[57] Classifying the rebellious inmates as psychopaths was indicative of the pseudo-scientific approach to treating inmates at the time that included the refined terminology described above and the new types of therapy/control employed. This assessment also likely led to the increased use of shock treatments after the riot as it allowed the punishment of the instigators to be masked in the rhetoric of treatment for those supposedly suffering psychopathic tendencies. Gibson described the troublemakers:

> Kingston Penitentiary has always contained a proportion of hardened and disgruntled criminals, serving long terms, whose resentment against society and against all authority no rehabilitative programme can break down. These inmates, many of them properly described as 'psychopathic personalities' while superficially conforming to the programme, lose no opportunity of planning ways and means of furthering their own ends, and of disturbing and upsetting the normal routine of the prison.[58]

Such inmates, Gibson argued, played up the altercation where the inmate attempted to assault the guard and were able to build discontent overnight when many prisoners were forced to sleep in the shops.

> It was inevitable that in this sudden movement there were agitators and malcontents thrown into association with the general population, and with other inmates susceptible of being excited and encouraged to rebel against authority in the unusual circumstances. It needed only the spread of rumours to stir up trouble. It is now apparent that during the Saturday afternoon and evening these agitators were quietly at work, playing up the alleged danger of returning to the cell blocks, and the incident of alleged "manhandling" above referred to as an excuse for an outburst. This agitation was further developed on the Sunday morning by the claim that the inmates in the Change Room and Dormitories were being forcibly prevented from coming out to exercise, a claim for which there was no

[57] Clearly prison officials had no real discernment of the differences associated with psycho-pathology and psychotic behaviour. Herbert Gamberg and Anthony Thomson, The Illusion of Prison Reform. 40.

[58] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 10.

> justification, and these rumours appear to have been sufficient to spark the outburst which occurred, and which speedily developed through mass hysteria into the destructive results that followed.[59]

Though rather lengthy, this passage contains practically all of Gibson's assessment and conclusions as to why the riot happened. The difference between his analysis and that conducted by Ormond after the 1932 riot is noteworthy. The causes assigned by Ormond touched upon some of the key factors for the uprising, but he failed to address his own incompetence and the fact that the entire penal system was in desperate need of reform. The 1954 riot was a case where a group of inmates took advantage of the circumstances and disorder and went on a brief destructive rampage. No specific grievances or complaints were issued. However, their actions must be seen as a revolt against the very idea of imprisonment and the pathological characterization of the inmates as psychotic. Even apparently random destruction must have meaning or cause. The attack on the prison structures was the result of a pent up rage wrought from the mental strain of imprisonment and the use of new types of treatments on the apparently unstable inmates. There are a number of factors that explain why the incident took place at that specific moment in time, as will be discussed in **Chapter Six**, but the basic explanation for the riot was that the prisoners were lashing out against the prison that they loathed and the entire notion of imprisonment, however reformed and "scientific".

While the disturbance may have been precipitated by a group of 50 to 100 agitators, punishing those inmates who led or participated in the uprising was not a clear-cut task. Penitentiary officials wished to lay criminal charges against the rioting inmates as

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[59] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 10.

was done in the aftermath of the 1932 disturbance. In his assessment of the events of August 1954, Minister of Justice A.J. Macleod determined that it was not possible for criminal charges to be laid as, in the confusion of the riot, the penitentiary officers were unable to identify specific inmates who had violated some aspect of the criminal code. However, a number of the regulations of the penitentiary were broken, such as causing a disturbance, damaging property, or being in a restricted area without permission, for which disciplinary action could be taken: "In the result, therefore, it has been considered that the fairest approach to the problem was to charge all of the persons concerned with breaches of prison discipline rather than to charge a small proportion of them with minor criminal offences."[60] As an example of the type of punishment meted out for these violations, an inmate named MacKenzie was placed in segregation for at least the first seven months after the riot for participating in the disturbance.[61] Little direct action could be taken against the inmates, but the riot caused some serious repercussions for the Canadian penal system.

The 1954 Kingston Penitentiary riot was not viewed in a positive light by the public and government officials. While the reaction to the 1932 uprising was largely one of condemnation of the penitentiary system and its brutal practices, the 1954 revolt prompted less sympathy and more of a backlash against the inmates. Because of the numerous reforms that had been made to improve the penal system over the previous decade, and

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[60] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 16 February 1955, 3.

[61] In a letter written by Warden Johnstone to Commissioner Gibson dated 31 March 1955, it is stated that inmate MacKenzie had been in segregation from the period of the riot up until the time of the correspondence. How much time he spent in segregation after this date is not noted in the file. It is also not known as to whether this inmate was Barrie MacKenzie, a leader of the 1971 Kingston riot as no first name is listed in the document. Canada. Solicitor General of Canada Records, RG 73, Accession 2334; 21-33, File 1-1-33, F.D. 57, National Archives of Canada. 31 March 1955.

the apparent lack of specific causes or grievances that the prisoners were fighting for, the riot was seen as a case of violent and wanton destruction by a group of incorrigible criminals. The press and the government generally accepted the interpretation that the riot was the doing of only a small group of psychopathic agitators. The call was for the segregation of these uncontrollable types from the rest of the inmate population, and that rehabilitative programs should only be reserved for those particular inmates who could be helped.

For example, the Globe and Mail argued that "there should be a special institution for those anti-social desperadoes beyond the reach of reform."[62] The Kingston Whig-Standard expressed a similar view, stating that the penitentiary shops were central to the rehabilitation of the inmates as this was where they were to be educated and learn vocational skills, and that those inmates who destroyed them did not deserve such a privilege. According to the editorial, the classification system should remove those inmates who could not be rehabilitated so that they did not ruin things for the others.[63] This shift in opinion on how and to whom rehabilitative programs should be applied was also evident in the mind-set of penitentiary officials. Gibson recommended isolating the malcontents:

> This serious disturbance which broke suddenly at Kingston on August 15th has necessitated a reappraisal of the policy of dealing with the small number of incorrigibles who are considered to be serious security risks, and who fail to respond to a rehabilitative programme... [and] that segregated accommodation to deal with the incorrigible class should now be provided.[64]

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[62] "The Penitentiary Riot," Globe and Mail. 17 August 1954, 6.

[63] "Riots and Privileges in Kingston Penitentiary," Kingston Whig-Standard. 16 August 1954, 4.

[64] Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954, 11.

W.J. Henderson, Kingston's Member of Parliament at the time, declared to his colleagues that the segregation of those inmates not receptive to reform programs was needed and expressed concern that those who caused the disturbance set back the programs of others.[65] The call was for a shift in penal policy and philosophy that focused not upon the rehabilitation of all offenders but only those deemed to be potentially receptive to such efforts. All of these groups assumed that the penitentiary's psychiatric staff with their limited facilities could actually determine which inmates would be receptive to rehabilitation programs and that these programs would be effective when put in place.

This idea of selective rehabilitation was already becoming policy by 1955. In his Annual Report for that year, Gibson pointed out that "advantage of these events has been taken... to inaugurate more effective supervision of inmate activity, and to segregate within each institution those inmates who show a psychopathic tendency to stir up trouble among their better-disposed and more industrious inmates."[66] This may not seem to be that drastic of a change, but it represented the start of a gradual shift away from the rehabilitative ideal that came to be a problem in the years that followed. The Canadian penitentiary service was only just beginning to take a rehabilitative approach to dealing with offenders in the late 1940's and early 1950's, and already by 1954 the system was altering its mind-set. As the Fauteux Report argued in 1956, "we feel that we should state

[65] Debates: House of Commons of Canada. Volume I, (1955), 276.
[66] Annual Report of the Commissioner of Penitentiaries. (1955), 8.

at the outset that the need for reform in the field of corrections in Canada is great."[67] The new system was already in need of revision.

[67] Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. 5.

CHAPTER FIVE: CUSTODY OVER REHABILITATION

The next major riot at Kingston Penitentiary came at a time when there was a fair amount of social change and upheaval taking place in Canadian and North American society. The period of the late 1960's and early 1970's was an affluent one, much like the postwar era. With the economy doing well, many Canadians were more receptive to liberal ideals and plans for the improvement of society. When these factors are prevalent, according to Doug Owram, "social reforms are popular and ideas that urge equality and inclusion of left-out groups gain attention."[1] Such was the basis of the civil rights movement that greatly defined the era. While generally linked to the United States, minorities and other groups, such as women and Native Canadians, who viewed themselves as being oppressed and otherwise unequal within the greater social structure of Canada, were also fighting for their advancement. Prison inmates placed themselves amongst those who needed their basic rights recognized. John Pallas and Robert Barber explain the link between the civil rights struggle and the prisoners' movement in the United States:

> ...both the prison movement of the time and the civil rights movement were expressions of the same impulse. They were aimed at eliminating explicit practices and customs which were seen as antithetical to American democracy. They challenged the abuse of power rather than its nature.[2]

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[1] Doug Owram, Born at the Right Time: A History of the Baby-Boom Generation. (Toronto: University of Toronto Press, 1996), 171-174.

[2] John Pallas and Robert Barber, "From Riot to Revolution," in The Politics of Punishment: A Critical Analysis of Prisons in America. ed. Erik Olin Wright, (New York: Harper & Row, 1973), 242.

The struggle for basic civil and human rights that was taking place in Canada and the United States in the late 1960's and early 1970's did not go unnoticed by those confined behind penitentiary walls.

Although there were some exceptions, the events and demonstrations that made up the civil rights movement were generally peaceful. However, the period around 1970 also saw an increase in more violent protests in Canada from a variety of groups, ranging from university students to factions like the *Front de Libération du Québec* (FLQ). The October Crisis precipitated by the latter group in 1970 was the most violent or threatening of the challenges to power in the period. Members of the militant FLQ, already credited with numerous bombings, kidnapped James Cross, the British trade commissioner, and Pierre Laporte, a minister of the provincial government of Quebec in an attempt to draw attention to what they believed to be the lesser status of French-Canadians in the eyes of Canada and its government. In a controversial move, Prime Minister Pierre Trudeau implemented the War Measures Act to confront the situation. The Act essentially turned the country into a police state as civil liberties were suspended and martial law proclaimed. When the crisis came to a halt, Cross was released by the FLQ, but Laporte had been murdered. In its response, the state had made it clear that it was not going to tolerate violent disruptions to civil order.[3]

The inmates of Kingston Penitentiary and other prisons certainly would have been aware of the challenges to authority and the social structure that were taking place in Canada and the United States in this period. As was the case in the 1930's and 1950's, the

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[3] Alvin Finkel, Margaret Conrad, with Veronica Strong-Boag, History of the Canadian Peoples: 1867 to the Present. (Toronto: Copp Clark Pitman Ltd., 1993), 526-528; See also, Gérard Pelletier, The October Crisis. (Toronto: McClelland and Stewart Limited, 1971).

years surrounding the 1971 Kingston riot saw many such prison disturbances. Though the estimates vary slightly, in the United States alone there were 112 major riots from 1970 to 1972.[4] The most notorious uprising of this period took place at Attica prison in the state of New York, five months after the revolt at Kingston Penitentiary. Over the course of the Attica disturbance, an independent committee acted as a liaison between the inmates holding the prison and its officials. The demands given to the committee focused not only on the conditions of imprisonment but also called for changes to what was perceived to be an unfair and biased justice system.[5] When the negotiations failed, a force of over 200 troopers retook the prison. During the assault 39 people were killed by gunfire, ten of whom were staff members taken hostage. In total, 43 people died during the Attica uprising, the inmates having killed one hostage and three of their fellow prisoners.[6]

Violence was increasing within Canadian institutions as well. One measure of this phenomenon is that from 1970 to 1976 there were 38 instances where prisoners took hostages as part of a protest, including the 1971 Kingston Penitentiary riot.[7] The tactic of taking hostages and using a liaison for negotiations was new to prison revolts, as was the ideology behind them. Michel Foucault characterized prison riots in France in the early 1970's:

> They were revolts against an entire state of physical misery that is over a century old... But they were also revolts against model prisons, tranquilizers, isolation, the

[4] Robert Adams, Prison Riots in Britain and the USA. (New York: St. Martin's Press, Inc., 1992), 77; Bert Useem and Peter Kimball, States of Siege: U.S. Prison Riots, 1971-1986. (New York: Oxford University Press, 1989), 18.

[5] Tom Wicker, A Time to Die: The Attica Prison Revolt. (New York: Quadrangle/The New York Times Book Co., 1975), 24.

[6] Tom Wicker, A Time to Die. 301; Gérard McNeil with Sharon Vance, Cruel and Unusual. (Ottawa: Deneau and Greenberg Publishers Ltd., 1978), 19; Bert Useem and Peter Kimball, States of Siege. 50.

[7] Herbert Gamberg and Anthony Thomson, The Illusion of Prison Reform: Corrections in Canada. (New York: Peter Lang Publishing, Inc., 1984), 119.

> medical or educational services... What was at issue was not whether the prison environment was too harsh or too aseptic, too primitive or too efficient, but its very materiality as an instrument and vector of power.[8]

Pallas and Barber put forth a similar interpretation of the riots of this period: "To the traditional and still unwon [sic] demands for decent food, shelter, and health care have been added demands that challenge both the ideology and the structure of the prison system and larger society."[9] In addition to the traditional complaints about the conditions of imprisonment, the validity of prisons as institutions of punishment was in question in the 1970's, as were the workings of the entire justice and penal systems.

Life in the nearly one hundred forty year old Kingston Penitentiary continued to be stressful and unpleasant for the inmates. Conditions were basically the same as they were in the 1950's in terms of the physical environment. The Special Joint Committee on Penitentiaries declared that overcrowding was still a problem at Kingston Penitentiary in the late 1960's. There were approximately 850 inmates confined in the prison at a time, whereas the committee thought that there should be no more than 450. The committee also expressed concern about the inadequacy of the small cells found within the outdated institution: "We are still forced to use the same 'bucket cells' which the Archambault Committee condemned almost thirty years ago."[10] The Standing Committee on Justice and Legal Affairs also indicated that the age of the penitentiary was a problem as it meant that "people are treated there in inadequate conditions."[11] Inmates were still spending between

[8] Michel Foucault, Discipline & Punish: The Birth of the Prison. (New York: Vintage Books, 1995), 30.

[9] John Pallas and Robert Barber, "From Riot to Revolution," 257.

[10] Proceedings of the Special Joint Committee of the Senate and House of Commons on Penitentiaries. (Ottawa: Queen's Printer, 1966-1967), 30, 54.

[11] Minutes of Proceedings and Evidence of the Standing Committee on Justice and Legal Affairs (Ottawa: Queen's Printer, 1971), 13:14.

sixteen and eighteen hours of each day in these ancient quarters, with little to do but think about their situation while the walls closed in: "The result was a furious sense of discontent and the breeding of violent and anti-social inclinations."[12] Perhaps an indication of the effect that this brooding had on the emotional and mental stability of the inmates is the number of attempted suicides committed by inmates at Kingston Penitentiary in the period immediately prior to the riot. From 22 September 1969 to 18 December 1970, approximately 35 attempts were made by inmates at Kingston to take their own lives. One succeeded on Christmas Eve in 1969, as did another one week later.[13] The grim reality of imprisonment proved to be too much for these men. As Roger Caron, a prisoner at Kingston during the 1971 riot explains, "serving time inside the walls of Kingston Penitentiary seemed so pointless, so futile, that it was no wonder those of us wearing numbers engaged in so many bizarre acts of disorder and violence."[14] Evidently a number of the inmates at Kingston were near or had reached their breaking points at this time.

The activities and privileges that had been extended to the inmates in order to relieve some of the stress and monotony of prison life, partly as a result of past struggles, had been significantly curtailed in the years prior to 1971. The period of reform and of a liberalization of prison rules that began with the 1932 Kingston riot and the Archambault Commission had seemingly given way to a policy that focused more upon the discipline of the inmates. Caron describes the atmosphere of the prison at this time as being tense due to the reduction of activities and programs in favour of stricter discipline.[15] The Report of

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[12] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. (Ottawa: Information Canada, 1973), 13-14, 59.

[13] Debates: House of Commons of Canada. Volume IV, (1971), 3368-3369.

[14] Roger Caron, Bingo! Four Days in Hell. (Toronto: Methuen Publications, 1985), 49.

[15] Roger Caron, Bingo!. 57.

the Commission of Inquiry into the 1971 Kingston Penitentiary riot (Swackhammer Report) states that the number and types of sports and recreational activities had been in decline in the late 1960's:

> ...in the last few years at Kingston Penitentiary a very substantial curtailment of the athletic and physical recreational program had taken place... By 1971, the program had been thoroughly emasculated so that basically only broomball, basketball and, to a limited extent, baseball as well as weight-lifting were available. Even participation in these limited programmes was substantially reduced. In addition, and perhaps equally significant, the organization of these activities had been largely taken out of inmate hands.[16]

Though some activities remained, the number of options available and the magnitude of the athletic program that was praised so much in the 1950's had been greatly reduced. Non-athletic activities, such as music and chess matches, were also subject to this curtailment.

> Regrettably, this aspect of prison life at Kingston was "wound down" in the same fashion as the sports program. By April, 1971, musical programming was virtually non-existent. Other like activities were substantially reduced as well. Once again there was exhibited a discouraging tendency on the part of administration to justify restrictions in terms of the security requirements of the institution. Once again this policy was adopted as a disciplinary response to a variety of minor inmate disturbances.[17]

It is worth noting at this point that one of the complaints put forth by the inmates during the riot addressed the practice of mass punishment: removing the privileges of all inmates in retaliation against the actions of a few.[18] The inmate committees that were created in the postwar period to organize activities and to act as a liaison between the prisoners and

[16] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 58.

[17] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 60.

[18] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 56.

the penitentiary staff had also ceased to exist in the years prior to the riot in 1971.[19] These programs were essential and fundamental aspects of the rehabilitative policy that began after the Second World War. Their curtailment not only meant that there were fewer activities to occupy the minds and relieve the stress of the inmates, but it also represented a moving away from the general reform philosophy that began after the 1954 fire and riot at Kingston Penitentiary.

The implementation of rehabilitative programs and policies was slow to come once they were first proposed in 1938; they were only starting to be put in place in the early 1950's. However, these policies were already being abandoned by the latter part of the 1960's, as has been alluded to in the above paragraph. The 1969 Report of the Canadian Committee on Corrections (Ouimet Report) doubted the effectiveness of rehabilitation as a fundamental policy for prisons.[20] Arthur Jarvis, the warden of Kingston Penitentiary at this time, complained to the Regional Director of Penitentiaries in January 1971 that Kingston was understaffed by three classification officers. As the professionals who developed rehabilitation programs for each of the inmates and who listened to their fears, anxieties and needs, classification officers were vital to the success of any type of reformation of the prisoners. This under-staffing meant that the department was behind the desired schedule of meeting with the inmates as quickly as possible after such requests were made, and of assigning new inmates to their particular work and educational

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[19] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 60-61.

[20] This assessment is based on an overall impression of the views put forth in the Ouimet Report. Report of the Canadian Committee on Corrections. Ottawa: Queen's Printer, 1969; See also, A Summary and Analysis of Some Major Inquiries on Corrections - 1938 to 1977. (Ottawa: Queen's Printer, 1977), 9.

programs.[21] The Swackhammer Report noted the effects that the delay in classifying new inmates had:

> Due, no doubt in part to chronic understaffing [sic] which the evidence revealed, the average period required to complete the relatively simple process of "reception" was six weeks. It is incredible to record that during that period the prisoner spent at least twenty-three and one-half hours locked in his cell without work and with only minimal recreation... It would not be surprising if hostility to and resentment of the institution and a sense of futility and cynicism developed at this very early stage.[22]

This curtailment of programs and activities and the fact that the administration of the penitentiary system let the classification staff get shorthanded indicates that the rehabilitation and well-being of the inmates was not deemed to be critically important. The rehabilitative ideal was slipping away: "Indeed, at Kingston it was not seriously attempted."[23]

Part of the reason that concern for the rehabilitation of inmates was failing at this time was that the guards or corrections officers never took it seriously. Generally speaking, the guards at Kingston Penitentiary resented the shift in emphasis away from mere custody toward the rehabilitation of the inmates. The Ouimet Report had argued that prison guards are critical to the success of a rehabilitative program as they have the most contact with the inmates:

> Their opportunities to influence inmate attitudes are much greater than the professional's who may meet with a particular inmate for only an hour at a time at wide intervals. This puts the non-professional staff in the position of being the key people in carrying out the institution's rehabilitative aims.[24]

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[21] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 15.

[22] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 46.

[23] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 59.

[24] Report of the Canadian Committee on Corrections. (Ottawa: Queen's Printer, 1969), 420.

The guards at Kingston Penitentiary, however, never had the intention of carrying out these aims. The 1977 Parliamentary Sub-Committee on the Penitentiary System suggested that a lack of belief in the reforms of the 1950's amongst the guards helped precipitate the unrest in Canadian prisons in the early 1970's.[25] The guards, however, blamed the unrest on the reformers themselves and the increase in prisoners' rights that they had pushed for.

One anonymous guard was quoted in the Kingston Whig-Standard as declaring that, "it's the do-gooders who got us into this, all those well-meaning reformers and civil rights people."[26] Another officer complained that "too many radicals… long hair, striped pants, the works," pushed for inmate rights, thus supposedly harming the discipline and order of the institution.[27] Caron quotes one guard's take on the rehabilitative process as follows: "We'll rehabilitate them, but we might have to hurt a few of them a little bit."[28] The Swackhammer Report determined that the guards at Kingston Penitentiary resented not only the inmates and the reformers but also those staff members whose task it was to aid the development of the prisoners. The report states that the custodial staff felt that they were being excluded from decisions regarding institutional policy and that there was a lack of communication between the guards and the classification staff: "This meant that the two essential service arms of the institution functioned in isolation one from the other… Kingston Penitentiary in April, 1971 was then a classic example of institutional

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[25] Report to Parliament: Sub-Committee on the Penitentiary System in Canada. (Ottawa: Supply and Services Canada, 1977), 15.

[26] Dennis Bell, "Guard Blames Do-Gooders For Prison Trouble," Kingston Whig-Standard. 16 April 1971, 2.

[27] Cliff Bowering, "Correctional Officer's Opinions of Penal System," Kingston Whig-Standard. 21 April 1971, 37.

[28] Roger Caron, Bingo!. 139.

structure militating against the realization of stated objectives."[29] Robert Adams states that when a prison guard corps is separated from the other staff members in some way, and only focuses upon the custody of the inmates, the officers come to resemble a quasi-military armed force.[30] With key members of the penitentiary staff refusing to accept the fundamental premise of penal philosophy at this time, the rehabilitative ideal was certain to fail. This was deemed to be a contributing factor behind the Kingston Penitentiary riot of 1971.

Societal unrest, numerous other prison riots, the conditions of life within the outdated penitentiary, the steady curtailment of activities and privileges, and the failure of the rehabilitative ideal, all made Kingston Penitentiary ripe for a disturbance by 1971. The factor that finally pushed the inmates toward a riot was the opening of Millhaven Penitentiary, a maximum security institution built to replace Kingston Penitentiary. Inmates from Kingston Penitentiary were to be gradually transferred to the new institution, located just outside the city of Kingston, in 1971. This planned transfer was the source of tremendous anxiety for many of the inmates. Numerous rumours were circulating amongst the prisoners regarding the tighter security and electronic surveillance believed to be in place at Millhaven. Cameras and electronic listening devices were said to be part of this panoptic facility, as were cells with glass ceilings.[31] Caron suggests that the inmates rationalized that the tighter security at Millhaven would make a protest, that was

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[29] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 40.

[30] Robert Adams, Prison Riots in Britain and the USA. 172.

[31] Roger Caron, Bingo!. 31-32; Fred Desroches, "Patterns in Prison Riots," Canadian Journal of Criminology and Corrections. 16, (1974): 346; "New Millhaven Complex: It's the Fear of the Unknown," Kingston Whig-Standard. 17 April 1971, 5.

perhaps inevitable by this time considering the prevailing circumstances, more difficult, if not impossible.[32] Warden Jarvis stated in a letter to his superiors, in which he hinted that he suspected that trouble was brewing, that the inmates might seek to destroy Kingston before it was closed because of their abhorrence for the institution: "I feel sure that there are some inmates who would like to see Kingston Penitentiary in a shambles before the transfer [to Millhaven] is completed."[33] Whether they were founded or not, the fears surrounding the transfer to Millhaven were powerful and provided the spark that was needed to make Kingston Penitentiary erupt. The inmates deemed the rhetoric of rehabilitation to be empty and insincere. Not just the conditions of confinement, but also the idea of imprisonment, was to be challenged, and it had to be done before the move to the modernized and more secure institution was made. They had to protest against penal policies and the renewed emphasis on discipline and security before these practices became too effective and efficient.

The movement to protest began on the evening of Wednesday, 14 April 1971. At 8:30 that night, the inmates of range "2H" were returning to their cells after their shift in the recreation hall. While traversing through the gate from the recreation hall, two inmates attacked a guard named Decker, taking him hostage and removing his keys. The inmates that had left the hall prior to this assault proceeded to the Main Dome where four other inmates captured two officers, Barrett and Flynn. Guards Dale and Vallier were also taken hostage by inmates on range "2H". All of the hostages were taken to range "1F" and contained there temporarily. The Swackhammer Report suggests that the inmates gained

[32] Roger Caron, Bingo!. 75.

[33] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 16.

their captives rather easily considering that those who attacked the guards were unarmed and few in number. The guards also did not yell warnings to their colleagues, but, "in the light of all the evidence, we can find nothing to criticize in the conduct of the officers who were taken hostage."[34] While these events were taking place, the guard that was still in the recreation hall, sensing the trouble, had the inmates that remained there line up against the wall. An officer in the gun cage suspended above the recreation hall summoned Warden Jarvis and further assistance. Billy Knight, the initial leader of the inmate rebellion, explained to Warden Jarvis that only a peaceful demonstration was intended, and requested that the staff brought by Jarvis be removed from the recreation hall so that it could be used for an inmate meeting. Considering that there were six hostages (the original five plus the one guard who was still in the recreation hall with the inmates), the warden acceded to this request. When the staff was cleared from the hall, the inmates proceeded to the Main Dome.[35]

Soon after these events had taken place, all of the inmates were released from their cells by their peers, excluding those in protective custody, and assembled in the Dome. The Swackhammer Report states that by this point the penitentiary could not be retaken using force without a significant loss of life. The inmates went on a brief rampage causing a great deal of damage to the cells and to objects like the central bell that regulated the daily routine, such that "the symbols of a hated institution were destroyed."[36] Material to

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[34] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 17-18.

[35] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 18-20; Fred Desroches, "The April 1971 Kingston Penitentiary Riot," Canadian Journal of Criminology and Corrections. 16 (1974): 321-322; Roger Caron, Bingo!. 83-84.

[36] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 20.

be used for barricades and weapons was gathered during this upheaval. The leaders of the revolt were given a loud hailer to conduct a meeting and prepare the grievances of the prisoners.[37] An "inmate police force" was also formed so as to protect the guard hostages from the more violent types who may have wished to do them harm.[38] The penitentiary officials were also organizing their side of this confrontation. Warden Jarvis ordered all off-duty personnel to return to the prison. They were armed with riot gear, tear gas, and guns when they arrived. The Regional Director of the Penitentiary Service was also called to the scene, and the military was put on alert.[39] By the early hours of Thursday morning a stalemate had set-in. Both sides organized their forces to prepare for the next stage.

At approximately 4:00 Thursday morning, penitentiary officials were contacted by a prisoner who claimed to be part of an inmate committee. He requested food and medication, and informed the warden that there would be a meeting between this inmate committee and prison officials at 10:30 to discuss their grievances. Jarvis agreed to this meeting, and conformation was given by the hostages that they were unharmed. In the hours leading up to this meeting, the inmates requested to speak with Gerry Detzer of Kingston radio so that their views could be made known to the public. They explained to Detzer that a peaceful demonstration was intended and that the hostages were not harmed. The inmates also altered their stipulations for the coming meeting slightly by declaring that they wanted their representatives to meet with a "Citizen's Committee" which was to act as a liaison between the two sides. The prisoners listed a number of prominent people that

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[37] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 20.

[38] Roger Caron, Bingo!. 137.

[39] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 20-21.

they wanted to comprise the Committee.[40] After their side was given to Detzer, the inmates awaited their appointment with the penitentiary officials.

Little progress was made at the meeting Thursday morning. The three member inmate committee met with penitentiary officials, the media also being present. The inmate committee, insisting that they were not leaders but rather chosen representatives, stated that they would not negotiate until the desired Citizen's Committee arrived. There was some discussion about prison life, the justice system, and the Parole Act, but precise issues that prompted the protest would only be given to the Citizen's Committee once they convened. The following five people became this liaison when they made it to Kingston Penitentiary that evening: Arthur Martin, a criminal lawyer who was also a member of the commission that issued the 1969 Ouimet Report; Ron Haggert, a reporter from Toronto; William Donkin, a barrister; University of Toronto law professor Desmond Morton; and Aubrey Golden, another lawyer.[41] Until a meeting could be planned between these people and the inmate representatives, no negotiations would take place.

While awaiting further developments, much activity was taking place on both sides. Sensing a drawn out affair, the military support that had been placed on alert was once again sent to Kingston Penitentiary, the third time in 40 years that this was done in order to assist in quelling an inmate disturbance. Soldiers arrived Thursday evening and surrounded the main cell block and the prison grounds. As was the case in the past, the

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[40] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 21-22.

[41] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 22-23; Roger Caron, Bingo!.

military presence made the inmates nervous and stimulated unrest amongst them.[42] On only this second day of the protest a power struggle was taking place amidst the inmate leaders. One faction advocated a more violent and aggressive strategy, wanting to harm the hostages and those inmates in protective custody. This group, headed by Dave Shepley and Brian Beaucage, sought to dispose of the original inmate leader, Billy Knight, as did another faction led by Barrie Mackenzie. Knight eventually lost his clout with many of the inmates, allowing MacKenzie and this more combative faction to gain influence.[43] This challenge for control and beginnings of a split between the inmates proved to be very significant as the protest continued.

The inmate representatives, now numbering five, met with the five members of the Citizen's Committee at 9:00 Thursday night. During this conference the inmate committee expressed the main grievances that the Kingston prisoners had which precipitated the protest. The Swackhammer Report states that their complaints fell into two categories:

> The first category was a criticism of the administration of the criminal justice system, including the operation of the courts, the police and the punitive nature of sentencing and similar matters... The second category of grievance related to the administration of the penitentiary system in general, and to Kingston Penitentiary in particular.[44]

The latter category consisted of the complaints about the conditions of the penitentiary -- harsh punishments, lack of useful work, isolation -- that had been the traditional grievances of rioting inmates. The first category, however, represented an evolution in the sense that these grievances were more politically or ideologically focused. The penal

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[42] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 24; Roger Caron, Bingo!. 148-149.

[43] Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 325-326.

[44] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 24; Roger Caron, Bingo!. 148.

system and its unsatisfactory attempt at rehabilitation needed reform. At this meeting, the inmate representatives also posed a number of demands that would have to be met in order for the protest to come to an end. They wanted food and coffee for all of the inmates and, most importantly, signed assurance from the Commissioner of Penitentiaries that no charges would be laid against any of the prisoners for their actions during the protest. The inmate committee also declared that the hostages would be released only after the following conditions were met:

- the inmates were returned to their cells under the watch of the Citizen's Committee;
- their grievances were presented to authorities with the Citizen's Committee present, a meeting that was to occur at noon on Friday, 16 April;
- the transfer of inmates to Millhaven was to be observed by the Citizen's Committee;
- Millhaven was to be visited and observed by both the inmate and Citizen's Committee.[45]

The inmate representatives made their demands known and waited to hear the counter-proposal from the penitentiary officials. The first move in the negotiations had been made.

The Citizen's Committee brought the response to the inmates' requests to the next meeting held Friday morning. Arthur Martin informed the inmate representatives that he had presented their conditions to the Commissioner of Penitentiaries, P.A. Faguy, and that the only issue that could not be met was the question of immunity from criminal charges. By this time, however, the demands had been slightly altered. The inmates now wanted immunity guaranteed by the Solicitor General, not the Commissioner of Penitentiaries. They also explained that the hostages would be released one at a time as the inmates were moved to their cells or transferred, as they feared abusive reprisal from the guards. As a

[45] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 25.

gesture of good faith, the inmates released a hostage named Decker, who was unharmed. When informed of their request, Solicitor General Jean-Pierre Goyer refused to guarantee immunity to the inmates.[46] The immunity question, one most critical to the inmates, was providing an impasse to resolving the conflict.

The next discussion between the inmate committee and their liaison took place around midnight Friday. The Citizen's Committee informed the inmates that immunity would not be granted, but their other requests would all be met. A Board of Tribunal would hear and consider their complaints. An offer to act as legal counsel for those inmates charged as a result of the protest was extended by the attorneys on the Citizen's Committee. The immunity issue needed to be dropped in order for a settlement to be reached, however. The inmate committee stated that when an agreement was met, one hostage would be released in ratio for every 60 prisoners let out to be transferred to Millhaven, but they were skeptical as to whether their fellow inmates would abandon the quest for immunity. One of the inmates explained that a vote resulting in a simple majority would not be sufficient to convince all of the prisoners to drop this request because of what was at stake. Both sides, in fact, were somewhat doubtful as to whether the inmates still in the Main Dome would agree to this settlement.[47] Nonetheless, some progress was made and, with this one point aside, an end to the disturbance was in sight.

A subsequent meeting on Saturday, the fourth day of the siege, did not result in much headway. The inmate committee was experiencing difficulty getting their fellow

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[46] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 25-26.
[47] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 26-27.

prisoners to abandon the request for immunity and accept the other points that had been achieved. This was due in large part to the fact that by this point Knight had lost his influence over much of the inmate population. Although Knight remained on the inmate committee, Barrie MacKenzie had usurped control. MacKenzie was not as willing to submit to the agreement as Knight had been, hoping to achieve more substantial concessions.[48] It appeared as though the protest would not be resolved through the negotiations that had taken place. Also sensing the impasse and beginning to become impatient, the Solicitor General's office issued a deadline to penitentiary officials of noon Monday, 20 April for the riot to be resolved or else force would be used.[49] Both sides were becoming emotionally drained as the long ordeal continued. This became especially apparent during the next, and last, meeting between the two committees.

The meeting between the inmate representatives and the Citizen's Committee held in the early hours of Sunday morning was abruptly ended by an anxious phone call from the Main Dome. The inmate representatives immediately went to the Dome to survey the situation. When they returned to the meeting area in the Hospital Wing several hours later, all but Barrie MacKenzie refused to go back to the Dome out of fear for their own safety.[50] What they found in the Dome was unlike anything that had ever occurred at Kingston Penitentiary. At the time of the riot, fourteen inmate "undesirables", such as rapists, informants and others low in the prisoner social hierarchy, were confined on range

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[48] Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 326.

[49] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 29.

[50] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 30.

"1D", most at their own request for protection.[51] These inmates were not released to join the rest of the population in the Dome when the riot began. By Saturday night, the more violent faction of inmate leaders had gained some influence and had become frustrated with the long process of negotiating. Around midnight that evening, these undesirables were released from segregation and tied to chairs placed in a circle in the Main Dome. The violent core of inmates that released the segregated prisoners also wanted access to the hostages, but they were well protected by a group of inmates, and had been moved several times during the course of the riot to keep their location somewhat secret.[52] Some of the inmates conducted a mock "kangaroo" court, putting the undesirables on trial for their crimes deemed to be unacceptable by the prison subculture. All were found guilty as many other inmates cheered approval from the ranges above. The sentencing was when the violence really began: "The bloody climax was so primitive that it left even the most hardened criminal gasping in awe-stricken horror."[53]

Those tied to the chairs in the Dome, guilty of offenses unacceptable to the other inmates, were savagely beaten for their crimes. Blankets were put over the heads of each of the undesirables so that they would be in the dark while some 30 inmates abused them for several hours. First, each of the captives was struck until all had broken noses. They were then beaten and tortured with a variety of instruments, including metal bars,

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[51] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 10.

[52] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 32.

[53] Roger Caron, Go-Boy!: Memoirs of a Life Behind Bars. (Toronto: McGraw-Hill Ryerson Limited, 1978), 231; See also, Roger Caron, Bingo!. 179-184; Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 327; George D. Scott with Bill Trent, Inmate: The Casebook Revelations of a Canadian Penitentiary Psychiatrist. (Toronto: Optimum Publishing International Inc., 1982), 12-13.

hammers, fists, a board of spikes, and were slashed with knives.[54] Desroches contends that salt was poured into the many wounds of these men to add to the pain they were suffering, and that hot glue was dumped on to their heads.[55] When the ordeal had finally come to an end, one of the inmates, Brian Ensor, was dead. His body was found by officials in an air duct off the main cell block. Another inmate, Bertrand Robert, died later in the hospital from the massive head wounds he had suffered.[56] The others survived, but were scarred both physically and emotionally. These beatings effectively marked the end of the riot. The inmates were exhausted and somewhat delirious. Witnessing the horror of Sunday morning proved to be more than most of the prisoners could handle.

Once the penitentiary administration became aware of what was taking place in the Dome during the early hours of Sunday, plans were formulated to bring the disturbance to an end. Fearing that more inmates or the hostages could be hurt or killed, Warden Jarvis and the Regional Director instructed military officials to plan an assault of the institution. It was decided that such an assault would be most effective in daylight, so they would wait a few hours. Meanwhile, the inmate representatives and the Citizen's Committee were still meeting. The one inmate who was willing to venture back into the Dome (MacKenzie) did so in a last attempt to persuade his peers to accept the agreement before the assault came. The military, however, did not get the opportunity to retake the prison. At 5:00 Sunday morning, approximately 200 inmates broke out of the main cell block into the penitentiary yard. Warning shots failed to deter the progress of the determined prisoners. The

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[54] Roger Caron, Bingo!. 179-184; Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 328.

[55] Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 328-330.

[56] Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 317; Sheldon MacNeil, "Outcome: Tragedy," Kingston Whig-Standard (19 April 1971), 1; Roger Caron, Bingo!. 196.

realization that an assault was coming coupled with the panic created by the violence that had taken place in the Dome was simply too much for these inmates. The 206 fleeing prisoners were brought to the recreation hall, where it had all begun, while the others exited in ratio with the hostages as had been previously arranged. By Sunday evening the hostages were free, all of them unharmed, and the Kingston riot had come to an end after nearly five long days.[57]

The inmates had opportunity to cause a great deal of damage to Kingston Penitentiary over the course of the riot. Much of the main cell block was in ruins, the cost of the destruction amounting to between one and one and a half million dollars.[58] One wing was damaged so severely that it was left in this condition until the early 1990's as a memorial to the event: "Many [cells] were left untouched from the days of the riot, a spectacular reminder of the furious destruction of which men are capable."[59] Many of the cells were left uninhabitable, prompting the planned transfer of the inmates to the new Millhaven institution to be pushed ahead to the days immediately after the riot, a time when both the inmates and staff were "emotionally overwrought." Millhaven quickly became the scene of more violence as the inmates received a rude welcome from the guards overseeing the transfer. A number of the prisoners transferred on the first three days after the riot had complained of assaults by the guards. Medical examinations confirmed their accusations. The most serious incident occurred on Wednesday, 21 April.

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[57] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 32; Roger Caron, Bingo!. 198-204.

[58] George Scott with Bill Trent, Inmate. 7.; Sheldon MacNeil, "KP Damage: $1 Million?" Kingston Whig-Standard. (16 April 1971), 1.

[59] Dennis Curtis, Andrew Graham, Lou Kelly, and Anthony Patterson, Kingston Penitentiary: The First Hundred and Fifty Years, 1835-1985. (Ottawa: The Correctional Service of Canada, 1985), 132.

Ten to twelve guards lined one of the corridors at Millhaven, a few feet across from each other, armed with riot sticks. The Swackhammer Report states that, "we can only conclude that the objective and the result of such positioning of staff was to assure that no inmate could pass through the corridor out of range of a riot stick."[60] The inmates were forced to "run the gauntlet" as they proceeded through the corridor. "With our hands and feet shackled we could only shuffle down the long hallway as the clubs rained down upon us, crunching through bone and muscle, releasing a torrent of blood."[61] Certainly the guards would have taken it personally that some of their own were threatened by the inmates when they were seized as hostages. This resentment would have been particularly intensified considering the negative view that the officers had toward the inmates and their extended rights and privileges. The hostage-taking tactic only added to the misgivings the guards already held for the prisoners and the rehabilitative philosophy of the penal system.

In the aftermath of the riot and the Millhaven incident a number of criminal charges were in order. The charges and trials were grouped into three separate categories. The first involved those inmates charged with the beatings and murder of the undesirables on the last day of the riot. Thirteen prisoners were charged with manslaughter, twelve of whom pleaded guilty, the other pleading guilty to an assault charge. Three of these men could not have their life sentences extended, while the others had three to five years added to their stay in the penitentiary.[62] In another set of trials, Billy Knight and five other

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[60] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 34.

[61] Roger Caron, Go-Boy!. 232; See also, George Scott with Bill Trent, Inmate. 35; Minutes of Proceedings and Evidence of the Standing Committee on Justice and Legal Affairs. 21:12; "Inmates Claims to be Probed," Kingston Whig-Standard. (28 April 1971), 1.

[62] Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 331; Gérard McNeil with Sharon Vance, Cruel and Unusual. 25; Michael Jackson, Prisoners of Isolation. (Toronto: University of Toronto Press, 1983), 50.

inmates were charged with causing the disturbance. Strangely, Knight managed to beat the charge while his cohorts pleaded guilty and had three years added to their sentences. By changing his hairstyle, growing a mustache, and wearing glasses, Knight was able to alter his appearance enough that only one of the four guards acting as witnesses could positively identify him.[63] Knight was not the only one to get a positive result from his trial, however. Twelve prison officers were charged for beating inmates at Millhaven in the days after the riot. All of them were found to be not guilty.[64] This was a prophetic outcome as it represented the beginning of a shift in power away from the inmates and the rehabilitative ideal back to the guards and an emphasis on custody.

With the criminal charges laid, the task at hand for penitentiary officials was to determine the immediate causes of the protest. This was the assignment of those who worked on the Swackhammer Report. Perhaps the most interesting revelation to come from this analysis was that the committee determined that conducting a protest was the only option the prisoners had to try and bring about change:

> The evidence before us established that there was in the opinion of many of the inmates a necessity of recourse to violence as a means of redressing long-standing grievances and of calling those grievances to the attention of the public... The conclusion we draw... is not that inmates have no legitimate grounds for protest but rather that in the absence of more realistic and sophisticated mechanisms and forums for communication, inmates' conduct may be apparently incoherent, disorganized and unreasoned.[65]

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[63] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 7; Fred Desroches, "The April 1971 Kingston Penitentiary Riot," 331.

[64] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 7; Debates: House of Commons of Canada. Volume V, (1973), 5108; Minutes of Proceedings and Evidence of the Standing Committee on Justice and Legal Affairs. 23:20.

[65] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 35.

Staging a protest, whether it was seen as a breakdown on the part of the inmates, was really the only option they had to draw attention to their concerns. The reasons why the inmates felt the need to riot have already been discussed. They included traditional conditions such as overcrowding, the inadequacy of the aged facilities, the monotony and mental stress of prison life, and so on. These problems have consistently plagued Kingston Penitentiary over the forty-year period in question. However, the Swackhammer Report determined that the primary problem at Kingston that precipitated the uprising was,

> the schismatic and dangerously polarized nature of the life inside the prison institution itself. The polarization between inmates and custodial staff, between custodial staff and professional staff, led inevitably to the destruction of the program and deterioration in the life of the institution.[66]

This conflict and lack of teamwork between the two main components of the prison staff, as alluded to above, ultimately meant that the rehabilitative ideal was failing to be implemented effectively. "One cannot propose realistically or embark upon any reasonable rehabilitative program if it is suspect or illegitimate in the eyes of certain groups, either administrative or inmate, that live or work in the prison environment."[67] The Report maintained that while Kingston Penitentiary excelled in meeting its custodial functions, it failed to meet its rehabilitative goals, which is the key to maintaining the order and compliance of the inmates.

It is somewhat ironic that while the failure to properly follow through with the rehabilitative ideal was determined to be the ultimate cause of the disturbance, the backlash that resulted from the riot called for an end to the reform programs that were

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[66] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 37.

[67] Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. 37.

apparently not working. Rehabilitation was deemed to be ineffective, even though it had really never been properly tried. Although there were some minor gains after the 1971 riot, such as increased writing privileges and a relaxation of regulations regarding prisoners' haircuts, the overall result of the protest was not positive for the inmates.[68] The riot was generally poorly viewed by the public and by penitentiary and government officials. That the inmates took hostages and committed vicious acts of violence only reinforced stereotypes regarding prisoners. The public and press was not sympathetic towards prisoners who used such offensive tactics.[69] This sentiment was only strengthened by the belief that prison conditions had greatly improved and that the inmates were receiving positive rehabilitative training. This opinion was shared by a number of penitentiary officials and members of the government as well. The debates in the House of Commons in the period after the riot included a great deal of discussion that called for an increased emphasis on discipline and security at the expense of the rehabilitation of the inmates. As an example of this sentiment, Doug Neil, Member of Parliament from Moose Jaw, declared:

> Punishment should be a real thing; it must be an effective deterrent. There is no deterrent and no punishment when a person, upon being sent to jail, is treated in a better manner and receives more benefits from the state than many of our hard-working low income citizens... rehabilitation is important only in the cases of persons who are capable of being rehabilitated.[70]

This is somewhat similar to the comments made after the 1954 riot in terms of the call for the rehabilitation of only those inmates thought to be receptive to such efforts. However, this argument was extended to include a questioning of whether prison conditions were

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[68] Roger Caron, Bingo!. 209-210.
[69] Cliff Bowering, "The Rioters Were Big Losers," Kingston Whig-Standard. 19 April 1971, 17.
[70] Debates: House of Commons of Canada. Volume IV, (1973), 3804.

harsh or punitive enough for the offenders. The actions of the rioting inmates and the violence that ensued during their protest was seen by members of the government and penitentiary staff as evidence for an increased emphasis on discipline and security. This response was opposite to that which the inmates were seeking from their protest against the lack of rehabilitative programs and prison activities. As the Kingston Whig-Standard explained: "Perhaps, in fact the rioters were the big losers after all."[71]

The nature of the 1971 Kingston revolt was certainly a significant factor behind these negative responses. This protest represented a marked shift or evolution in the types of tactics employed by the rioting inmates. The prisoners were much more organized than any time previous, capturing guards to be used as leverage and protection against an armed assault, as well as planning formal negotiations with a specific group of distinguished citizens. Complaints put forth by the inmates centred not only upon the general conditions of imprisonment, but also on perceived problems inherent in the criminal justice and penal systems. A clear consciousness of their position as prisoners was evident within this politicization. It was the violence that occurred on the last day of the uprising that really distinguished the 1971 riot from its predecessors, however. Aggression was focused solely against the institution in 1932 and 1954. In 1971 the inmates not only lashed out against the penitentiary, but also against those prisoners whose crimes were simply too offensive for them to accept. Whether the brutality was the result of exhaustion from the long struggle that was the protest, hatred and grudges toward the undesirables, or the madness of a small group of violent prisoners, the result was a backlash against the

[71] Cliff Bowering, "The Rioters Were Big Losers," Kingston Whig-Standard (19 April 1971), 17.

inmates from the penitentiary guards, the public, and officials. This time the inmates had gone too far, and little or no sympathy was extended to them and their cause.

A call for a greater emphasis on discipline also resulted from the prison revolts that occurred in the United States in the late 1960's and early 1970's. Adams states that the pressure for prison reform and the rehabilitative ideal had declined greatly by the middle part of the 1970's, an interpretation also put forth by Mark Colvin, who adds that the stress was then placed on discipline.[72] The 1977 Parliamentary Sub-Committee on the Penitentiary System reiterated this view somewhat when it assessed the state of corrections in Canada in the wake of the troubles that took place in Canadian prisons in the 1970's. In the most significant inquiry into the penitentiary system conducted after the 1971 Kingston riot, this Committee argued that the most pressing need of the Canadian penitentiary system at the time was discipline, for both the staff and the inmates:

> They [inmates] need the discipline of behavioral rules to ensure peace, but they will also gain from the situational [sic] discipline of work and humanizing discipline of social life... Discipline is also needed for the staff, who must not only faithfully execute the direction received from above, but who must also express the discipline of their own profession.[73]

The Committee was calling for a middle road between those who wanted to stress discipline and custody, and the rehabilitative ideal. Prisoners were to be reformed through the discipline of work, rules, and routine. It was as though the inmates were to be given another chance at a rehabilitation program that the staff was to actually make an effort to

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[72] Robert Adams, Prison Riots in Britain and the USA. 87; Mark Colvin, The Penitentiary in Crisis: From Accommodation to Riot in New Mexico. (Albany: State University of New York Press, 1992), 1-3.

[73] Report to Parliament: Sub-Committee on the Penitentiary System in Canada. 1.

follow. The impression gained from press reports and the House of Commons, however, was that such violent and uproarious actions by prisoners would not be tolerated in the future.

CHAPTER SIX: ANALYZING THE UPRISINGS

As a former Kingston Penitentiary inmate noted, prison riots do not happen every day, but the daily prison experience certainly contributes to their occurrence. Thus the obvious question that arises is what factors were in place that prompted the Kingston disturbances to take place in October 1932, August 1954, and April 1971. The three prison uprisings detailed above provide excellent case studies for an examination of the major theories on the causes of riots outlined in **Chapter Two,** as well as the evolution and resolution of inmate protests. The analyses of each of the three major Kingston Penitentiary riots have addressed such factors as the historical context of the revolt, the state of penology in each period, the conditions of imprisonment, the events of the actual disturbance, and its short and long-term impact. The relevance of a number of the theories on the causes of prison riots are evident in each of the examinations of the three Kingston disturbances outlined above. However, it is necessary to directly link or apply each of the theories to each riot in order to illustrate the numerous factors that were in place that prompted a disturbance to occur at these particular times.

It is somewhat simplistic to suggest that a single "spark" could ignite a prison disturbance. Though extremely sensitive, the prison social structure is also complex. An otherwise relaxed and smoothly run prison most likely would not erupt as a result of a single event. That being said, such a spark can be distinguished for all three of the Kingston Penitentiary disturbances addressed above because the atmosphere inside the prison was consistently tense and the institution was poorly run. In October 1932, the

inmates at Kingston went on strike as a means to protest the harsh conditions of imprisonment. Initially intended to be a peaceful demonstration, the protest turned violent when the military arrived on the scene, causing panic to spread amongst the inmates. The threat made by the soldiers' presence at the prison was what caused the protest to become a destructive riot. In 1954, the flash-point was the "manhandling" of the inmate by prison guards during the disorder caused by the fire at the penitentiary. This physical confrontation incited the inmates to take advantage of the situation and attack the prison. Fears surrounding the transfer of inmates to the new Millhaven institution provided the precipitating factor in the April 1971 Kingston riot. Rumours surrounding the tighter security and constant surveillance in place at Millhaven were abundant at Kingston. The panic caused by these beliefs prompted the inmates to take action while they still could as a protest in the new institution would be much more difficult. Each of these specific factors or sparks involved some type of threat to the physical or emotional safety and security of the inmates. Whether these threats were actually real or immediate, their significance was expounded by the negative atmosphere within the unorganized prison, and served to provoke each of the three major riots at Kingston Penitentiary.

The powder keg/spark theory on prison riots contends that there has to be preexisting tension in order for a disturbance to be set off by a single inflammatory event. Tension was perpetually high at Kingston Penitentiary during the periods in question, as it most probably is at any prison. The very idea of imprisoning people against their will causes sufficient amounts of stress to make a disturbance likely. However, the conditions of life in Kingston at the time of the riots were such that tension was always high and the

inmates were either on the edge of, or had already reached, their breaking points. Those imprisoned at Kingston Penitentiary in 1932 were confined in a century-old fortress that was greatly overcrowded. Countless rules and regulations governed the behaviour and routine of the inmates, including one calling for absolute silence. A violation of these orders resulted in swift and harsh punishments that humiliated the inmates. There was little work and recreation to stimulate the minds and bodies of the prisoners, and no rehabilitative programs were in place. It was an archaic and inhumane system that was in desperate need of reform. Even when these reforms began to be implemented, conditions at Kingston were still inadequate. The prison was still very old and overcrowded in 1954. Though there was a greater number of activities and educational programs for the inmates at this time, rehabilitative programs were not implemented adequately or run efficiently, and prison life was still tremendously unpleasant and stressful. Inmates were still sternly punished, by shock "therapy" for example, for violating prison regulations. Kingston remained dangerously overcrowded in 1971, and the prison had only grown older and was not an adequate correctional institution. The increased privileges and activities that had been granted to the inmates after the Second World War were significantly reduced in the years prior to 1971, and rehabilitation was not really being attempted. There were high levels of tension between the prisoners and the prison guards, as well as between the staff members of the various departments within the penitentiary. The number of suicide attempts committed by prison inmates noted in the previous chapter is but one indicator of the stress prisoners were under in the early 1970's. While life in prison is always stressful and unpleasant, the conditions prevalent within Kingston Penitentiary in 1932, 1954, and

1971 were particularly harsh, monotonous, or otherwise frustrating for the inmates to the extent that some type of eruption was likely to occur.

Each of the Kingston Penitentiary riots was at least partially intended to draw attention to poor conditions and particular grievances. The 1932 riot began as a strike or protest for the specific purpose of attracting attention to the futility of the penal system. Complaints about the lack of recreation time and the strict regulations regarding newspapers and cigarette papers were put forth by the inmates. That these requests were subsequently granted indicates that the tactic of gaining the attention of the public and officials was effective. Of course, the most significant gain from this increased interest in the penal system was the Archambault Report, which ultimately led to a reformation of penal thought and policy in Canada. While the 1954 riot was not conducted so that specific complaints could be redressed, the fire and destruction that occurred at Kingston was certainly intended to draw the attention of the media and penitentiary officials to the problems inherent in the very idea of imprisonment and the pathology of supposedly psychopathic criminals. The 1971 Kingston uprising was also intended to gain the attention of the public and penitentiary officials. In addition to complaints about life inside the prison, the prisoners felt that the penal system was failing to implement its own policies regarding rehabilitation. That the riot was intended to protest this situation and to get their grievances heard is obvious from the fact that the inmates presented their complaints to a selected group of prominent citizens in the presence of the media. While they did succeed in prompting two inquiries into the penal system,[1] the general response to

[1] The Swackhammer Report on the riot itself made many observations about problems within the penal system and also made recommendations as to how they could be rectified. The other inquiry that came about as a result of the 1971 Kingston Penitentiary riot and other prison disturbances that followed

the riot and the violence that took place was not favourable for the inmates. Nonetheless, the Kingston Penitentiary riots were partially intended to draw attention to the conditions of the prison and penal policy, and it must be said that the inmates were successful in meeting this goal. The riots were effective means to get the usually apathetic public and government to consider the workings of its penal system and the way in which offenders were treated.

In the period surrounding each of the three Kingston riots in question, there was a change in the general routine or order of the penitentiary. The prison environment and those who inhabit it are both very sensitive to such changes, whether they are positive or negative. The effect that the numerous alterations that General Ormond instituted to the penitentiary system in the 1930's were certainly negative for the inmates and a major factor behind the 1932 Kingston disturbance. Even though conditions within the prison were already quite harsh and repressive when Ormond came into office, the direction taken by the superintendent only made things worse for the inmates. Prison work severely decreased during the Ormond regime, while the rules and regulations that governed inmate behaviour greatly increased. These changes altered the routine of Kingston Penitentiary and stimulated the inmates to take action. The period prior to the 1954 riot was also one that saw many changes to the prison routine. At this time, however, the changes were generally positive for the inmates. More activities were introduced to the penitentiary at this time, as were more diverse work and educational programs. Pederson states that such gains would not always pacify the inmates: "If social needs continue to be fulfilled,

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was the 1977 Report to Parliament by the Sub-Committee on the Penitentiary System in Canada. Both reports are referred to in Chapter Five.

expectations are likely to soar. Inmates no longer merely hope to survive but start expecting to be treated as individuals of inherent value, possibly even worthy of freedom."[2] While the effects of the reforms of the 1950's were not this profound, the changes that they brought about can be viewed as a factor behind the 1954 Kingston disturbance. With these changes also came a relaxation of prison discipline which, according to Skinner, Driedger, and Grainger, helped cause the many prison riots that occurred in the 1950's.[3] The introduction of shock and drug treatments as a means to "correct" the behaviour of the prisoners would not have been well-received by the patients. The most significant disruption to the prison routine at this time, however, was caused by the initial fire two days before the actual riot. As a result of this fire, inmates had to be quartered together in the shops and the regular prison routine could not be followed. This disruption was a critical factor behind the destruction that took place. There were also many general changes to the prison routine in the years leading up to the 1971 Kingston riot. The privileges granted in the 1950's had been significantly curtailed by 1971, and the implementation of rehabilitation programs was seriously lacking. The major disruption to the social order and routine for the inmates was the coming transfer to the new Millhaven institution. The panic that this transfer caused amongst the inmates has already been discussed, and must be seen as one of the primary factors behind the 1971 riot. Changes to the daily routine or general order and atmosphere of the prison can be

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[2] William D. Pederson, "Inmate Movements and Prison Uprisings: A Comparative Study," Social Science Quarterly. 59, 3, (December 1978): 521.

[3] Shirley Skinner, Otto Driedger and Brian Grainger, Corrections: An Historical Perspective of the Saskatchewan Experience. (Regina, SASK: Canadian Plains Research Center, 1981), 111.

enough to set off a disturbance. Such shifts certainly helped precipitate the Kingston riots of 1932, 1954, and 1971.

The "J-curve" theory on prison riots is related to changes in prison routine and order, and is also applicable to two of the Kingston disturbances. The basis of the theory is that riots are likely to occur after a period where privileges are curtailed in favour of tighter security and stricter discipline. While there were few privileges to remove from the prison routine in the early 1930's, the numerous regulations instituted by Ormond certainly focused upon disciplining and controlling the behaviour of the inmates. Prior to Ormond, the prisoners could be punished for violating penitentiary rules, but at least they were aware of what the regulations were and where they stood in relation to them. The nearly one thousand orders and circulars that the superintendent issued made this impossible and proved to be very frustrating for the inmates. There was a definite regression in prison life for the inmates in 1932, as there was in 1971. The difference was that the inmates at Kingston Penitentiary in the latter period did see their privileges and activities greatly reduced. Sports, games, musical programs, and other activities were curtailed at this time as a form of mass punishment and in favour of stricter discipline. The J-curve theory is applicable to the 1932 and 1971 Kingston riots as both were partially the result of a period where penal policy called for an increased emphasis on discipline and security.

Prior to two of the Kingston uprisings, there was a change in the top-level penitentiary administration which also affected the routine and environment of the prison. A new warden or superintendent of penitentiaries often means a shift in philosophy. At the

very least a change in administration can be viewed by the inmates as either a threat to the privileges and activities that they value, or as an opportunity to push for an expansion of these programs. Ormond was the primary new member of the penal administration in the 1930's whose negative impact on the penitentiary system and Kingston in particular has already been discussed in detail. Kingston was also missing a permanent warden in 1932, Gilbert Smith serving only as Acting Warden when J.C. Ponsford retired after nearly twelve years in the position.[4] General R.B. Gibson was the new Commissioner of Penitentiaries in 1947 and began the liberalization of the penal system and instituted many reforms that improved conditions for the inmates. The most significant personnel change in this period for Kingston, however, was the new warden, Walter Johnstone. Johnstone succeeded a man who had served as warden for twenty years, beginning his term only three months prior to the 1954 riot. The 1971 riot was the only one that was not immediately preceded by a change in the top-level administration. Arthur Jarvis became warden of Kingston Penitentiary in 1967. The position of deputy warden was vacant at the time of the 1971 riot, a factor that did contribute to the lack of organization that plagued Kingston at the time. Much like other disruptions to the prison order, new penitentiary administrators can bring about changes that can upset the inmates and alter the prison atmosphere. This was a factor behind the 1932 and 1954 Kingston disturbances.

The quality and effectiveness of the staff at Kingston Penitentiary left much to be desired during the forty-year period in question. This was particularly the case at the time of the 1932 and 1971 riots; the official inquiries into these disturbances made specific

[4] Dennis Curtis, Andrew Graham, Lou Kelly and Anthony Patterson, Kingston Penitentiary: The First Hundred and Fifty Years, 1835-1985. (Ottawa: The Correctional Service of Canada, 1985), 153.

mention of the ineffectiveness and lack of organization that characterized the officers of Kingston. In his report on the 1932 uprising, Ormond complained that the guards at Kingston were of a very poor quality, with very little military experience. He also stated that during his first visit to the penitentiary in the months prior to the riot he found it to be very unorganized and that it was evident that the guards had been given little or no training. Ormond was so dissatisfied with the officers who guarded Canada's prisoners that he purged the entire penitentiary service in the years after the Kingston riot. There were 767 guards employed by the penitentiary system on 1 August 1932. By 8 October 1935, 224 of them had been released, the reasons given by Ormond being that they were "unsuitable", "retired to promote efficiency", or other such vague excuses. The figures for Kingston Penitentiary were 152 guards on the prison staff on 1 August 1932, 62 of whom were let go by 8 October 1935.[5] A number of these may have been casualties of Ormond's poor management and search for scapegoats after the riot, but the majority were probably justified considering the way the inmates were treated by guards prior to the disturbance, and especially during the course of the riot where the shootings took place. No specific complaints were made about the guards in the inquiry into the 1954 Kingston riot. However, one can assume that their unwillingness to accept the rehabilitative ideal that caused problems in the years that followed also would have had a negative impact on the atmosphere of the prison in the 1950's and on the way the guards went about performing their duties. This certainly was the case in 1971. The Swackhammer Report states that conflict between the custodial staff and the shorthanded classification staff was one of the

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[5] Royal Commission to Investigate the Penal System of Canada. (Ottawa: King's Printer, 1938), 34-35.

primary causes of the 1971 riot as it ultimately led to increased tension and the failure of the rehabilitation programs. The beatings of the inmates that occurred after the riot also attests to the lack of discipline of the guards and their negative opinion of the prisoners. As those who have studied prison disturbances state, an unorganized or ineffective staff is a major contributing factor to prison riots. This was definitely the case at Kingston in 1932 and 1971, and quite probably in 1954 as well.

Each of the Kingston riots must also be viewed in relation to their historical context. This is a necessity if the question of why these riots occurred at these particular moments in time is to be answered. Prisons are affected by the same factors that cause unrest and dissatisfaction within the greater society outside of the stone walls. All three of the Kingston riots in question came at a time when inmate protests were rampant in North American prisons. Prisoners hear of the actions taken by their peers in other institutions and may be prompted to take similar steps. The riots that took place at Kingston and other prisons in the early 1930's came at a time when social and economic conditions in North America and most of the Western world were harsh. The Great Depression caused unrest and discontent to spread amongst many Canadians, and into the overcrowded prisons as well. Paradoxically, the riots that took place at Kingston and other North American prisons in the 1950's came at a time of general affluence. In an attempt to also link the Kingston riots to the external societal context, Stan Lipinski states that the inmates identified with the lower classes who were not benefiting from the economic growth and felt that they were also being "neglected", causing them to be very displeased.[6] The

[6] Lipinski, Stan, Changing Nature of Riots at Kingston Penitentiary, 1835-1985. (MA Thesis: University of Ottawa, 1985) 139-140.

opposite case seems to be more likely, however. Noting the affluence of the time and the fact that many gains were already being made to improve life within the prison, the inmates at Kingston would have seen the opportunity to push for more privileges and activities as the public was more receptive to calls from underprivileged and disadvantaged groups. Lipinski's interpretation of the external context surrounding the 1971 Kingston riot is also questionable. He states that "there was nothing noted within the general overall developments of the society which reflected the violence and madness which prevailed in the rioting of this period in Kingston Penitentiary."[7] The chaos and disorder associated with the October Crisis and the implementation of the War Measures Act only six months prior to the riot cannot be discounted, nor can the challenges made to authority in the protests of the civil rights movement. While all of these events may not have included violence similar to that which occurred on the last day of the Kingston riot, perhaps the activities of the FLQ being the main exception, they were also challenges to authority that sought change. Prisons are reflective of the society in which they exist. The Kingston Penitentiary riots must be analyzed in relation to the historical and social context in which they took place.

Even with all of these internal and external factors in place, a group of inmates must still make the decision to take action. Very rarely do all of the inmates of a penitentiary collectively move towards staging a protest or riot. In each of the Kingston uprisings, a relatively small number of inmates began the riot only to have a significant portion of their peers join in the rampage. These instigators may or may not have been politically-minded. Despite the assessments made by Ormond, the role that Tim Buck and

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[7] Lipinski, Stan, Changing Nature of Riots at Kingston Penitentiary. 154.

the other imprisoned Communists played in the 1932 Kingston strike is somewhat ambiguous. Buck was absolved of the accusations that he had been a leader in the protest. He did guide the discontented inmates to a degree when he suggested that they needed to get their complaints known to the public. His fame and notoriety would have placed much force behind his words. Even with all of the problems inherent in the penal system at the time, one has to wonder if the 1932 protest that turned into a riot would have taken place if the "Toronto Eight" had not been confined in Kingston Penitentiary at the time. The blame for the 1954 Kingston riot was placed primarily with a group of "psychopathic" agitators. These prisoners played up the altercation between the guards and the inmate that occurred while the penitentiary was in disorder, and precipitated the fires and destruction that was the riot. The 1971 Kingston uprising began when a group of inmates took a number of guards hostage. Immediately after this leverage was gained, Billy Knight and his co-conspirators organized the rest of the inmates and took their positions as leaders. These agitators not only began the insurrection but also controlled the inmates' side of the negotiations and determined the course of the disturbance. While the roles of the instigators varied for each of the three riots, their contribution and importance to bringing the disturbances to fruition must be recognized.

The three Kingston disturbances also fit well within interpretations of how the nature of riots have evolved over the course of the twentieth-century. For example, the 1932 Kingston riot was relatively less violent than those that followed, with comparatively little damage done to the penitentiary. The complaints of the inmates at this time centred around the basic conditions of the penitentiary, an attribute common to prison protests in

the period prior to the Second World War. The 1954 riot was much more destructive than its predecessor. It was also representative of contemporary riots where much damage was inflicted to the prisons, and inmate grievances, if any were presented, still focused upon conditions. The most distinctive phase of this evolution came with the 1971 Kingston riot. The tactic of taking hostages was employed, formal negotiations were conducted, and the complaints focused not only upon the conditions of life in Kingston Penitentiary, but also on perceived problems with the criminal justice and penal systems. This represented a more organized and politically-conscious type of protest which typified inmate movements of the late 1960's and early 1970's. Violence was also associated with the prison uprisings of this period. The Kingston disturbances follow the evolution in tactics and character of prison riots formulated by those who have studied them, such as Gosselin, Adams, Desroches, and Cummins.[8]

The Kingston riots also provide examples of the different ways in which inmate disturbances can be resolved. Penitentiary officials must act quickly to contain the riot. Once this is accomplished, the task is to end the disturbance without loss of life. The 1932 Kingston riot was brought to an end through a combination of negotiation and force. The initial phase of the riot was concluded when Acting Warden Smith and some of the inmates came to an agreement regarding their grievances. Although the military was employed on the first day of the protest, they only managed to disperse the inmates. The prisoners did not return to their cells until Smith agreed to hear their demands. The second

[8] Luc Gosselin, Prisons in Canada. (Montreal: Black Rose Books, 1982), 36; Robert Adams, Prison Riots in Britain and the USA. (New York: St. Martin's Press, Inc., 1992), 78-79, 104, 236; Fred Desroches, "Patterns in Prison Riots," Canadian Journal of Criminology and Corrections. 16, (1974): 332; and Eric Cummins, The Rise and Fall of California's Radical Prison Movement. (Stanford: Stanford University Press, 1994).

phase of the riot that took place on 20 October was quelled through forceful means. Many shots were fired on this day to stop the rowdy inmates. Despite the fact that this haphazard use of firearms resulted in much controversy, the disturbance was finally brought to an end. Decisive force was exclusively used to terminate the 1954 uprising. Armed soldiers and guards quickly suppressed the rioters, leading them back to their cells, and allowing the firefighters to do their job. Negotiations were once again used in an attempt to resolve the 1971 Kingston Penitentiary riot. Officials had to be much more patient and cautious as some of their own were being held captive. The discussions progressed to the point where only the issue of immunity seemed to be preventing the return to order. While negotiating was the official tactic adopted, the riot ultimately came to an end when the inmates became mentally and emotionally exhausted from the long siege. The violence of the last day proved to be too much and the prisoners stampeded out of the dome, anxious to return to the sanctuary of their cells. Thus, the Kingston Penitentiary riots were resolved through what Useem, Camp, and Camp, and Useem and Kimball state are the three possible means to do so: force, negotiation, and the emotional drainage and exhaustion of the inmates.[9]

The Kingston Penitentiary riots substantiate the major theories on the causes and development of prison disturbances that have been formulated by sociologists and criminologists. Some type of factor or circumstance can be found for at least two of the riots that somehow relates to each hypothesis. The question of why the Kingston uprisings occurred at the specific times that they did is also answered by these theories. No single

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[9] Bert Useem, Camille Graham Camp, and George M. Camp, Resolution of Prison Riots: Strategies and Policies. (New York: Oxford University Press, 1996), 5; Bert Useem and Peter Kimball, States of Siege: U.S. Prison Riots, 1971-1986. (New York: Oxford University Press, 1989), 191.

interpretation accounts for why the inmates revolted in each of these periods, but when examined altogether, these theories provide an explanation for why the Kingston Penitentiary inmates rioted in 1932, 1954, and 1971. Many factors and conditions have to be in place for a prison riot to occur. While the above theories are applicable to each of the Kingston riots to varying degrees, the primary cause for the uprisings was the disorganization and lack of communication of the penitentiary staff and the failure of the penal system and its personnel to effectively implement rehabilitation programs. The historical development of penal policy as practiced at Kingston Penitentiary over this forty-year period firmly attests to this assessment.

The three major riots that occurred at Kingston Penitentiary during the twentieth-century were all turning points for penal philosophy and policy in Canada. Each helped to prompt a re-examination of the way that prison inmates were contained and treated. The 1932 Kingston riot really stimulated the call for penal reform in Canada. At the time of the disturbance, the penitentiary system desperately needed to be modernized as it focused only upon the custody and discipline of the offenders through degrading, militaristic means. The riot led to the Archambault Commission, the most significant report on penal policy in Canadian history. The Archambault Commission condemned the penal practices of the period, calling for an emphasis on the rehabilitation of the inmates through training and education so as to better prepare them for their eventual return to society. These programs began to be implemented after the Second World War, a period of great reform for penitentiaries in Canada. Many new programs and activities were introduced in an attempt to improve prison life for the inmates, and to stimulate and develop them mentally,

emotionally, and physically. New methods of controlling and modifying the behaviour of the inmates were also implemented, however, masked in the rhetoric of "scientific" and psychological treatment. Because there had been many progressive reforms intended to better the conditions of imprisonment, the 1954 Kingston riot did not generate the same sympathy from the public and officials that came after the 1932 protest. The destruction committed by the inmates only served to reinforce stereotypes of prisoners as being violent, incorrigible, and not worthy of the new privileges that had been granted to them. A call for the segregation of those "psychotic" prisoners not believed to be receptive to, or suitable for rehabilitation programs was prompted by the 1954 riot. Penal philosophy was already moving away from the new rehabilitative ideal when it was only beginning to be implemented. The practical abandonment of this policy at Kingston Penitentiary was evident in the years prior to the 1971 riot, and was the fundamental reason behind the disturbance. An understaffed classification department was unable to effectively perform its duties. It also received no assistance from the custodial staff, many of whom scoffed at the value of rehabilitating the inmates. The violence associated with the riot caused another backlash against the prisoners. Members of the press and the House of Commons demanded a return to the ideals of custody and discipline so as to ensure that offenders were adequately punished and kept in line. Only the Swackhammer Report and the 1977 Parliamentary Sub-Committee on the Penitentiary System seemed to have saved the rehabilitative ideal. The Swackhammer Report determined that it was the failure of the officials and staff at Kingston Penitentiary to adequately implement and support rehabilitation programs that led to the riot. The Sub-Committee declared that these

programs needed to be re-examined and more effectively administered, while also accentuating discipline. Failing to sufficiently rehabilitate the inmates while emphasizing custody and control, on the part of either official penal policy or the staff of Kingston Penitentiary, was the issue that consistently plagued the prison from the 1930's into the 1970's and was the fundamental cause behind each of its three major riots.

Thus the riots at Kingston Penitentiary must be seen as significant events, not only in the history of the prison, but also in that of penal philosophy in Canada. Each of the uprisings helped stimulate a shift in penal philosophy. They were not only the results of the numerous factors that generally cause inmate disturbances detailed above, but they were also symptoms that the system was failing to adequately reform and stimulate the inmates, while emphasizing control and behaviour modification through discipline and other types of treatment. Riots are sensational and climatic events that not only tell a great deal about penitentiaries, but also the societies in which they exist and how criminal offenders are perceived.

BIBLIOGRAPHY

Primary Sources

Cambell, Gayle, Frank J. Porporino and Len Wevrick. Characteristics of Inmates Involved in Prison Incidents. Ottawa: Ministry of the Solicitor General of Canada, 1985.

Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 13 October 1954.

Canada. Solicitor General of Canada Records, RG 73, Accession 1983-84/291, Box 32, File 4-15-11, Part 2, National Archives of Canada. 16 February 1955.

Canada. Solicitor General of Canada Records, RG 73, Accession 2334; 21-33, File 1-1-33, F.D. 57, National Archives of Canada. 31 March 1955.

Macphail, Agnes. Agnes Macphail on Convict or Citizen?: The Urgent Need For Prison Reform. Toronto: Co-operative Commonwealth Federation Literature Department, 1950.

A Summary and Analysis of Some Major Inquiries on Corrections - 1938 to 1977. Ottawa: Queen's Printer, 1977.

Annual Report of the Superintendent of Penitentiaries. Ottawa: King's Printer, 1933.

Annual Report of the Commissioner of Penitentiaries. Ottawa: Queen's Printer, 1954-1957.

Canadian Criminology and Corrections Association: Annual Report. Ottawa, 1971-1976.

Causes, preventive measures, and methods of controlling riots & disturbances in correctional institutions. Washington, DC: American Correctional Association, 1970.

Globe and Mail.

Debates: House of Commons of Canada.

Kingston Whig-Standard.

KP Telescope.

Minutes of Proceedings and Evidence of the Standing Committee on Justice and Legal Affairs. Ottawa: Queen's Printer, 1971.

Proceedings of the Canadian Congress of Corrections. Ottawa: Canadian Corrections Association, 1957.

Proceedings of the Canadian Congress of Criminology and Corrections. Ottawa: Queen's Printer, 1973.

Proceedings of the Special Joint Committee of the Senate and House of Commons on Penitentiaries. Ottawa: Queen's Printer, 1966-1967.

Report: A Committee Appointed by the Rt. Hon. C. J. Doherty, Minister of Justice to Advise Upon the Revision of the Penitentiary Regulations and the Amendment of the Penitentiary Act. Kingston, ON: The Jackson Press, 1946.

Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice of Canada. Ottawa: Queen's Printer, 1956.

Report of the Canadian Committee on Corrections. Ottawa: Queen's Printer, 1969.

Report of General R.B. Gibson: A Commissioner appointed under Order in Council P.C. 1313, regarding the Penitentiary System of Canada. Ottawa: King's Printer, 1947.

Report of Inquiry Millhaven Incident 3rd November 1975. No Publisher Given, 1976.

Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971. Ottawa: Information Canada, 1973.

Report of the Commission of Inquiry into Events at the British Columbia Penitentiary June 9 to 11, 1975. Ottawa: Canadian Penitentiary Service, 1975.

Report of the Royal Commission on Penitentiaries. Ottawa: King's Printer, 1914.

Report of the Superintendent of Penitentiaries: Kingston Penitentiary Disturbances, 1932. Ottawa: King's Printer, 1933.

Report to Parliament: Sub-Committee on the Penitentiary System in Canada. Ottawa: Supply and Services Canada, 1977.

Response of the Solicitor General to the Parliamentary Sub-Committee Report on the Penitentiary System in Canada. Ottawa: Supply and Services Canada, 1977.

Royal Commission to Investigate the Penal System of Canada. Ottawa: King's Printer, 1938.

Summary of Proceedings of the First Canadian Penal Congress. Montreal, 1935.

The Standing Orders for Kingston Penitentiary. Kingston: Canadian Penitentiary Service, 1966.

Books and Articles

Abbott, Jack Henry. In the Belly of the Beast: Letters From Prison. New York: Vintage Books, 1982.

Adams, Robert. Prison Riots in Britain and the USA. New York: St. Martin's Press, Inc., 1992.

Adamson, Christopher R., "The Breakdown of Canadian Prison Administration: Evidence from Three Commissions of Inquiry," Canadian Journal of Criminology. 25, (4 October 1983): 433-446.

Atkins, Burton M. and Henry R. Glick, ed. Prisons, Protest and Politics. Englewood Cliffs, NJ: Prentice-Hall, Inc., 1972.

Beeching, William and Phyllis Clarke, ed. Yours in the Struggle: Reminiscences of Tim Buck. Toronto: NC Press Limited, 1977.

Berkman, Ronald. Opening the Gates: The Rise of the Prisoners' Movement. Toronto: D.C. Heath and Company, 1979.

Blackstock, Harvey. Bitter Humour: About Dope, Safe Cracking and Prisons. Toronto: Burns & MacEachern Limited, 1967.

Bothwell, Robert, Ian Drummond and John English. Canada Since 1945: Power, Politics, and Provincialism. Toronto: University of Toronto Press, 1981.

Bright, Charles. The Powers That Punish: Prison and Politics in the Era of the "Big House," 1920-1955. Ann Arbor, MI: The University of Michigan Press, 1996.

Brown, Craig, ed. The Illustrated History of Canada. Toronto: Lester Publishing Limited, 1996.

Ciale, Justin. Tales of Saint Vincent de Paul Penitentiary. Toronto: Legas, 1997.

Caron, Roger. Bingo! Four Days in Hell. Toronto: Methuen Publications, 1985.

________. Go-Boy!: Memoirs of a Life Behind Bars. Toronto: McGraw-Hill Ryerson Limited, 1978.

Carrigan, D. Owen. Crime and Punishment in Canada: A History. Toronto: McClelland & Stewart Inc., 1991.

Cohen, Albert K., George F. Cole and Robert G. Bailey, eds. Prison Violence. Toronto: D.C. Heath and Company, 1976.

Cohen, Stanley and Laurie Taylor. Psychological Survival: The Experience of Long-term Imprisonment. Toronto: Penguin Books, 1972.

Colvin, Mark. The Penitentiary in Crisis: From Accommodation to Riot in New Mexico. Albany: State University of New York Press, 1992.

Creighton, Donald. Canada, 1939-1957: The Forked Road. Toronto: McClelland and Stewart Limited, 1976.

Croft, Frank, "What it's like to be in a Prison Riot." Maclean's. 15 October 1954, 13-15, 114-118.

Crowley, Terry. Agnes Macphail and the Politics of Equality. Toronto: James Lorimer & Company, 1990.

Culhane, Claire. Still Barred From Prison: Social Injustice in Canada. Montreal: Black Rose Books Ltd., 1985.

Cummins, Eric. The Rise and Fall of California's Radical Prison Movement. Stanford: Stanford University Press, 1994.

Curtis, Dennis, Andrew Graham, Lou Kelly, and Anthony Patterson. Kingston Penitentiary: The First Hundred and Fifty Years, 1835-1985. Ottawa: The Correctional Service of Canada, 1985.

Desroches, Fred, "The April 1971 Kingston Penitentiary Riot," Canadian Journal of Criminology and Corrections. 16, (1974): 317-331.

________. "Patterns in Prison Riots," Canadian Journal of Criminology and Corrections. 16, (1974): 332-351.

Douglas, Catherine, Joan Drummond and C.H.S. Jayewardene, "Administrative Contributions to Prison Disturbances," Canadian Journal of Criminology. 22, (1980): 197-205.

Finkel, Alvin, Margaret Conrad with Veronica Strong-Boag. History of the Canadian Peoples: 1867 to the Present. Toronto: Copp Clark Pitmam Ltd., 1993.

Fitzgerald, Mike. Prisoners in Revolt. Toronto: Penguin Books, 1977.

Foucault, Michel. Discipline & Punish: The Birth of the Prison. New York: Vintage Books, 1995.

________. Power/Knowledge: Selected Interviews and Other Writings, 1972-1977. New York: Pantheon Books, 1980.

Gamberg, Herbert and Anthony Thomson. The Illusion of Prison Reform: Corrections in Canada. New York: Peter Lang Publishing, Inc., 1984.

Gosselin, Luc. Prisons in Canada. Montreal: Black Rose Books, 1982.

Griffiths, Curt T. and Simon N. Verdun-Jones. Canadian Criminal Justice. Toronto: Butterworths Canada Ltd., 1989.

Gurr, Ted Robert. Why Men Rebel. Princeton, NJ: Princeton University Press, 1970.

Hawkins, Gordon. The Prison: Policy and Practice. Chicago: The University of Chicago Press, 1976.

Irwin, John. Prisons in Turmoil. Toronto: Little, Brown and Company, 1980.

Jackson, Michael. Prisoners of Isolation: Solitary Confinement in Canada. Toronto: University of Toronto Press, 1983.

Kauffman, Kelsey. Prison Officers and Their World. Cambridge, MA: Harvard University Press, 1988.

Kidnam, John. The Canadian Prison: The Story of a Tragedy. Toronto: Ryerson Press, 1947.

Kolb, Charles E.M. The Riot and Deaths at Archambault Penitentiary, Sainte-Anne-des-Plaines, Canada, on July 25, 1982. Washington: Foreman & Dyess, 1982.

Larsen, Nick, "The Utility of Prison Violence: An A-Causal Approach to Prison Riots," Criminal Justice Review. 13, 1 (Spring 1988): 29-38.

Laskin, Richard, ed. Social Problems: A Canadian Profile. New York: McGraw Hill Co., 1964.

LeBourdais, D.M., "Show-Down or Blow-Up?: What's Back of our Prison Riots?" Maclean's. 1 March 1933, 13, 51-52.

Lipinski, Stan. Changing Nature of Riots at Kingston Penitentiary, 1835-1985. MA Thesis: University of Ottawa, 1985.

Marron, Kevin. The Slammer: The Crisis in Canada's Prison System. Toronto: Doubleday Canada Limited, 1996.

Martin, John Bartlow. Break Down the Walls. London: Victor Gollancz Ltd., 1955.

McGraw, Peg and Walter. Assignment: Prison Riots. New York: Henry Holt and Company, 1954.

McNeil, Gérard with Sharon Vance. Cruel and Unusual. Ottawa: Deneau and Greenberg Publishers Ltd., 1978.

Melnitzer, Julius. Maximum, Minimum, Medium: A Journey Through Canadian Prisons. Toronto: Key Porter Books Limited, 1995.

Mills, Allen. Fool For Christ: The Political Thought of J.S. Woodsworth. Toronto: University of Toronto Press, 1991.

Mitford, Jessica. Kind and Usual Punishment: The Prison Business. New York: Alfred A. Knopf, 1973.

Morris, Norval and David J. Rothman, ed. The Oxford History of the Prison: The Practice of Punishment in Western Society. New York: Oxford University Press, 1998.

Murphy, P.J. and Loyd Johnsen. Life-25: Interviews With Prisoners Serving Life Sentences. Vancouver: New Star Books, 1997.

Neatby, H. Blair. The Politics of Chaos: Canada in the Thirties. Toronto: MacMillan Company of Canada, 1972.

Oliver, Peter, "'A Terror to Evil-Doers': The Central Prison and the 'Criminal Class' in Late Nineteenth-Century Ontario," in Patterns of the Past: Interpreting Ontario's History. Roger Hall, William Westfall, and Laurel Sefton MacDowell, ed. Toronto: Dundurn Press, 1988, 206-237.

O'Reilly-Fleming, Thomas, "'The Dark Workshop': Life Sentences, Prison Conditions and the Politics of Punishment," in Canadian Penology: Advanced Perspectives and Research. Kevin R.E. McCormick and Livy A. Visano, eds. Toronto: Canadian Scholars' Press Ltd., 1992, 291-321.

Outerbridge, William R. Public Perceptions and Penal Reality: Some Issues of Prison and Parole. Toronto: Sophie R. Boyd Memorial Lecture, 1974.

Owram, Doug. Born at the Right Time: A History of the Baby-Boom Generation. Toronto: University of Toronto Press, 1996.

Palmer, Bryan D. Working-Class Experience: Rethinking the History of Canadian Labour, 1800-1991. Toronto: McClelland & Stewart Inc., 1992.

Pederson, William D., "Inmate Movements and Prison Uprisings: A Comparative Study," Social Science Quarterly. 59, 3, (December 1978): 509-523.

Pelletier, Gérard. The October Crisis. Toronto: McClelland and Stewart Limited, 1971.

Penner, Norman. Canadian Communism: The Stalin Years and Beyond. Toronto: Methuen Publications, 1988.

Platt, Tony and Paul Takagi, eds. Punishment and Penal Discipline: Essays on the Prison and the Prisoners' Movement. Berkley, CA: Crime and Social Justice Associates, 1980.

Priestley, Philip, ed. Jail Journeys: The English Prison Experience Since 1918. New York: Routledge, 1989.

Richmond, Guy. Prison Doctor: One man's story that must be told in Canada today. Surrey, BC: Nunaga Publishing Company Ltd., 1975.

Ross, Robert R. ed. Prison Guard/Correctional Officer: The Use and Abuse of the Human Resources of Prisons. Toronto: Butterworth & Company Ltd., 1981.

Schroeder, Andreas. Shaking It Rough: A Prison Memoir. Toronto: Doubleday Canada Limited, 1976.

Scott, George D. with Bill Trent. Inmate: The Casebook Revelations of a Canadian Penitentiary Psychiatrist. Toronto: Optimum Publishing International Inc., 1982.

Scraton, Phil, Joe Sim, and Paula Skidmore, "Through the Barricades: Prisoner Protest and Penal Policy in Scotland," Journal of Law and Society. 15,3, (Autumn 1988): 247-262.

________. Prisons Under Protest. Philadelphia: Open University Press, 1991.

Sim, Joe, "'We Are Not Animals, We Are Human Beings': Prisons, Protest and Politics in England and Wales, 1969-1990," Social Justice. 18,3, (1991): 107-129.

Skinner, Shirley, Otto Driedger and Brian Grainger. Corrections: An Historical Perspective of the Saskatchewan Experience. Regina, SASK: Canadian Plains Research Center, 1981.

Sloop, John M. The Cultural Prison: Discourse, Prisoners, and Punishment. Tuscaloosa, AL: The University of Alabama Press, 1996.

Strange, Carolyn and Tina Loo. Making Good: Law and Moral Regulation in Canada, 1867-1939. Toronto: University of Toronto Press, 1997.

Thompson, John Herd with Allen Seager. Canada, 1922-1939: Decades of Discord. Toronto: McClelland & Stewart Inc., 1985.

Topping, C.W. Canadian Penal Institutions. Chicago: The University of Chicago Press, 1930.

Torrence, Judy M. Public Violence in Canada, 1867-1982. Kingston: McGill-Queen's University Press, 1986.

Useem, Bert and Peter Kimball. States of Siege: U.S. Prison Riots, 1971-1986. New York: Oxford University Press, 1989.

Useem, Bert, Camille Graham Camp and George M. Camp. Resolution of Prison Riots: Strategies and Policies. New York: Oxford University Press, 1996.

Valverde, Mariana. The Age of Light, Soap, and Water: Moral Reform in English Canada. Toronto: McClelland & Stewart Inc., 1991.

Wicker, Tom. A Time to Die: The Attica Prison Revolt. New York: Quadrangle/The New York Times Book Co., 1975.

Withrow, Oswald C. J. Shackling the Transgressor: An Indictment of the Canadian Penal System. Toronto: Thomas Nelson & Sons, Limited, 1933.

Wright, Erik Olin, ed. The Politics of Punishment: A Critical Analysis of Prisons in America. New York: Harper & Row, 1973.

Yates, J. Michael. Line Screw: My Twelve Riotous Years Working Behind Bars In Some of Canada's Toughest Jails. Toronto: McClelland & Stewart Inc., 1993.

APPENDIX I

Inmate Complaints as Summarized by Superintendent Ormond After the 1932 Kingston Penitentiary Riot

1. Deprivation of cigarette papers.
2. Close cropping of hair.
3. Lack of recreation and amusement.
4. Insufficient open-air exercise.
5. Lack of newspapers and magazines.
6. Insufficient lighting in cells.
7. Harsh treatment by officers.
8. Compulsory church attendance.
9. Insufficient medical treatment.
10. Insufficient dental treatment.
11. Lack of toilet articles, combs and mirrors.
12. Punishments improperly awarded for breach of rules.
13. More frequent letters to and from convicts.
14. Increased number of visits to convicts.
15. Lack of paroles.
16. Objection to steam cooked food and monotony of prison diet.

Source: Report of the Superintendent of Penitentiaries: Kingston Penitentiary Disturbances, 1932. (Ottawa: King's Printer, 1933), 28.

APPENDIX II

Causes of 1932 Kingston Penitentiary Riot as Listed by Superintendent Ormond

1. Insufficient supervision covering a period of not less than ten years.
2. Insufficient and inefficient inspection covering not less than a period of ten years.
3. Inefficient officers being retained on the staff of Kingston Penitentiary.
4. Lack of knowledge of, and familiarity with, Penitentiary rules and regulations.
5. The desire on the part of certain long-term convicts to have less rigorous rules and regulations enforced within the Penitentiary.
6. A plot or scheme on the part of certain convicts to escape from the Penitentiary.
7. Admission in the Kingston Penitentiary during the month of February, 1932, of certain convicts who were especially adept in organizing and inciting disturbances against constituted authority.
8. Deprivation of convicts of cigarette papers and fine-cut tobacco, pipe tobacco being an authorized issue.
9. The large number of young and irresponsible convicts who are now confined in Kingston Penitentiary, many of whom have had experience in reformatories in Canada or elsewhere.
10. The monotony of prison confinement.
11. I am also of the opinion that two or three convicts, whose identity has not been disclosed up to the present time, are the principal organizers of the outbreak.

Source: Report of the Superintendent of Penitentiaries: Kingston Penitentiary Disturbances, 1932. (Ottawa: King's Printer, 1933), 29.

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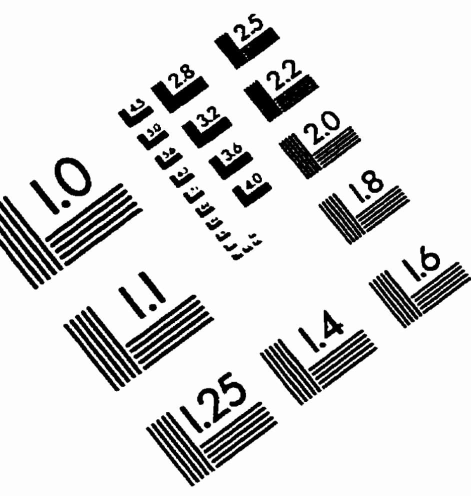
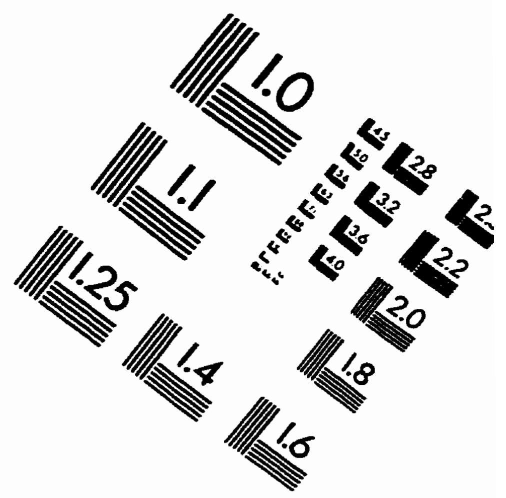
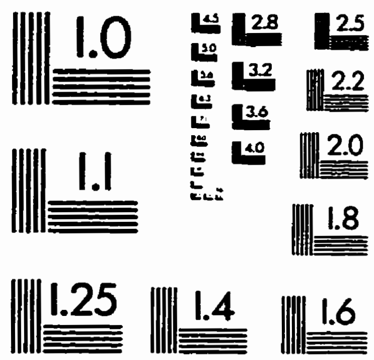
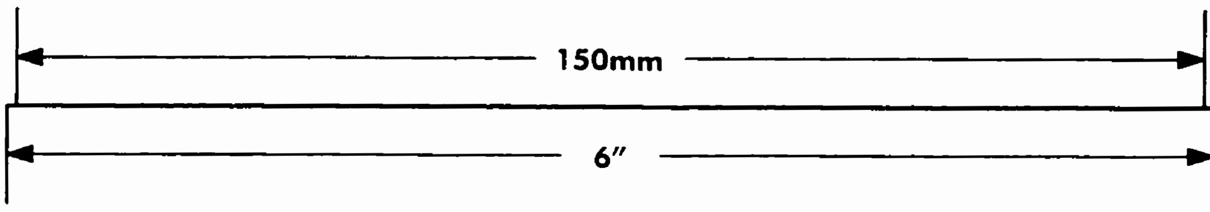

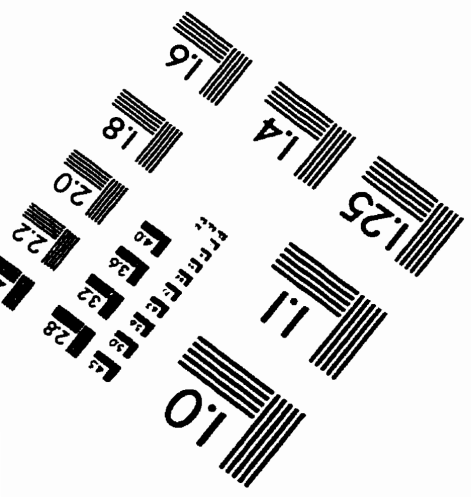
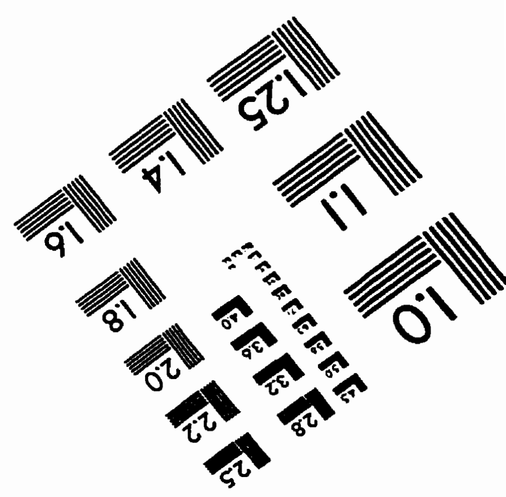

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