Globalization, Justice and the Demonization of Youth[*]

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ABSTRACT

In recent years, policy changes implemented by the Canadian government-- including the proportionate reduction of monies spent on health, education, and social programs — have had a direct impact on the youth criminal justice system in Canada. These policy changes have had a direct impact on Canadian youth who are, in many ways, the most disenfranchised citizens in Canadian society. We discuss the evolution of the Canadian youth justice system and the implementation of the Youth Criminal Justice System and analyze how public policy and public sentiment work together to legitimate the identification and management of specific groups targeted as problematic. In the end, we theorize on the place that children and youth hold in the global world and argue that global capital creates a context in which the labour of children and youth is vital to global economics but devalued in the eyes of the world. We relate the ideological condemnation of children and youth by the justice system to their exploited place in the global labour market.

Keywords: Children, labour, exploitation, justice, youth

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Globalization and Public Policy

In an era of expanding globalization, governments and industry have considerable interest in plying an ideology that has changed the way Canadians view the need for social programs and the government's ability to provide them. In neo-liberal democracies, the voting public comes to believe that the measures taken by government, in fostering global participation and free market competition, are both unavoidable and in the best interests of Canadian citizens. Public acceptance of the need for fiscal and social reform necessarily precedes government policy changes because an unbelieving public can, and may, remove its support through the electoral process.

In recent years, policy changes implemented by the Canadian government, including the reduction of monies spent on health, education, and social programs, have directly influenced the youth criminal justice system[1]. As well, recent governmental policies have shifted responsibilities for the application of social program funding to provincial governments, a fundamental change in governance done under the name of increased grass-roots democracy. The federal government has affirmed that the new policy allows provincial governments greater decision-making power, and a greater voice in policy development and implementation of services than in the past, jurisdictional changes that are needed in the new era of globalization and global politics.

The trend towards decentralization and business liberalism has its roots in the Conservative agenda of the late 1980s and may be seen in the creation of the Established Program Financing which trimmed transfer payments, as well as decreased equalization payments to the provinces. This trend continued with the election of a majority Liberal government whose 1995 budget sought to reduce the deficit by 13.6 billion dollars over two years through a combination of spending cuts and modest tax increases. Social security transfers to the provinces were targeted as the primary recipient of governmental cutbacks (Johnson, 1997). The federal government reduced monetary transfers to the provinces by 2.5 billion dollars in 1996-97 and 4.5

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[1] The direct impact of governmental policy changes on the Canadian youth criminal justice system is discussed in detail on the following pages.

billion in 1997-98. This followed an initial cut of 1.5 billion dollars in transfer payments in 1994 and a decrease of 5 billion dollars to the Canadian Assistance Plan and post-secondary education and health in 1994-95. As well, a new block fund, the Canadian Health and Social Transfer program, was created through the amalgamation of the Canadian Assistance Program and funding for health and post-secondary education.

The result of these policy changes has been that provincial governments are now confronted with the task of providing fiscal support to a myriad set of social groups vying for increasingly scarce resources. Provincial governments now have the task of deciding how to best manage and allocate limited resources to competing social institutions, business, and community groups. Those representing post-secondary education and health are now competing for economic support with groups who represent the interests of social welfare programs. The result is:

> [that] provincial governments are likely to see fit to forgo funding for unpopular social assistance programs to benefit popular healthcare and post-secondary educational programs. In addition, provincial health and educational establishments are likely to be more effective in pressuring cash-strapped provincial governments for scarce resources than groups representing marginalized people (Johnson, 1997, p. 181).

While the general consensus in contemporary politics is that decentralization is a framework for greater participatory democracy, one could readily argue that an overt policy of decentralization is indeed a hallmark of a weakened democracy as the state loses its ability to provide basic necessities for its citizens and the ability to enforce human rights provisions, especially for its most marginalized citizens (Muncie, 2007; Bourdieu, 1999). As the globalized state loses its influence, it becomes increasingly vulnerable to corporate influence and, in effect, it loses its politics (Brownlee, 2005; Carroll, 2004; Robbins, 2005). The losses it experiences disappear from the public consciousness as the decentralization of power forces provinces to turn to austerity to survive. Neither the federal or provincial jurisdictions hold on to the ability to provide for citizens. They turn their ire on one another in desperation. In the end, care is replaced by surveillance and punishment, the hallmark of the neo-liberal state (Bonelli, 2007; Giroux, 2003).

The public's acceptance of the inevitability of globalization has been accomplished through the concerted efforts of both business groups and government via their continuing emphasis on deficit reduction and debt control strategies. This strategy was clearly stated in the October 1994 Green

Paper on social policy reform when Lloyd Axworthy, then Canada's Liberal Party Minister of Finance, and an avowed liberal himself, stated that "the debt needs to be tackled before it causes real damage to jobs and security…all levels of government must reduce spending, including spending on social programs."(Johnson, 1997, p.178). Canadians' "democratic" acceptance of the idea that globalization is both inevitable and beneficial enabled the government to set a deficit reduction and debt management agenda. In order to meet this agenda, Canadians had to be convinced that cuts in social spending were necessary to ensure that business interests remained in Canada and that Canada did not fall behind in the competitive new free market. Canadian business groups, through the use of the media, and a government whose clear mandate was, and continues to be, deficit reduction and debt management, created an ideology that undercut the Canadian ideal of universality of all social programs and the states' ability to provide them. As Finn (1997) states:

> *…by far the most effective weapon in the corporate propaganda armory has been the portrayal of government debts and deficits as the greatest evil since Adam's original sin. This falsehood, repeated endlessly by business executives and their academic, media, and political allies, has deluded most Canadians. So much so that they now believe they are the guilty ones – that it is they who have driven their governments into debt by demanding "lavish" social programs and public services that the country really couldn't afford and now must be dismantled (1997: 30).*

Fiscal Restraint and Youth Jeopardy

As the ability of the state to provide for its citizens diminishes, the welfare and the civil liberties of the most vulnerable citizens become eroded. Canadian youth, we contend, represent the most marginalized of Canadian society in terms of democratic rights and in terms of the actual human condition[2]. This marginalization is increasingly, and arguably, the result of governmental policy which promotes business group interests at the expense of social programs and ultimately at the expense of youth or gives over to business and the state the implicit right to set the social agenda

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[2] Critics may argue that other groups in Canadian society may be more marginalized based on race or gender. While we acknowledge that other groups in Canadian society face marginalization it is important to note that youth make up a significant portion of any group identified by race, gender, ethnic, or cultural characteristics.
    e also acknowledge that the treatment of youth in Canada is not unique and that youth throughout the industrial world have been impacted by the policies and programs implemented in the name of globalization and the free market. We use Canadian youth as an example of how this process works.

(Bourdieu, 1998; Giroux 2003). Males (2000) has argued that, in effect, the baby boom generation is protecting its financial legacy by ensuring that social programs that support young people do not drain the collective resources of the powerful, ruling generation. We argue, more importantly, that young people actually bolster the economy to their own detriment as they provide very cheap, unsecured labour, and a fertile consumer market. This happens relatively easily, in part, because youth, through their exclusion from participation in the electoral process, have no legitimate means of voicing concerns or influencing policy formulation and implementation in areas that directly affect both their life choices and their opportunities for success (Cote and Allahar, 2006; Schissel, 2006; Giroux, 2003). They are rather easy to ignore and, as we will come to see, their rights to safety and security are essentially off the radar screen of human rights discourse.

The general disenfranchisement of youth is accompanied by a rather stark public demonization of youth as a dangerous culture. For example, business interests, through their control of the media have consistently offered pictures of youth as potentially dangerous, violent, and morally bereft (Giroux, 2003; Glassner, 1999; Schissel, 2006). This portrayal of youth serves an important function for business interests in the quest for the reduction of social program expenditures. If the general public views youth as dangerous and criminal they are less likely to be sympathetic to the increasingly dire economic situation that today's youth face. This economic situation is the direct result of cuts to social programs implemented by the federal government at the insistence of business groups who have successfully lobbied against welfare liberalism (Brownlee, 2007; Burman, 1996). Further, by successfully marginalizing youth, the state is able to undercut social programs that target youth in particular. As Greg Stevenson articulates:

> *Most youth at risk cases start in the public school system of in community-based extra-curricular programs. While there are differences from province to province, it would be safe to say that most youth at risk are first identified by teachers or school counselors. They are often then placed in school-based remedial or alternative learning environments where their special needs are better addressed through a variety of approaches; smaller class sizes, increased supervision, regular contact with a counselor, slower learning pace, and so on…The problem with school-based services for youth at risk is that public education funding has been significantly reduced in Canada's decade-long battle to wrestle government deficits under control. As a result, smaller class sizes, increased supervision, and school counselors are more difficult to come by…In some cases, not-for-profits have picked up the slack left behind to cuts to school programs. These often*

> *provide family services and early interventions needed to help get youth back on a positive path … unfortunately, again due to limited resources, community programs often lack the duration and scope to have the desired and long-term impacts…*

> *Naturally, many youth at risk slip through the cracks in a system that is struggling with resources (2007, pg.1).*

Importantly, the relationship between poverty levels and youth crime is rarely discussed in media representations of young criminals. Instead, the images are of youth who are lazy, unwilling to work, and criminally volatile. This maneuver shifts attention away from issues such as high levels of youth unemployment/underemployment and poverty and instead creates an "us against them" mentality within the general public: "by creating sensationalist accounts of real-life incidents… the media has exceptional political and ideological power; they create a world of us and them, of insiders and outsiders" (Schissel, 1997, p. 2). Rabinow (1984) adds that the relationship between public policy and public sentiment forms a cyclical pattern, in which each element enlightens the other, with no starting point and no end point (1984). In other words, public sentiment and policy interact in an attempt to create the ideal situation which is both socially and politically acceptable (Cote and Allahar, 2006; Doob and Cesaroni, 2004; Disano, 2003).

Despite all of this, the state still maintains a social services framework for 'caring for youth'. Social welfare workers are imbued with the duty to care for the least fortunate. In fact, all of the youth justice acts in Canada, to date, have social welfare provisions that ostensibly help keep kids out of jail. The new Youth Criminal Justice Act has an expressed mandate to divert children and youth into programs that provide fundamental alternatives to the criminal justice system. Quite clearly, such alternatives are those provided by the social welfare system: social workers, group homes, foster homes and the like.

There are two problems with the social welfare component of youth justice, one obvious and one insidious. The obvious problem is that in the neo-liberal era, social welfare spending is anathema to "good" business and the collective welfare. Consequently, states cut back on the social safety net as a result of internal and external forces. The second, and more dangerous, problem is that social workers live in an untenable world in which their day-to-day work is so fragmented and difficult that they become demoralized and unable to effect change. As Bourdieu has rightly noted, what we observe today is:

> *the precarious state of 'social workers' mandated by the state (or municipalities) to assure basic public services, health and education in particular, for the most disadvantaged populations in housing projects or slum areas that have increasingly been deserted by the State. These agents of the state are shot through with the contradictions of the State, which they often experience as profoundly personal dramas: contradictions between the often endless missions entrusted to them, especially in their own actions, such as those resulting from the hopes raised and then dashed by the educational system.* (Bourdieu, 1999, p.184)

In the end, the social safety net and the workers within become scapegoats for a welfare system that cannot work. And, the inability of the system to adequately care for needy citizens becomes the rationale for turning over the "problem of people" to the justice and punishment realms. The implicit logic is that if the alternative measures provisions of the Youth Criminal Justice System cannot do the job, then the jails and the courts can and this appears to be the case, both historically and contemporarily. As we peruse the historical development of youth justice in Canada, it is clear that the criminal law dimension of youth justice gains currency and power over time, especially in North America. Recently, the Attorney-General of North Dakota, in a conference on the Crystal Meth epidemic in western North America, indicated that his state has had to build more prisons to deal with this new drug problem. The budget for the North Dakota penitentiary system doubled over seven years. In his words, "We had to, in addition to that, construct a whole new women's prison, just for the women inmates, just about all of whom are there because of meth addiction problems, or meth manufacturing problems." (Canadian Broadcasting Corporation [CBC], June 10, 2005, *http://sask.cbc.ca/regional).* Clearly, politicians cannot, or will not, pursue perceive drug use and abuse as problems of individual and collective health opting instead to define drug abuse as a problem of crime. Importantly, as well, the war on crystal meth use is rather over war on use by children and youth when, in effect, the greatest proportion of users are adults. While, drug abuse is serious for young and old, the attack and the ensuing public panic places the young "offender" at the centre.

In response to public issues such as youth drug use, the evolution of the youth justice system in Canada has been slow, subtle, and increasingly harsh. The transformation of a system based on child welfare, through as system of human/legal rights, to a current system based on public safety has been accompanied by moral panics in which public opinion and political opinion are coterminous, and often ill-informed. For example, the driving force behind the Youth Criminal Justice Act of 2003 was a widely-held belief

that youth crime was increasing in Canada, that violent acts by youth were becoming more heinous, and that a lenient justice system was the root cause (Bell 2004; Schissel, 2006).

A History of Canadian Youth Justice

A brief history of youth justice in Canada illustrates the relatively unfounded nature of justice social policy. We surmise that if the facts do not support the reality, if youth crime is not out of control—statistically, youth crime ebbs and flows without a general increasing trend - then social policy is driven by something other than forensic logic. And, this is our thesis: the formal social control of children and youth is driven by ideological forces that are only remotely associated with the forensic calculus of punishment and control.

Most importantly, children and youth in a global world are faced with exploitation in the labour market, with dangerous military duty in global conflicts, victimization of adult aggression and neglect, and are global super consumers (Schissel, 2006; Sutherland & Thompson, 2003). We argue that, in this global context, the marginalization of youth is not inadvertent, and the condemnation of young people creates an ideological framework in which exploitation, both economic and physical/mental is acceptable. The question remains as to the process(es) through which condemnation occurs in covert, legitimate and ostensibly incontrovertible ways. The historical development of the Canadian youth justice system, with its transformation from the Juvenile Delinquents Act to the Young Offenders Act and now the Youth Criminal Justice Act is a clear example of how this process works.

The Evolution of the Canadian Youth Justice System

Early Canadian pioneers valued their children as important assets and treated them as such. They tended to be treasured and indulged by parents and community[3] . This, however, began to change with the influx of immigrant children from Europe in between the late seventeenth and early nineteen centuries (Alvi, 2000, Bell 2002). These children, who often arrived

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[3] It is important to note here that this view of children as members of society to be treasured and indulged focused on the treatment of primarily white, Anglo-Saxon children. The abuse of First Nations children begins during this time period with farmers and continues through the 19th century. During the early 1800s the Department of Indian Affairs removed First Nation children from their homes and relocated them on farms where they were to receive training in the civilized art of farming as it was then considered. The farmer was paid a year's wage for the child's room and board. In other words, the farmer was paid for the child's servile labor (Henderson in Battiste, 2000).

in Canada without parents, came to provide cheap labor on farms or for the newly emerging class of industrial entrepreneurs, were often viewed as homeless waifs with questionable backgrounds and were held responsible for the majority of youth deviance (Schissel, 1993; West, 1984). The children who received the majority of attention from the criminal justice system were poor and neglected and were considered 'problem children.' (Schissel and Wotherspoon, 1993; Curry, 1986).

Youth delinquency, during this period, was comprised of mostly minor offences and consisted primarily of "violations of local ordinances, nuisance offences, vandalism, petty theft, and breaches of the moral laws" (Carrigan, 1998, p. 25). However, punishment for these infractions was often severe and included whipping, incarceration in work houses, indefinite incarceration, being held in custody until a fine was paid, or in the most severe cases, being hanged (Alvi, 2000). In fact, youth could be punished if it was deemed they had the potential to offend (Schissel, 1993). The inconsistencies in punishment, both in severity and duration, were indicative of the disorganization found within the criminal justice system at that time. During that period, children were considered to be "adults in training" and were assumed to have the same levels of understanding of right and wrong (Carrigan, 1998). Therefore, children who broke the law were tried in concurrence with the same principles of law as adults and were often incarcerated with adults. However, during this time period social changes were taking place that would have a major impact on the way children were both seen and treated. The rise of industrialization, the development of the "child saving" movement, the development of the nuclear family, the implementation of compulsory education, and the creation of child labor laws led to the development of a juvenile justice system to deal with children who broke the law.

By 1908 the enactment of the Act Respecting Juvenile Delinquents (later transformed into the Juvenile Delinquents Act) represented a criminal justice system that placed the root causes of delinquency in the child's environment and posited that the solution was to have the state replace parents who failed to control and properly socialize their children. With this in mind, judges were guided to treat juvenile offenders as "misdirected and misguided" children who needed "aid, encouragement, help, and assistance" (Juvenile Delinquents Act, s.38). However, criticisms of the Act developed and included the argument that many of the humanitarian goals were weakened because of weak language, a lack of guarantee for due process, the inclusion of a wide variety of status offences, and the potential for judges to invoke a wide range of dispositions (West, 1984). By the 1960s

enough questions and issues arose to warrant a re-examination of the legislation (Hylton, 1994).

The Young Offenders Act

The Young Offenders Act, implemented in 1984, was created in response to a growing public dissatisfaction with its predecessor, the Juvenile Delinquents Act. This dissatisfaction began to make itself heard during the 1960s and was precipitated by two factors. According to levels of juvenile crime were rapidly rising as the post-war baby boom generation reached adolescence (Tanner, 1996). Also many juveniles, like their adult counterparts, were repeat offenders. This combination of increased rates of delinquency and recidivism undermined the pubic faith in the rehabilitative measures of the Act. If rehabilitative measures were not working, then stricter and more punitive measures were needed. However, not all opponents of the Juvenile Delinquents Act argued for a more punitive Act. Others argued that the civil rights of children were compromised under the Act and that legislative changes were necessary to guarantee these legal rights. Concerns were raised because many of the juveniles charged had their cases heard without the benefit of legal council (Tanner, 1996). Criticisms were also directed at the ability of judges to impose indeterminate sentences on youth who appeared before the court (Bell, 2002).

Another issue of contention was the lack of consensus between provinces on the age of which youth could be charged under the Juvenile Delinquents Act. This meant that a 16-year-old could face youth court in one province while another 16-year-old charged with a similar offence would face adult court with potentially higher penalties, in another province. Lastly, the nature of status offences and their role in the dispensation of juvenile justice came under scrutiny. Critics argued that the inclusive nature of status offences meant that youth could be charged for committing a delinquency rather than a specific offence (Griffith & Verdun-Jones, 1994, p. 604). This policy came under attack when research showed that early and formal contact with police and the justice system resulted in an increase in the likelihood of criminal behaviour in adulthood; status offences increased, rather than decreased, the probability of future law-breaking. Tanner eloquently summed up the competing criticisms leveled at the Juvenile Delinquents Act when he stated:

> *With hindsight, it can be seen that the welfare-oriented Juvenile Delinquents Act was under attack from both ends of the political spectrum. Conservatives grew to dislike it because if was ineffective in curtailing the*

rise of juvenile crime, while liberal and left-wing reformer in the legal and 'caring' professions worried that the civil liberties of young offenders were threatened by its paternalistic mandate (1996, p. 202)

The Young Offenders Act attempted to address criticisms directed at the Juvenile Delinquents Act. The civil liberties of youth were now legislated, the right to legal council was guaranteed, status offences were abolished, the age of minimum criminal responsibility was increased from 7 to 12 years of age, a national standard of 17 years was established as the maximum age limit for young offenders, and the replacement of indiscriminate sentences with a maximum sentence of 5 years was implemented. As well, publishing or broadcasting the names of youth charged under the Act was prohibited in an attempt to protect the youth from public sanctions. The mandate of the Young Offenders Act was to ensure national standards in the treatment of youth in the Canadian justice system through the establishment of legal principles for the treatment of youth between 12 and 18 years of age. Each province, however, was given the constitutional right to implement its own administrative organizations.

Whereas the Juvenile Delinquents Act was based on a welfare model that maintained that environmental influences such as poverty, difficulties with schooling and family, and poor moral training caused juvenile delinquency, the Young Offenders Act adopted very much a judicial rights perspective, what has been defined as a modified justice model:

> *The major point of departure from its predecessor is that the former is predicated upon the idea of individual responsibility and accountability for wrongs done, whereas the guiding principle of the Juvenile Delinquents Act was that responsibility and blame for juvenile misconduct rest fairly and squarely with negligent and deficient parents and with the community at large* (Corrado and Markwart, 1992 in Tanner, 1996, p. 203).

The 1984 implementation of the Young Offenders Act failed to ameliorate the concerns of critics who argued that the youth justice system continued to avoid the issue of the perceived increase in crime rates for Canadian youth. The harshest critics, usually found within groups who followed a "law and order" ideology, such as police organizations and victim's rights groups, argued that the Young Offenders Act lacked punitive power and placed undue emphasis on the rights of the offender while ignoring the rights of the victims and families of crime. More lenient critics believed that the problems with the Act had roots, not so much in the Act itself, but in the administration of the Act. They charged the provinces with failing to implement some of the more treatment-oriented provisions found within the

Act. Provincial administrators countered by arguing that the Act was a complicated piece of legislation and difficult to make work (Tanner, 1996). Throughout the years numerous amendments were implemented to deal with the criticisms aimed at both administration and content of the Act (Bell, 2002).

The Youth Criminal Justice Act

Bill C-68 was introduced in the House of Commons on March 11th, 1999 as the Youth Criminal Justice Act and came into force in April of 2003. The new Act attempted to address concerns put forward from both those who argue for more punitive actions and those who argue for the need for special considerations for youth who come into conflict with the law. Public safety and security are now at the core of youth justice, including the possibility for strong punitive measures to be employed for youth who are considered dangerous, violent, or habitual offenders. According to the Department of Justice Canada (1999) the primary features of the new Act address the following issues: the strong use of community sentencing measures for youth in conflict with the law; use of diversion by both police and prosecution; and a new, intensive rehabilitation custody and supervision sentences available for offenders convicted of presumptive offences. The new sentences also apply to youth with mental illnesses, psychological disorders, and emotional disturbances. This allows youth-justice court judges to direct treatment and programming.

Additionally, the new Act incorporates the option for youth receiving adult sentences at the age of fourteen years and older and for youth with patterns of repeat offending, the publication of names of youth convicted of a crime who receive an adult sentence, and a provision that allows for a sentence of up to two years in jail for a parent who willfully fails to supervise his or her children when the parent has an undertaking with the court (Department of Justice Canada, 1999).

In an attempt to increase the punitive ability of the criminal justice system and to appease those who argue that the justice system treats youth too leniently, the Conservative government, in November of 2007, introduced proposed changes to the Youth Criminal Justice Act that would allow for more youth to be tried as adults. Other key changes to the Act include tougher sentences for convicted youth, the allowing of pre-trial detention, tougher bail conditions on repeat offenders, and allowing the courts to

consider deterrence and denunciation as objectives of youth sentences (CTV, 2007). Justice Minister Rob Nicholson claims that violent young offenders must be held accountable. He stated:

> *These amendments to the Youth Criminal Justice Act are intended to help hold young lawbreakers accountable to their victims and their community, and instill within them a sense of responsibility for their delinquent or criminal behaviors* (CTV, 2007).

Historical Overview

Quite clearly, youth justice reform in Canada has served to erode the protection/welfare philosophy towards children and youth and has replaced it with a societal safety, just-desserts agenda (Giroux, 2003; Hogeveen and Smandych, 2001). In essence, the historical development of a Canadian criminal justice system designed for youth appears to represent a transfer from the notion that children were essentially "adults in training" to a belief that children were in need of protection and welfare, to an attempt to balance the needs of youth with the rights of society in regard to public safety. In recent years however, it is arguable that youth crime legislation reflects an increasingly tough social attitude that youth should be held accountable for their deeds and that parents should be punished for the delinquent or criminal actions of their offspring. As a result: "the focus of policies to curb youth crime seems to be increasingly on families and individuals rather than society as a whole (Alvi, 2000: 38). Further, Giroux (2003) has alerted us to the reality that the politics of individualization—that crime lives within individuals or their kind-- is accompanied by state policy that valorizes and privileges "privatization, deregulation, consumption, and safety (p. XIX). It is interesting in this context that increasingly punitive youth justice laws accompany increasing corporate sovereignty and increasing campaigns by corporations to target youth as the new super-consumers.

The Global Context and Exploitation of the Young

As we argue for the correlation between global corporatism and punitive youth justice policy, we feel compelled not only to defend the argument that modern-day youth are demonized, reviled and exploited (Grossberg, 2001) but also to place the demonization of kids in a causal context in which demonization creates the ideological conditions under which children and youth lose their civil liberties to the vagaries and demands of global capital. The global context in which public policy tends to increasingly condemn and

marginalize youth is characterized by three incontrovertible phenomena: the military exploitation of children and youth, child and youth labour exploitation, and children and youth a super-consumers in both the developed and developing worlds.

Young People and War

In the last ten years, the western world has been bombarded with "otherworld" images of children with machine guns, youthful soldiers exploited by those who advocate holy wars, and of boys and girls used both as front-line soldiers and as human shields in civil/territory wars. Child soldiers are being used in more than thirty countries around the world, most noticeably in Colombia, Sierra Leone, Sudan and Uganda (Cohn & Goodwill-Gill, 1994). These practices garner almost universal condemnation, and surely, they are to be abhorred. Unfortunately, the western world has used and continues to use its distance from such practices as a means to hide a not so dissimilar orientation to children and youth.

During the American invasion of Iraq (2003) George W. Bush stated several times that the young people of America are to be commended for their bravery and loyalty to the United States. Without apology, and in fact with bravado, the American administration openly admitted that young people fight and die in wars while, by implication, older, more powerful people sit back and command them to do so, and they offer the opportunity to young people as if it were a privilege. This age-based injustice is compounded by the reality that those who orchestrate and administer military actions rarely send their "own kind" off to fight. The reality is, like most wars, the children of relatively poor, racially visible, and politically marginalized families fight and die; the children of the powerful do not.

Most significantly, the legacy of war is most severe because those who are commanded to kill are so young, in many cases young enough that they have not had the chance to develop the fortitude to withstand the trauma and guilt they experience. Ironically, it is youthfulness that makes adolescents such pliable soldiers. In Viet Nam, most recruits were drafted at eighteen or younger. In the end, soldiers at all levels of the military bureaucracy know that young people are sacrificed at the altar of war.

The Ideology of Militarism and Incorrigible Youth

Politicians and military leaders most often frame military participation in terms of patriotism, character building and the preservation of democracy.

The presumption in the rhetoric of military conscription and assignment is that soldiers voluntarily and willingly agree to put their lives on the line for their country. As such, voluntary military involvement is consistent with the principles of democracy and with the western ethos of individualism. The unspoken reality, however, of becoming a soldier is that the problem of employment is temporarily and sometimes permanently resolved. This instrumental economic reality is true especially for young people in general, and more so for young people who live on the margins of the political economy.

That most soldiers, especially in the post World War era, are drawn from the ranks of poor and disadvantaged, is understandable when we consider that participation in war, is, in part, an artificially-created solution for youth unemployment. Youth are, in general, exploited in the labour market, they are a reserve army of labour to be drawn upon when required, and their employment is typically poorly paid and void of benefits. They are, in effect, a pool of exploitable labour without the political or democratic power to resist. Further, the children of wealthy parents do not end up fighting wars because they do not have to. This privilege results, in part, from the ability of well-healed and powerful people to provide high life chances for their offspring, through prestigious education, through direct occupational privilege and through inheritance. The children of poor, economically marginal parents fight wars because the military offers life chances, albeit largely temporary, that the economy cannot. Poor children and youth, as soldiers, are in effect indentured to the country and the fact that they are the most endangered by war is an unspoken and implicitly accepted reality. If the military is the best job youth can find, then those are the jobs they merit. Western meritocracy is a very powerful ideological machine.

Children, Youth, Labour and Consumption

The exploitation of children and youth in the military is very similar to exploitation in the labour market. One of basic human rights in Canadian society is to be able to work in a safe a secure environment for adequate wages. These rights are to accrue to everyone despite social characteristics. Although we often violate the legislation, we do legislate protection from labour exploitation for children, especially given our knowledge of how industries have historically exploited children for profit and how children are being exploited throughout the world. Despite the United Nations declaration on the Rights of the Child in 1989, 250 million children worldwide work long hours in hazardous conditions (Parker, 1997). In general, however, adolescent labour, as opposed to child labour, in most

countries is considered a normal part of the transition to adulthood. What is rarely acknowledged, however, is that like child labour, youth labour is highly exploitative, wages are generally low, benefits are non-existent and on-the-job injuries are relatively common. In fact, young workers are more likely than their adult counterparts to be injured on the job and their injuries are relatively serious (Dunn & Runyan, 1993). Furthermore, the industries that use youth labour (the fast food industry is a typical case in point), rarely provide the training and safety standards that are considered fundamental in the adult work world (Reiter, 1996). Even some of the most innocuous appearing child and youth jobs have high safety risks. Newspaper delivery is second only to agriculture in terms of hazards from employment. News carriers are at risk from both traffic/pedestrian accidents and from being on the street at unusual hours, times at which children may bay at risk from criminal activity (Landrigan & McCammon, 1997).

The above arguments apply to adolescents working in legal conditions. The tragedy of adolescent health and labour, however, is most apparent in the research on hidden work, primarily youth working in illegal conditions. The employment of children and youth under illegal conditions is increasingly common in Canada and the United States (Basran, Gill & MacLean, 1995). This trend is undoubtedly tied to increasing rates of poverty amongst children and the increasing exploitation of immigrant labour (Landrigan & Belville, 1993). In the United States, at least 70% of work related injuries occur to children and youth who are employed illegally, and their rate of injury is 10 times that for children and youth employed legally. In Canada, agricultural labour is common and almost culturally normative. However, the existing evidence suggests that Canada has one of the highest accident mortality rates in the industrialized world and that in agriculture-based provinces like Saskatchewan, the accidental death rate for 15-19 year olds is almost twice the Canadian rate (Glor, 1989).

The Ideology of Employment and Human Rights

The situation of exploitative child and youth labour is juxtaposed against a global human rights argument that youth should have the same access to the labour market as adults with the same privileges and protections. The fundamental assumption here is that work is an integrative act that provides skills, experience, and community connectedness. The obvious and indeed unspoken question is why moral societies would disallow youth the same labour rights and privileges that it extends to adults. In fact, this is a rather universal situation; youth unemployment is higher that adult unemployment in almost all countries which report labour statistics. The

International Labour Organization has recently released the findings of an international study that concluded that worldwide youth unemployment is at an all time high; half of the world's jobless are between the ages of 15-24 while this age group constitutes only 25% of the total world labour force. The situation is compounded by the fact that the young people worldwide who are employed are largely working poor who work long hours but are unable to earn enough to lift themselves beyond the merest levels of poverty (International Labour Organization [ILO], 2004). The rising rate of youth unemployment is compounded by the finding that youth unemployment is excessively affected by labour market lows; an increase in 1% in the adult unemployment rate is accompanied by an increase in 2% in the youth unemployment rate of youth in countries for which the International labour Organization has data (O'Higgins, 2001).

In the end, the rhetoric of labour and character-building frames the debates surrounding bad kids. Work is presented as the panacea for idle youth and a learning context for discipline and life skills. Work camps, boot camps, and community service/work become the focal points for debates about creating better young citizens. Our arguments in this paper have shown, quite clearly, that military and civilian labour are counterproductive contexts for the development of young people and, in many ways, are projects that involve exploitation and carnage.

The Creation of a Kids Consumer Culture

The third and probably most invidious global youth phenomenon is child and youth consumerism. Corporations target children and youth as super-consumers, as a new and fertile market for everything from clothes to cigarettes. In fact, the Disneyesque world of entertainment and consumption has created a global context in which children and youth are the new super consumers:

> *In the space of some thirty years, the role of children in American life changed dramatically; they became, and remain, the pillars of the consumer economy, with economic power rivaling that of adults. Children have become a main target of advertisers; as one marketing specialist told the Wall Street Journal. Even two-year olds are concerned about their brand of clothes, and by the age of six are full-out consumers.* (Robbins, 2005, p. 27)

In addition, western educational systems create the structure of status and merit which is the ideological structure upon which consumerism flourishes:

> *The links between the organization of secondary education, the resulting youth culture, and American consumerism are not trivial or secondary matters. These are the key features of American consumer capitalism. Perhaps the thing that American secondary education teaches most effectively is a desire to consume. This is not primarily accomplished via the formal curriculum, but through the status concerns and peer groups that intensify during adolescence* (Milner, 2004, p. 8).

In reality, children and youth take the money that they make working for minimum wage in the garment and fast food industries, as examples, and spend it on clothes and food from those same industries. In the end, their labour is free and their wages are substandard food and trendy clothing.

Conclusion

The three global components of the lives of children and youth, labour, consumption and military involvement sustain global capital. The labour is free, dangerous, and in violation of all universal standards of the rights of children and youth. This international backdrop helps us understand why so-called progressive societies like Canada and the United States can maintain and invest in draconian youth justice systems that foster future crime and create public panics. The demonization of kids creates an ideological compass upon which harsh law and order campaigns gain legitimacy. Our contention herein is that Canada's Youth Criminal Justice Act is a textbook example of how the state withdraws from fundamentally caring for children and youth —and, in fact, creates war on kids-- as it fosters global capital. This statement implies a rather premeditated, somewhat conspiratorial connection between capital and politics. Whether this is true or not is relatively unimportant. What is important, however, is that the state creates the conditions under which business ostensibly flourishes—low wages, low taxes, withdrawal of public spending, and heightened efforts at social control. The abusive discourse which accompanies a neo-liberal agenda is fraught with direct and metaphorical referents that condemn the already condemned, relegates them to lives of public attack and continued marginality, and scapegoats them for a myriad of societal ills. Young people are very much representative of the prototypical modern scapegoat.

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