POLICING ETHNICITY:

A CRITICAL ANALYSIS OF THE USE OF ETHNIC IDENTIFIERS IN THE POLICING OF ORGANIZED CRIME IN CANADA

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Abstract

This is a critical analysis of the intelligence process used by Canadian law enforcement in the policing of organized crime. Drawing on a constructionist perspective supplemented by critical race theory, Foucault's concepts of power-knowledge, governmentality and Marxist criminology, it is argued that commonsense knowledge about organized crime is historically linked to ethnicity. This knowledge is (re)produced within and through the intelligence process. An extensive critical discourse analysis of materials produced by the Royal Canadian Mounted Police and the Criminal Intelligence Service of Canada between 1996 and 2006 identifies representations of "what" organized crime is and "who" are identified as priorities. An analysis of the intelligence process drawing on interviews with law enforcement personnel situates this discourse within the context of processes and practices. The goal is to illuminate how the discourse and related processes are both constituted by and contribute towards processes of ethnicization and criminalization.

Dedication

In memory of my *E Ma*,

Sophia Jung.

You are always in my heart.

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Introduction

Organized crime is almost synonymous with the Sicilian Mafia, Chinese Triads, Japanese Yakuza or Columbian Cartels – a cast of ethnically homogenous and formally organized criminal groups. Ethnic identifiers are frequently attached to popular ideas of what "organized crime" is. The perception of "organized crime" as an ethnic phenomenon permeates North American society through fiction and films, but also through official and academic discourse – this despite substantial evidence that challenges this understanding. Historically, this ethnic association has been rationalized by authorities based on the perception of groups of individuals engaging in criminal activities in ethnically homogenous societies, enclaves or neighbourhoods. More recently however, these ethnic identifiers have been identified as less useful for policing as law enforcement discourse focuses increasingly on themes of "transnationality" and the blurring of ethnic boundaries among those engaging in these activities. This changing focus appears explicitly in the Criminal Intelligence Service of Canada's (CISC) 2005 *Report on Organized Crime in Canada*, which states that "organized crime" membership is more fluid and is "becoming ethnically diverse...with diminishing linkages to culture, language and homelands" (Criminal Intelligence Service Canada [CISC], 2005: iii). This appears to challenge the popular conception of "organized crime" as perpetrated by ethnically homogenous groups. However, the same report continues to refer to groups by broad ethnic labels such as "Asian organized crime."

In questioning the use of ethnic identifiers in police discourse, it is necessary to step back and critically examine *why* and *how* this association between ethnicity and organized crime has become ingrained in the mainstream commonsense knowledge of "what" organized crime is and "who" engages in it. The commonsense or popular

understanding of organized crime as ethnically homogenous, hierarchical criminal organizations that threaten "legitimate society" has origins in the early to mid-twentieth century. Through a series of hearings in the United States, organized crime became associated with the Sicilian Mafia and its transplanted North American version, La Cosa Nostra. According to Potter (1994), this understanding has become "pluralist" by incorporating new ethnic groups beyond Sicilians and Italians (cited in Woodiwiss, 2001: 308). This pluralization of the organized crime problem reflects the increasing diversity of many countries from immigration. The identification of transnational organized crime as a priority is also a reflection of concerns and anxieties over the perceived loosening of national borders. However, at the core of these new understandings of the organized crime problem remains an actor-centric notion that associates organized crime with organizations composed of "ethnic" minorities. Consistent with CISC's acknowledgement that the use of ethnic identifiers is problematic, there have been numerous studies disputing its validity and utility, even from law enforcement itself (see, e.g. Chatterjee, 2005; Canadian Centre for Justice Statistics [CCJS], 2002: 17). This leads to a question of why a link between organized crime and ethnicity has remained intact. This is the starting point for this thesis.

While other criminalized behaviours and police practices have come under study and critique for their disproportionate impact on racialized and ethnicized communities,[1] organized crime has remained largely immune to the same treatment. The identification of certain ethnicized groups as the usual suspects associated with particular forms of criminality, such as "Muslims" as potential terrorists and young black men as

[1] Throughout this thesis I use the terms racial and ethnic often coupled together. As is discussed in chapter three, these refer to different concepts that are connected to each other. Although my focus is on ethnicity in this thesis, the use of the terms *race* or *racialized* in conjunction with *ethnicity* and *ethnicized* emphasizes the racialized nature of ethnicity and the ethnicization process.

perpetrators of violent street crime, has resulted in disproportionate attention to, and unequal treatment of, these groups by law enforcement.[2] But how does this differential treatment reconcile within the official Canadian discourse of multiculturalism? Part of this discourse is the narrative of colour-blindness that makes discrimination based on "colour" rhetorically implausible. Equality and harmony are assumed to be the norm in Canadian society. Multiculturalism and colour-blindness are viewed as fundamental Canadian values and are ingrained in a sense of Canadian identity, often invoked to distinguish Canada from the United States. However, "difference" is a significant feature of this discourse. Through multiculturalism, the terms "visible minority" and "ethnic" have emerged as acceptable euphemisms for "race" and indicate difference from the dominant or mainstream culture. Differences are often signified by ethnic narratives – sums of unique essentialized characteristics or stereotypes associated with a certain "ethnic" identity. Sometimes, expectations of criminal behaviour are part of ethnic narratives. These narratives circulate in public discourse as commonsense knowledge or "truths" about ethnicized groups and therefore rationalize or legitimize practices popularly referred to as racial profiling – the targeting of individuals based on their (perceived) race or ethnicity. Because of the discourses of multiculturalism and colour-blindness, it has been difficult to acknowledge discriminatory practices such as these. However, increasing media coverage in the 1990s of racial profiling at the street level, and more recently in the context of the domestic "war on terrorism," has raised public awareness that Canadian society and its criminal justice system may not be colour-blind. In light of this, it may be surprising that the policing of organized crime – long associated

[2] There is a parallel of the policing of terrorism to that of organized crime. The casting of organized crime as a "serious" form of criminality (and of transnational organized crime as a national security issue) has resulted in the provision of additional law enforcement powers of investigation akin to those available in terrorism investigations (see Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar [Arar Inquiry], 2006a).

with ethnicity – has not received the same critical public or academic attention. This is important because, as the racial profiling literature notes, this practice has become increasingly significant with the shift in policing strategies in the late twentieth century towards the prevention of crime in a proactive orientation (see e.g. Harris, 2002).

The emergence of intelligence-led policing (ILP) in recent years perhaps represents the epitome of this proactive and preventative approach. ILP is a model that directs enforcement operations at the "usual suspects" – those believed to be responsible for the most crime. Appealing to rational and objective methods, this targeting is determined through assessments of risk and threat posed by individuals and groups. The establishment of ILP as the current dominant framework in Canada (as well as most western countries) therefore raises issues in terms of the potential for policing practices under this model to disproportionately target racialized and ethnicized communities because of the possibility for ethnic narratives to inform perceptions of risk and threat. Seeking to address this in the context of organized crime, there are several questions framing this thesis research: How is organized crime represented in Canadian law enforcement discourse? What role do racial/ethnic identifiers play in this discourse? How is this discourse reconciled with the discursive framework of Canadian multiculturalism? What role do the discourses of organized crime, race/ethnicity and multiculturalism play in the intelligence-led policing process?

This thesis research examines the contemporary representation of the organized crime problem in Canada and the process used to police individuals and activities associated with it. I argue that "organized crime" is partly a racialized/ethnicized

construct.[3] This does not deny that the activities labelled organized crime occur or that they cause harm. Rather, by taking a constructionist approach, it means that the way organized crime is defined and perceived means that other activities and actors – such as environmental degradation by corporations or frauds committed by government officials – that do not fit the model but which may be as harmful (or more so) are not governed in the same manner. Furthermore, it does not dispute that some of those who engage in organized crime activities together, historically and contemporarily, do have shared ethnic identities and that common ethnicity can be useful in facilitating those activities. The problem is not simply that ethnicity is used as a proxy for criminal activity but runs much deeper in that the association of ethnicity with organized crime draws on problematic constructions of ethnicized groups as homogenous, static and external to the dominant society. This thesis seeks to interrogate this underlying complexity and puts the role of ethnicity into perspective by suggesting that the maintenance of ethnic archetypes as a dominant framework for law enforcement leads to a possibility that ethnicity is conflated with criminality: viewed as a static trait, ethnicity is used as an explanation or predictor of behaviour that has been socially (politically) defined as criminal. Racial/ethnic identity is then used as a proxy indicator for involvement in organized crime and can become an element informing proactive policing strategies. Although the focus is on law enforcement processes and practices, it would be overly simplistic and misguided to suggest that law enforcement deliberately targets racialized/ethnicized groups through the application of the organized crime label. The problem is much more complex and such an approach would contribute little towards

[3] From this point forward, quotation marks will not be used with the term "organized crime" but my use of this term continues to be in the context of holding it to be a problematic concept.

addressing underlying and pervasive issues of racism, ethnocentrism and xenophobia. Law enforcement processes and practices are important because in addition to their coercive powers, the police have a privileged position in society as experts on crime problems. Therefore, their presentation of the "organized crime problem" carries significant weight in how the public perceives it. At the same time, law enforcement knowledge is informed and shaped by broader social discourses, including narratives within multiculturalism. By incorporating an analysis that also problematizes "race" and "ethnicity" within the context of Canada's multiculturalism discourse, policing must be understood as just one element situated within this social context.

In problematizing organized crime and its seemingly enduring association with racialized/ethnicized groups, it is necessary to interrogate "race" and "ethnicity" rather than accepting them as objective social categories. This can provide insight into how knowledge (stereotypes) about racialized and ethnicized groups interacts with that of organized crime in sustaining particular discourses. The theoretical framework of this research and analysis is based on a social constructionist perspective and draws on Foucault's concepts of power-knowledge, the governmentality work inspired by him, critical race theory and Marxist criminology. The critical theoretical approach complements the primary methodological tool of critical discourse analysis. Discourse plays a key role in the (re)production of knowledge and is therefore the focus of this research: a discourse analysis examining the representation of organized crime within documents and statements produced by the Royal Canadian Mounted Police (RCMP) and the Criminal Intelligence Service of Canada (CISC). Because these agencies occupy a position of authority and expertise on organized crime in Canada, their discourse is significant in constituting commonsense knowledge about what organized

crime is. Discourse cannot be analyzed in isolation from the historical and social contexts in which it exists. Organized crime discourse thus shapes, and is shaped by policing practices and processes as well as broader social dynamics. There are therefore two main frames of analysis for this particular discourse. One is the construction of ethnic differences within multiculturalism and the paradoxical invisibility implied by the discourse of colour-blindness. The second context is the adoption and operationalization of intelligence-led policing in Canada, an approach that emphasizes knowledge-based targeting. These frames provide a context for examining the production, influence and persistence of organized crime discourse. Drawing on interviews with members of the Canadian law enforcement community, features of the intelligence process used by these agencies are analyzed to examine the role of ethnic identifiers in their practices. If organized crime is represented as a racialized/ethnicized phenomenon in law enforcement discourse, it affects more than policing practices. The dissemination of this knowledge as "truth" to the wider public through communications such as the CISC annual reports reinforces existing social divisions based on race and ethnicity because of the stereotypes that it propagates. This theoretical and methodological approach brings a unique lens to a subject that has not been dealt with previously in this way.

There is a substantial body of academic work dealing with the link between organized crime and ethnicity ranging from the conspiratorial to the critical. There is also significant research on policing and the criminalization of racialized/ethnicized communities. Due to its relative newness, there is a fast-growing literature on intelligence-led policing (ILP) that includes critiques of the process in its targeting of marginalized groups (e.g. Gill, 2000; Maguire, 2000). This thesis contributes to these

three areas through its application of an analytical framework that draws on critical race theory. Too often, race and ethnicity are not interrogated as social categories. Failing to do this neglects exploration of a significant social dynamic that underlies the discriminatory practices examined by studies of policing. By problematizing race, ethnicity and organized crime *together* in this thesis, it provides an added dimension of analysis that emphasizes the interaction or interconnectedness between various discourses and narratives. This interaction makes these discourses mutually reinforcing and can elucidate one factor in a process by which racism, ethnocentrism and xenophobia are maintained in a society that espouses an official policy of multiculturalism. Drawing on this, this research also contributes to the field of critical race/ethnicity studies in broadening an understanding of institutional and systemic oppressions by bringing a critique of policing practices to the context of organized crime. In this vein, it will add to a growing body of recent work in Canada addressing issues of racialized criminal justice (e.g. Tator & Henry, 2006; Tanovich, 2006). While Tanovich (2006) discusses the racialization of crime in official documents including CISC reports as an example, his focus is on this process as applied to *street crime*. This research aims to fill a gap in scholarship by examining how a racialized/ethnicized organized crime discourse is used by Canadian law enforcement and its manifestation in and through the ILP framework. Ultimately, the intent is to provide insight on the discourse that circulates and informs policing practices that might be contributing to the perpetuation of systemic inequalities and the marginalization of racialized and ethnicized groups in Canadian society.

Outline of Chapters

The first chapter begins by presenting the theoretical framework guiding the thesis. It is rooted in a social constructionist perspective and is supplemented by Michel Foucault's work on power-knowledge, governmentality scholarship, critical race theory and Marxist criminology. I discuss how these perspectives are reconciled with each other and how critical discourse analysis fits within this framework. I address the limitations and criticisms of critical discourse analysis and my attempts to address them in this project by drawing on primary source interviews. The second section describes the methodology of this thesis research by outlining the discourse analysis and interview processes, concluding with a discussion of limitations. The theoretical and methodological approaches in this project are closely linked and inform the organization of this thesis.

Chapter two presents how the commonsense concept or knowledge of organized crime emerged. It discusses the implications of an actor-based approach to defining crime and crime problems and provides an historical context for the evolution of the organized crime construct. The roles of the American and Canadian law enforcement institutions in this process are highlighted. This chapter also lays out the narratives composing this dominant conception of organized crime, informed primarily by alien conspiracy theory. The final section critically examines the role of a particular set of sociological explanations of organized crime, referred to as ethnic succession theory, in perpetuating a problematic discourse that criminalizes racialized/ethnicized groups. This chapter thus provides a context for the discourse analysis and the thesis as a whole.

Where chapter two concerns the problematization of organized crime, the third chapter interrogates race and ethnicity with a discussion of the social processes of racialization and ethnicization. Drawing on Foucault, governmentality literature, Marxist

criminology and critical race theory, I explore how these processes interact with criminalization through policing and serve to maintain existing power relations. I discuss the use of racial/ethnic identity as "visible" markers of problematic populations and how this is used in proactive policing practices. All of this is situated within the context of Canadian multiculturalism discourse, which purports to simultaneously be "colour-blind" and recognize difference through embracing diversity, rendering such practices invisible.

Chapter four begins with an overview of intelligence-led policing (ILP), including some of the problems and criticisms that have been identified with this framework. The following section outlines the ILP framework in the context of policing organized crime in Canada and describes the roles of the RCMP and CISC as a preface to the analysis of the intelligence process. Practices within each stage of the intelligence cycle are critically analyzed for the role that ethnic identifiers might play within them and how they affect the eventual production of intelligence (knowledge), which is the centrepiece of the ILP model. Within this section I draw on information gathered through my interviews with law enforcement personnel from both the intelligence and operations sides of the policing process.

Chapter five presents my critical analysis of the discourse (re)produced through and shaping the processes analyzed in chapter four and is divided into two sections. First, I discuss the construction of the concept of organized crime through six broad themes. The second section begins by examining the "seventh" theme – the characterization of organized crime as an *ethnic* phenomenon. This is followed by specific analyses of the discursive representations of the "usual suspects" – the racialized/ethnicized organized crime "types" that have been consistently identified as national priorities for Canadian law enforcement. The thesis concludes with a discussion

and summary of my findings, outlines their implications and provides suggestions for future research.

Chapter One: Theoretical Framework and Methodology

Theoretical Framework

The analytical starting point for my analysis is that the concept of "organized crime" is socially constructed, as are the concepts of "race" and "ethnicity" and the categories (e.g. Asian, white, Italian, etc.) derived from them. The social constructionist perspective (Berger & Luckmann, 1966) posits that all knowledge is socially constructed rather than being objective realities. This knowledge emerges from and is maintained by social interactions. At the same time, this perspective acknowledges that perceived realities are real in their consequences. Working with this social constructionist perspective, my analysis draws on various theoretical perspectives: Foucault's work on power-knowledge, governmentality scholarship, Marxist criminology and critical race theory. My primary methodological approach is critical discourse analysis (CDA), which attempts to unify theory and practice. In this it has been criticized for being overly naïve in relying on a simplistic theoretical foundation (see Hammersley, 1997). My use of various theoretical approaches in my analytical framework, in particular my critical approach to "race" and "ethnicity," seeks to remedy this criticism. The appeal of a critical sociological approach lies in its attention to social change and its openness to various theories and methodological approaches towards this goal. All of the approaches identify the role of power relationships and dynamics (expressed in various terms) in the construction or production of knowledge. CDA, critical race theory and Marxist criminology *locate* this power in society. Moreover, a critical analysis recognizes that the research agenda is always shaped by values. In identifying the nature of power relations by revealing invisible features of marginalization, critical approaches are orientated towards social change.

A key divergence between the Foucauldian approach and the others is how they deal with the idea of *interests* in the context of power, which stems from the conceptualization of power itself. For Foucault (1980), because power is relational, or relative, the motives or interests of domination[4] are de-emphasized in favour of an analysis of how power manifests or is constituted. In the other approaches, power is viewed as something that is "possessed" and exerted: from the Marxist perspective, the upper and middle classes exercise power in the maintenance of relations of production and class. In the critical race perspective, power maintains social inequalities based on racial and ethnic categories and this is located in the dominant group (whites, in North America). It has been argued that class and race as social categories cannot be separated – that the relations of production are inherently racialized (see Miles & Brown, 2003) – thus the Marxist and critical race analyses in this thesis are intertwined and sometimes indistinguishable. The seeming disjuncture between a Foucauldian approach and the critical paradigms can be reconciled by drawing on Gramsci's (1971) concept of hegemony. Hegemony is a situation where dominant groups exercise power over others through consent derived from their ability to control "ideological space" (Hebdige, 1981 referring to Hall, 1977). The source of power or domination is located in the control of language/discursive systems, which allows for the production of knowledge and "truth." Discourse is the key focus in this thesis. While there are different definitions of "discourse," I draw on Henry and Tator's (2000) definition in pursuing critical discourse analysis:

[4] Foucault's use of the term "domination" is in the context of what is usually conceived of as "power" – "the asymmetrical relationships of power in which the subordinated persons have little room to manoeuvre" (Lemke, 2002: 53, referring to Foucault, 1988). Van Dijk (1993a) defines dominance as "the exercise of social power by elites, institutions or groups, that results in social inequality, including political, cultural, class, ethnic, racial and gender inequality" (250). In contrast to Foucault's conception, van Dijk's critical framework locates these power relationships.

> Discourses are ways of referring to or constructing knowledge about a particular topic of practice: a cluster or formation of ideas, images and practices, which provide ways of talking about, forms of knowledge and conduct associated with, a particular topic, social activity or institutional site in society. (18)

It is through discourse that knowledge about organized crime and racialized/ethnicized groups is constructed and maintained. Within a Marxist/critical race analysis, control over these systems lies within the dominant social group.

A major critique of critical perspectives is their perceived reliance on an overly simplistic framework of power that dichotomously positions social groups as either "oppressors" or "the oppressed" in a single relation of domination. Indeed, it is easy to identify the "white upper class" as the enemy; however, this is overly simplistic. Here, Foucauldian and governmentality conceptualizations of power provide analytical depth in examining the means or mechanisms by which discourse is (re)produced and maintained. This is complemented in the problematization of "race" and "ethnicity" and emphasis on systemic and institutional processes in critical race theory that argues for a much more complex understanding of the nature of power relations (see Ladson-Billings, 2003).

Within this theoretical framework, I argue that the commonsense understanding or knowledge of organized crime is racialized and ethnicized – it is associated with racialized and ethnicized groups and therefore has a differential impact on those groups. That differential impact can be conceptualized as government, or "a form of activity aiming to shape, guide or affect the conduct" of individuals or groups of individuals (Gordon, 1991: 2). On one level, the association of organized crime with particular ethnicized groups leads to a disproportionate targeting of members of those groups by law enforcement. At the same time, this discourse serves to govern populations as a

form of racialization/ethnicization in delineating boundaries between groups. Intelligence-led policing (ILP) can be described as a technique of governance, and the particular components of the intelligence process (such as threat assessment techniques) are technologies that render the organized crime problem "both knowable and amenable to governing" (Dean, 1994: 187-8; also Rose & Miller, 1992). According to Foucault (1980), "truth" is produced through the exercise of power, and power exercised "through the production of truth" (93). Power relations can therefore be examined by analyzing the process and practices of knowledge production regarding organized crime. It is within law enforcement that the construction of organized crime as a commonsense concept emerged, and the contemporary intelligence process is a means of (re)producing this knowledge. However, it is not suggested that the law enforcement community is positioned as primary "oppressor" vis-à-vis targeted ethnicized groups – again, a deeper contextual analysis is required. Here Foucault's concern for the "conditions" for the existence of discourse is important. A central tenet of critical race theory is that racism is a characteristic part of North American society rather than an abnormal or atypical occurrence, and because of this embeddedness it appears normal (Delgado & Stefancic, 2000; Ladson-Billings, 2003).[5] Conceptualized as ideology (see Miles & Brown, 2003), racism can be understood as a political rationality within which this discourse exists. As Hebdige (1981) suggests, ideology "thrives beneath consciousness" as "normal common sense" (11). This enables the connection between racialized/ethnicized groups and their involvement in organized crime to exist as natural because the commonsense understanding of organized crime "fits" within commonsense regarding racialized/

[5] Because critical race theory originated in the United States, its base assumptions specifically pertain to the US and North America.

ethnicized groups. Furthermore, I argue that the multiculturalism discourse in Canadian society also enables ethnicized understanding of organized crime. This reflects Foucault's (1991) argument that governmentality is "at once internal and external to the state" because it makes it possible to define its scope (103). Law enforcement, as representative of "the state" is only one part of the power dynamic. The persistence of racism as ideology within society is not restricted to "the state" – racism provides a *rationale* for the state's activities.

Critical Discourse Analysis

Critical discourse analysis (CDA) is a method of analysis that focuses on "the role of discourse in the (re)production and challenge of dominance" (van Dijk, 1993a: 249). Accordingly, van Dijk argues that such an "analysis is not –and cannot be neutral. Indeed, the point of critical discourse analysis is to take a position" (270). This approach is consistent with the broader critical framework of this research project, including the critical race approach. According to van Dijk, CDA is a "detailed description, explanation and critique of the ways dominant discourses (indirectly) influence such socially shared knowledge, attitudes and ideologies, namely through their role in the manufacture of concrete models" (1993a: 259). The analysis of official law enforcement statements and documents therefore seeks to uncover the discursive strategies by which a dominant institution defines and problematizes organized crime in a way that serves to maintain existing power relations in society. Following van Dijk's (1993b) work on racism, Henry and Tator (2000, 2003) apply CDA in a specific form in their studies of language in popular Toronto media in which they focus on the use of racialized discourses. I take a

similar approach by focussing on the racialized/ethnicized discourses in the construction of the organized crime problem in Canada by law enforcement.

The key criticism of CDA (and discourse analysis in general) is that it is self-fulfilling in the sense that researchers employing it as a method are selective in what they choose to interpret as significant and simply validate their own initial assumptions (see Schegloff, 1997). Aside from the obvious retort that every method could be subject to similar criticism, this point is necessary to address. In light of my own assertion that ILP can be self-fulfilling, the claim that CDA is self-fulfilling as a method would seem to be damaging criticism. However, as noted already, CDA requires the practitioner to take a position. Fairclough (1993) argues that CDA aims to reveal "how the opacity of these relationships between discourse and society is itself a factor in securing power and hegemony" and that these relationships "between discourse, ideology and power may well be unclear to those involved" (135). It is about providing an interpretation while recognizing that there is no "right" one (Wodak, 1999: 187). CDA can be understood as a means of resistance against hegemonic understandings/knowledge by revealing different interpretations of discourse/text. As Fairclough (1993) argues, "A critical awareness of language and discursive practice is, I suggest, becoming a prerequisite for democratic citizenship" (142). Critical race theory seeks to "make plain the racialized context of public and private spheres in our society" (Ladson-Billings, 2003: 10), thus by applying CDA in this project, the goal is to illuminate the dynamics of social relations in Canada that are constructed through processes of racialization, ethnicization and criminalization. Not interrogating problematic categories and narratives serves to reinforce them and maintain a hegemonic knowledge that has consequences for the

lived experiences of individuals. Further, this thesis seeks to offer competing discourses of both organized crime and Canadian multiculturalism as well as a critique of ILP.

A second major critique of CDA is a lack of adequate contextualization. Blommaert and Bulcaen (2000) refer to this as the "biggest methodological issue faced by CDA" (460). Referring to Blommaert (1997), they describe the use of context in most CDA work as merely "narrative and backgrounding" with an "uncritical" acceptance of particular representations of history ..." (469). They suggest that more contextual attention should be paid to how texts are produced, distributed and accessed. I would argue that my analysis of the emergence of the commonsense understanding of organized crime in chapter two *is* a critical one in the sense that it challenges this commonsense knowledge that is based in alien conspiracy theory and ethnic succession.[6] The integration of an analysis of the ILP framework and process addresses the social context of the text (its production, distribution, access, etc). By drawing on primary sources, including interviews, this analysis provides a specific contextual basis for the discourse analysis. This context is essential because discourse is simultaneously socially constitutive and shaped by social forces and is therefore always historically and socially situated (Fairclough, 1993; Wodak, 1999). Drawing on my theoretical framework, I argue that the (re)production of discourse/knowledge/truth occurs *through*, and at the same time *shapes* the intelligence process. Thus, chapters two and three seek to provide a degree of "intertextuality" as "communicative events that are happening at the same time or that have happened before" (Wodak, 1999: 187). My analysis of the ILP process in the context of policing organized crime in Canada provides a social context

[6] However in adopting a constructionist stance in this project, my assertion would of course be subject to debate. All historical (and sociological) accounts are subject to the influence of their authors' subjectivities (biases, values, beliefs, perspectives, motives, etc.).

for the production of discourse in addition to the contexts of multiculturalism, race and ethnicity.

Methodology

This thesis examines the role that ethnic identifiers play in the intelligence process used by Canadian law enforcement. There are two elements of this process that are of interest: 1) the discourse and narratives used to represent organized crime and the actors involved, and 2) the structure and functioning of the intelligence process. Because the discourse is both constituted by, and constitutive of the functioning of the intelligence process, the primary methodology is a critical discourse analysis of materials and statements produced by the Royal Canadian Mounted Police (RCMP) and the Criminal Intelligence Service of Canada (CISC) between 1996 and 2006. In order to examine how practices under the framework of ILP contribute to the (re)production of knowledge about organized crime, interviews with members of the Canadian law enforcement community provided primary contextual information. It should be noted that the materials analyzed served a dual role: as examples of the discourse and also (contextually) as information sources about the intelligence process. My interviews with members of law enforcement agencies are a means of verifying these practices and processes.

Discourse Analysis

Because the RCMP and CISC are the primary law enforcement agencies tasked with the policing of organized crime in Canada and occupy a position of "expertise" in

this realm,[7] their discourse and intelligence processes are the focus of my analysis. The timeframe for this analysis (1996-2006) encompasses several symbolic events in the implementation of ILP at the national level. In 1999, the RCMP formally adopted the *Sleipnir* technique, which is the primary structured assessment tool used to assess and compare the threat levels of organized crime groups. In 2000-2001, ILP was officially adopted as a guiding framework for the RCMP. Following a review in 2002, CISC adopted a more active mandate in the production of strategic intelligence products. In 2005, CISC changed the format of their annual reports to a market-based framework instead of identifying national priorities (consisting of ethnically identified categories). This last "event" was the starting point for this research.

The discourse analysis examines a wide range of documents and statements produced by the RCMP and CISC relating to "organized crime" (see Appendix A for a list of these documents). This wide scope addresses the issue of validity but it also serves a representative purpose. As noted, all of the materials included in this analysis have a dual purpose in providing a source for analysis of the discourse relating to organized crime and the (re)production of it through the structuring of the policing process. The materials can be described in terms of their primary intended audience and their function (see Figure 1).

[7] A review of opinion polls published by the Department of Justice in 2001 found that among criminal justice institutions, the police (and specifically the RCMP) had the highest level of public confidence (Stein, 2001). The results of the RCMP's own surveys of Canadian citizens from found almost 90% agreed, "the RCMP plays a valuable role in reducing organized crime" (RCMP, *Core Surveys: National level results*).

	Projected career for discourse	
	External	*Internal*
Target audience:	Public	Internal/ Law Enforcement
Primary function:	Rhetoric/ Public Education	Operations/ Practices

Figure 1: Discourse analysis materials can be described using this matrix

In the analysis there is an emphasis on the *Annual Reports on Organized Crime* produced by CISC. The purpose of these reports is to present a picture of the organized crime situation in Canada based on the intelligence work of CISC and its member agencies. Evident through the ten-year period is an increasing emphasis on the use of the reports as a public education tool. The CISC reports are significant therefore as reflecting the discourse of law enforcement and also for their role in (re)producing it within public discourse. They are also a proxy for the intelligence process, in particular the analytical stage at which threat assessments are made that influence priority setting. These reports were analysed in the context of their purpose of informing the public about the organized crime problem in Canada. However, as products of the intelligence process, they are viewed in this context – as outcomes of this process. Other materials with a primarily "public" audience are pages of the RCMP website, which is used as a tool of communication with the public. Pages selected for analysis were those specifically relating to the organized crime problem and those explaining the organization's intelligence process. Another body of material were RCMP news releases issued by headquarters and posted on their website. Documents that are no longer

available on the current site were accessed through the Internet Archive (www.archive.org), an online library that provides access to digital historical documents including web pages. RCMP Reports on Plans and Priorities (RPP) and Departmental Performance Reports (DPR) are produced annually as an accountability mechanism to Parliament. The target audience of these reports are politicians, and vicariously the wider public. Also included are the texts of several speeches given by RCMP Commissioner Giuliano Zaccardelli on the topics of organized crime and ILP. Although all materials included in this analysis were publicly accessible, there are some that are aimed primarily at a professional audience. These include RCMP publications such as the *Gazette.* Articles were accessed through the *Gazette's* website, and those in back issues were obtained through either the Internet Archive or as photocopies from the Canadian Police College library. Articles were selected based on a content scan looking for articles mentioning organized crime, the policing of it, or ILP. There were two full issues dedicated to these topics published in 1998 and 2000 as well as articles in other issues. The analysis also included materials produced by the RCMP's Learning and Development branch.[8] Among the resources it has produced are learning modules on cross-cultural communication and organized crime competency. These were included because they can provide insight into the kind of knowledge that informs law enforcement's understanding of racialized and ethnicized groups and of organized crime. Again, older documents were accessed through the Internet Archive. Finally, materials that are aimed specifically at a law enforcement audience with a purpose of describing practices and processes consisted of unclassified versions of RCMP and

[8] This department provides force members with opportunities for "modern, cost effective learning/training ...required to deliver quality service to internal and external clients, to adapt and respond to diverse changing needs, and contribute to the evolution of the RCMP" (Government of Canada (2007) *InfoSource – Royal Canadian Mounted Police,* Retrieved September 8, 2006 from http://infosource.gc.ca/inst/rcm/fed04_e.asp).

CISC documentation on their intelligence process and their analytical techniques. These included documents on *Sleipnir* and the strategic early warning *Sentinel* (SEWS), but also materials on current projects.

My analysis of these documents was structured around two questions, the first being how is "organized crime" constructed? By identifying references to "organized crime" in the texts I examined the micro-level semantic meaning of words and structures. This included elements such as word selection, meanings of sentences, and rhetorical devices. From a macro-level, I was able to identify broad consistent themes and sub-themes/narratives. The results in chapter five are presented according to these themes. In answering the second question of what role ethnic identifiers play in these representations, I engaged in a micro-level analysis of the discourse relating to each of the priority categories used by law enforcement such as "Asian-based organized crime." The decision to carry out the analysis in this way is partly a function of the first analysis and the context of how organized crime is defined. From this, it was clear that the concept embodies a focus on the actor (as group or individual). This therefore creates a framework within the discourse for how actors are talked about. These racialized/ ethnicized priority categories (e.g. Asian-based organized crime, Eastern European organized crime) emerged as concepts in themselves and therefore the second component of analysis sought to identify the narratives that compose these. In presenting the analysis in chapter five, I provide excerpts from the texts as examples of where my interpretations are drawn from.

Interviews

In order to understand the process by which this discourse is produced and operationalized and because of the limited amount of information available on the intelligence process that is used, I sought out sources from within the law enforcement institution. I interviewed six individuals representing both the intelligence and operations sides of the intelligence process. Contact with these individuals was initiated by the researcher, selected based on their occupational position in particular agencies. Some of the participants came through referrals by the individuals contacted initially who informed the researcher that they would be more suitable participants based on their experience. These participants represented a local intelligence unit (York Regional Police), the Combined Forces Special Enforcement Unit for the Greater Toronto Area (CFSEU, GTA), the Criminal Intelligence Directorate of the RCMP, and CISC. All of these units and agencies have a specific mandate in policing organized crime and all are members of the CISC network.[9] All six participants have senior-level positions within their respective organizations with law enforcement experience ranging between ten and 32 years. This was beneficial in that it allowed them to provide insights into changes over time. Interviews ranging in duration between 50 minutes and two hours were all conducted at the participants' places of employment in June and July of 2007. All interviews were electronically recorded and then transcribed. Questions within these semi-structured interviews were tailored to the participants' positions. Participants were provided with personal anonymity and all consented to be identified by their organizational affiliation. This was requested in order to provide context for any

[9] CISC consists of a central bureau located at RCMP Headquarters in Ottawa, Ontario, and ten provincial bureaus. There are 380 member agencies that form the CISC network through which intelligence and information is shared. This is described in detail in chapter 4.

information provided that would be reported. The questions were oriented towards institutional practices and process rather than individual/personal experiences. Participants were asked to describe past and current practices and processes. On some questions they were asked to reflect on these and some expressed their "opinion" and "personal" views. There was follow-up by phone and email with two of the participants – phone conversations were not recorded.

Limitations

One limitation may relate to the representativeness of the materials analyzed of Canadian law enforcement discourse and practices in general. The decision to focus solely on the RCMP and CISC was based on their status as national organizations with mandates disproportionately oriented towards organized crime. Because of the public profile of these organizations and the CISC annual reports, their discourse is more likely to influence public knowledge through a wider dissemination. However, the processes and discourse that circulates within individual enforcement organizations across the country may vary. Related to this is the limitation of the documents themselves and the question of how representative they are of actual law enforcement discourse. Most of the published documents included in this analysis are the result of a packaging process by which information is prepared for public consumption – the CISC reports and news releases are the most obvious examples of this. In part, the interviews sought to remedy this issue by providing insights into the "actual" role of ethnicized organized crime discourse within intelligence-led policing practices. At the same time however, there are limitations with the interview data. I would argue that whether or not the packaged

discourses are reflective of actual institutional discourse, they still construct a "truth" about organized crime that influences discussions about the topic.

A second concern relates to the subject matter of this research. The issues of race and ethnicity are sensitive topics in the context of policing, perhaps more intensely so considering that during the period of this research, the Commission of Inquiry into the Maher Arar affair concluded and issued its final reports.[10] It was anticipated that firstly, there might be resistance on the part of the law enforcement community to participate and secondly, that there would be concerns with the openness of participants' answers. While some of the individuals initially approached declined, all of the eventual participants expressed an interest and willingness to participate. Because participants represented senior-level positions, there is some concern that although guaranteed anonymity, their answers might be more reflective of an "official" response rather than more candid assessments. In the course of conducting interviews, participants were more open than expected. There certainly seemed to be a degree of awareness in how answers were framed, which is understandable considering law enforcement's need to navigate the release of information that could affect either specific investigations or the investigatory process in general, but can also be attributed to the topic and perhaps a desire to maintain a positive image both of the individual and the organization they represent.

There is also a question of whether and how my identity vis-à-vis the interview participants might have affected our interaction. On one level, I am approaching them as an outsider to the law enforcement community, particularly in the role as an academic researcher – usually a tenuous relationship (see Beare, 1996). Furthermore, the topic

[10] The resignation of RCMP Commissioner Zaccardelli was an indirect result of this inquiry.

area of my research, as mentioned above is a sensitive one, which can be interpreted as an implication of racial profiling. Compounding these issues is whether my identity as a younger ethnicized or "visible minority" woman may have had an impact on our interactions during the interview from both my end as researcher and theirs as participants. It is difficult to untangle and I cannot speak for the participants, but my consciousnesses of these issues did have an impact on how I asked questions. For example, I avoided use of the terms "race" or "racial profiling" in the interviews. All this is not to say that there were tensions in the interviews. Rather, they were all informal and amicable interactions and participants made themselves available for any follow-up questions or clarifications I might have had.

Chapter Two:
The Ethnic Connection – The Problematic Association with Organized Crime

Italian mobsters wearing expensive suits speaking in funny accents. Asian thugs extorting protection money from Chinatown noodle shops. Columbian gangsters counting drug money. The perception of organized crime as an ethnic phenomenon permeates society. Fiction and films are not the only source of this, as it is found in official and academic discourses. This chapter examines the association between ethnicity and organized crime.

Implicating Ethnicity by Definition

One of the fundamental problems that emerges for both academia and law enforcement in dealing with organized crime is arriving at a satisfactory definition of what exactly it is, and what makes it different from ordinary crime. Definitions can be roughly divided into two main approaches. One approach is to focus on particular illegal activities and the opportunities for them to occur. From this perspective, it is the types of crime and the processes that facilitate them that define organized crime – therefore the object of interest for scholars and practitioners would be the acts and behaviours defined as criminal and the conditions that enable or hinder them. A law enforcement strategy oriented to criminal markets would fall into this stream. Such a strategy would focus on particular markets (e.g. drugs, weapons, toxic waste disposal, etc.) and the specifics of the processes involved within each one. The other approach is actor-focused, which is consistent with mainstream approaches and responses to crime in general. Strategies in this vein focus on the incapacitation (usually though apprehension) of those identified as organized criminals. Organized crime becomes defined in terms of the individuals involved – the criminals. The uniqueness of organized crime lies in its "organized" nature

in the form of groups. There is a spectrum of definitions within this perspective. At one end are very specific historically based definitions that identify a particular group of individuals *as* organized crime. This includes Donald Cressey's alien conspiracy theory. Towards the other end are broad definitions, such as that of the Canadian law enforcement community, which defines organized crime according to the Canadian Criminal Code definition of "criminal organization":

> [a] group, however organized, that (a) is composed of three or more persons in or outside Canada; and (b) has as one of its main purposes or main activities the facilitation or commission of one of more serious offences that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons that constitute the group (Canadian Criminal Code RSC 1985, c.C-46, S.467.1(1))

Under this framework, the criminal organization *is* organized crime. The task in studying or investigating organized crime is therefore to identify and describe the group(s) and the individuals that compose it. From this approach, engagement in criminal activity is a *characteristic*, rather than the essence of organized crime. While the Criminal Code definition is broad, it excludes (by definition and in application) organizations that are generally regarded as legitimate because their *primary* activities are not criminal (such as corporations or political parties) even though the members have engaged in criminal activity for the benefit of the "group." An actor-centric approach makes it more likely that the characteristics of the actor – individual or group – are emphasized and this means that ethnicity as a form of identity can be implicated.

To illustrate, tobacco smuggling is a good Canadian case study of how an actor-centric approach leads to the characterization of organized crime as an ethnic phenomenon rather than as criminal activities or processes involving a variety of participants. In this context, the political and policing focus has primarily been on

Aboriginal smugglers. As Beare (2003) argues, the political and law enforcement targets are usually those who are the most vulnerable players in the overall process. The targeting of smugglers paints Aboriginals as *the* organized crime problem. Missing from the picture is the supplier – the Canadian tobacco industry. In the early 1990s, manufacturers were knowingly exporting huge amounts of product to the United States, far beyond actual market demand. The bulk of this was being smuggled back to Canada, with profits to both the smugglers and the tobacco industry (Beare, 2003: 191-192). The Canadian Intelligence Service Canada (CISC)'s 2005 *Report on Organized Crime* makes no mention of the complicity of the tobacco industry, but only that "various organized crime groups are involved...often working in cooperation with Aboriginal crime groups and/or individuals" (21). Aboriginals are targeted as the perpetrators of tobacco smuggling while the corporate supplier escapes the label of organized crime. In earlier reports where tobacco corporations are mentioned (as targets of lawsuits filed by the Canadian government) they are not described as organized crime (see CISC, 1999 and 2000).

An actor-focused model of organized crime (and crime generally) provides clear and easy targets for arrest and prosecution in contrast to a market or process-based model that looks for structural ways of preventing crime. The use of ethnic identifiers simplifies policing because it provides a framework that makes organized crime "easier objects for police intervention" (Bovenkerk, Siegel & Zaitch, 2003: 24). Further, as Gill (2000) points out, it is difficult to prosecute a process. Through an actor-centric approach, characteristics of the group of individuals become definitive of organized crime. Thus ethnicity, as a major feature of social identity, can be implicated, especially if the individuals composing the group are perceived as sharing a common ethnic identity.

The actor-centric approach of defining organized crime and its association with various ethnic groups is largely a product of American law enforcement that emerged most concretely amid shifting social, political and economic conditions in the second-half of the twentieth century.

Historical Shifts in the Conceptualization of Organized Crime

It is widely acknowledged that the American experience has come to shape how much of the international community views the problem of organized crime and the appropriate strategies for dealing with it (see, e.g. Beare, 1996; Von Lampe, 2005). Canada has likely felt the strongest influence from the United States as its closest geographic neighbour. Ethnicity has not always been a defining feature of organized crime. The role it has played has changed over time as the result of social, political and economic influences.

Early 1900s

According to Woodiwiss (2001), until the early twentieth century the idea of organized crime was associated with what is now referred to as white-collar crime. Rich and powerful businesspeople formed the "dangerous classes," and those believed to be most at risk from organized crime were recent immigrants (131). However, the emphasis shifted through this period away from the capitalist class towards the lower classes. The period at the end of the nineteenth and beginning of the twentieth centuries was characterized by class conflict between business owners and labour. As Woodiwiss (2001) argues, the business class became "disassociated ...from the taint of any kind of criminality" in the early twentieth century (108). As business owners gained control over news and popular media outlets, there was a reduction in the amount of exposés and

criticisms of them and their practices, which had been common in the previous era. Private business and industry also funded various crime commissions following the First World War. These commissions pressured law enforcement to focus on crimes that threatened property interests and ignored criminal activity within legal markets – corporate or "white-collar" crime. In addition to deflecting attention from itself, the business community also had a vested interest in curbing the so-called vice markets. Business owners formed an alliance with the moral reform movement, providing the financial and political resources needed to criminalize vice. For business owners, the public's indulgence in gambling or alcohol took money away from commercial purchases, and drinking was believed to reduce worker efficiency. There was also concern over the use of saloons by labour unions as places to recruit workers and organize (Woodiwiss, 2001). As the business world gained power, it was able to erase itself from the definition of organized crime and redirect it towards the lower classes. Consequently, organized crime also took on an ethnic character because of the overrepresentation of ethnic minorities in this social stratum.

There had been a major increase in the population of the United States by the 1920s; more than one quarter of the growth came through immigration from Asia and Europe. During this period of change, the moral reform movement composed mainly of white middle-class members, sought the criminalization of vice – gambling, drugs, alcohol, and prostitution – which became associated with minorities as both users and providers in ethnic neighbourhoods. The influx of immigrants sparked racism and nativism, which was reflected in new drug policy. As Heumann and Cassak (2003) note, drug use was not criminalized until the late nineteenth century. Early drug criminalization was supplemented by the propagation of stereotypes about particular groups. The first of

these were the opium laws aimed at Chinese immigrants in the late 1800s. In 1887, a federal law passed prohibiting opium use by the Chinese population only (Woodiwiss, 2001). This was later extended to the entire population in 1914 in the Harrison Narcotics Act. In the early 1900s, an increase in Mexican immigration in the form of migrant workers, was met with the criminalization of "marijuana," which until then had been called cannabis – a semantic and symbolic linking of the drug with a Hispanic identity (Woodiwiss, 2001: 221; Grayson, 2003). Not long after, African Americans were the primary targets of the 1914 Harrison Act that prohibited cocaine use (Grayson, 2003; Heumann & Cassak, 2003). Popular images during these periods relayed the threat of drugs to social stability through the weakness of these racial/ethnic groups in succumbing to drug use and preying on white America. This threatened innocent white Americans and their institutions. The drug laws thus characterized certain minority groups as a threat. The contemporary "war on drugs" follows a similar purpose. As Grayson (2003) argues, it has been about differentiating American national identity from "outsiders." The enemy exploits vulnerable Americans with drugs. The discourse takes on a conspiratorial tone as street level dealers are "seen as the visible limb of vast organized crime empires"(147-148). Informed by racist discourse, drug policy has helped define American identity (Grayson, 2003: 150). It is innocent and white, threatened by foreigners and their drugs. This historical criminalization of drug use and its association with outsiders as both users and suppliers is one of the major elements contributing to the strength of the connection between ethnic groups and organized crime.

Another key factor leading to the emergence of the commonsense understanding of organized crime lies in the growth and professionalization of policing in the twentieth century. This served to separate the police from politics, which had been seen as the

source of corruption in urban areas – particularly, ethnic enclaves. The political machines controlled local policing, allowing criminal activities to occur at the discretion of corrupt politicians. A concurrent centralization process was partially influenced by the problematization of large conspiratorial syndicates. This necessitated coordinated law enforcement rather than local efforts. The rhetoric of a war against criminal syndicates was politically useful in securing resources for law enforcement agencies like the Federal Bureau of Investigation. Conspiracies and syndicates represented a formidable (monolithic) enemy requiring an equally impressive opponent. The 1930s were characterized by a "pro-police mythology" cultivated through public relations and the media (Woodiwiss, 2001: 237). The portrayal of police and prosecutors as heroes served to future remove them symbolically and conceptually from involvement in organized crime. The emergence of a concept of organized crime as a nation-wide conspiracy would provide an enemy requiring immense resources and power to eliminate. The propagation of the threat by those seeking to strengthen the policing institution helped them gain increased funding as well as investigative powers, and as Levi (1998) observes, continues to be evident in the contemporary context.

1950s – 1980s: Identifying the Enemy

The concept of organized crime as a hierarchical, conspiratorial, ethnically homogenous criminal organization emerged in the later half of the twentieth century. Alien conspiracy theory (ACT) emerged in its clearest form in the 1940s and 1950s along with communism. Both were presented as centralized, international conspiracies, seeking to destroy the moral fabric of the US (Woodiwiss, 2001: 244). ACT was largely a product of law enforcement sustained by popular and news media. In 1946, the Federal

Bureau of Narcotics (FBN) identified the Mafia *as* organized crime.[11] The FBN described the Mafia as a criminal conspiracy of Sicilian origin that controlled organized crime at both the national and international levels. Italian immigrants had imported it to the US in the late nineteenth century. This was the beginning of an official discourse of ACT that was maintained through both academic and political contributions. In 1950, the Kefauver committee adopted the FBN's definition as a framework during its hearings into organized crime, which were nationally televised. Although its existence was not fully established, these hearings implanted the concept of Mafia and its equation with organized crime into public discourse (Albini, 1988). Woodiwiss (2001) argues that the Kefauver report has problematically become accepted as a historical source even though the evidence it gathered contradicted its claims. This was to be the pattern for both the 1963 McClellan Senate Subcommittee hearings and the 1967 Federal Task Force on Organized Crime. A lack of supporting evidence is also a frequent criticism of the formal version of ACT developed by sociologist Donald Cressey. In *Theft of the Nation* (1969), Cressey defined organized crime as

> A nationwide alliance of at least twenty-four tightly knit "families" of criminals...all Italians and Sicilians, or of Italian or Sicilian descent, and those on the Eastern Seaboard, especially, call the entire system "Cosa Nostra." Each participant thinks of himself as a "member" of a specific "family" and of Cosa Nostra (or some equivalent term)...The "families" are linked to each other, and to non-Cosa Nostra syndicates, by understandings, agreements, and "treaties," and by mutual deference to a "commission" made up of the leaders of the most powerful of the "families"... (x-xi).

Cressey had served as a member of the 1967 Federal Task Force on Organized Crime (the President's Crime Commission) and used information from its findings as the basis for the book. His definition relied greatly on the testimony of informant Joseph Valachi

[11] The central role of the FBN in establishing the foundations of ACT highlights the interconnection between organized crime and the racialized nature of drug criminalization.

during the 1963 senatorial investigation, where Valachi introduced the term "Cosa Nostra" to refer to the criminal organization to which he belonged. Albanese (1989) points out that the only verification of Valachi's testimony came from law enforcement sources. Cressey's contribution provided academic support for the idea of an Italian criminal organization – the Mafia or Cosa Nostra – conspiring to control crime throughout the US. His model was based directly on Valachi's testimony. It emphasized a hierarchical structure with various positions such as boss, under-boss, lieutenants and soldiers. There is a division of labour within the organization and it operated like a bureaucracy. This alliance exerted a monopoly over illegal gambling, loan sharking, drug importation and distribution as well as in legitimate industries. The idea of a controlling commission that oversees the activities of the families emphasized the conspiratorial and monopolistic character of organized crime.

These commissions had a direct impact on the emergence of the organized crime problem in Canada. As Beare and Naylor (1999) suggest, the first official discussions about organized crime in Canada were influenced by the Kefauver (1950), McClellan (1963) and President's (1967) Commissions. In 1961, RCMP Commissioner Clifford Harvison raised concern about the emergence of "American syndicates" in Canada, seeking to take over domestic criminal groups (Beare, 1996). This implied that American syndicates (as equated with Cosa Nostra/Mafia) were more dangerous or threatening. This gave an added dimension to the "alien-ness" of organized crime in Canada as not only Sicilian/Italian, but also American. Beare (1996) argues that there was initially a reluctance to officially acknowledge the existence of an organized crime problem in Canada, due in part to this distinction. One of the first inquiries into organized crime – the 1963 Roach Commission in Ontario – concluded that the existence of

organized crime was minimal and only an emerging concern in the area of gambling. In contrast, the 1964 report on organized crime of the Ontario Police Commission (OPC) painted a foreboding picture similar to the one presented by the American inquiries. The OPC report is significant because it had direct ties to those American processes as members of the OPC inquiry travelled to the US to gather evidence, including attending sessions of the McClellan hearings and interviewing Valachi (Beare & Naylor, 1999). The warnings coming from the OPC report and law enforcement (in particular, RCMP Commissioners Harvison and George McClellan) led to a series of Federal-Provincial conferences on organized crime in 1965 and 1966. The final report of these meetings released in 1967 declared that organized crime was active in almost every aspect of business and commerce in Canada. The seriousness of this problem was compounded by the allegation of connections between domestic criminals and the monolithic American Mafia (Beare, 1996). As Beare and Naylor (1999) argue, there is a danger in taking "perceptions of organized crime from 'elsewhere'...as being equally description [sic] of our crime problems" (section 2.4). The concept of organized crime that is familiar today, and the strategies touted to deal with it were transplanted to Canada from the US without empirical research and evidence to support its applicability. By the 1970s, the concept of organized crime in the form of an alien conspiracy was established in North American public discourse.

1980s Onward: Pluralism and Transnational Crime

Our contemporary understanding of organized crime is not restricted to the Mafia/Cosa Nostra. As Reynolds (1995) observes, while "the concept of organized crime has lost its ethnic distinction" as an Italian phenomenon, the "organizational

characteristics" of Mafia families have survived and have been applied to different ethnic crime groups (11). While the Italian character may have subsided, ethnicity is still characteristic of organized crime – but in multiple forms. Like the 1950 Kefauver committee, the 1983 Kaufman Commission played a significant role in shaping the discourse on organized crime. The perceived new and emerging organized crime threat comes from criminal organizations emanating from various Asian, Latin American and other foreign locations. The Mafia-based alien conspiracy theory was adapted to include other ethnic crime groups. Potter (1994) refers to this new version as the "Pluralist" revision (cited in Woodiwiss, 2001). The core understanding of organized crime as outside forces threatening mainstream society and its institutions remains constant. What has changed is the ethnic identity of the outsider. Under the old version, it was the Sicilian/Italian Mafia – both the foreign syndicate and its transplanted American version. Now the "aliens" include a variety of ethnically defined groups. The age of globalization is believed to have enabled the spread of these new archetypal models – Mafia, Camorra, Triads, and Yakuza – from their places of origin (Bovenkerk, Siegel & Zaitch, 2003). The perceived erosion of borders has enabled criminal organizations to expand their operations.

The pluralization of alien conspiracy theory goes hand-in-hand with the discourse of the transnational organized crime (TOC) threat. It has been argued that the fall of the Soviet Union and the fading of the communist threat necessitated the identification of a new menace – TOC – by law enforcement to maintain (and expand) its resources and powers (Levi, 1998). As with alien conspiracy theory, organized crime is seen as disconnected from legitimate society – it "acts upon and against but not *within* 'legit' society" [original emphasis] (Edwards & Gill, 2002: 253). According to Ruggiero (2000,

2003), the fear is that illicit goods, which are more "dangerous" than those produced domestically, are coming from foreign countries and threaten the civilized world.[12] TOC discourse expands the ACT differentiation of outsiders and insiders to a macro-level dichotomization between the civilized western world and the uncivilized non-western world from which the organized crime problem emanates. The diversity of immigrants coming from countries lacking social, political and or economic stability fuels the idea that they would be more problematic to control, less able to integrate and "illegible" (Ruggiero, 2003: 174). For example, Vietnamese gangs are frequently associated with a propensity for a high level of violence. This is often attributed to the Vietnam War experience of the 1960s. Similarly, Russian, Chinese and Jamaican criminals are said to have been influenced by the socio-political circumstances in their respective home countries. The common explanation is that they do not respect authorities and the law because of their nations' rampant political and police corruption.[13] As will be discussed in the next chapter, this is part of the criminalization of racialized and ethnicized groups that has shaped and been shaped by organized crime discourse. This threat that immigrants will bring an inherent nature or propensity for violence and crime plays out in the pluralist theory discourse. Their "uncivilized" nature cultivated in unstable nations threatens western society with violence and crime.

The "conspiracy" has evolved to become a global phenomenon where organized criminals in various parts of the world work together. The idea that immigrants bring with them existing social and commercial networks facilitates this conspiratorial element (Ruggiero, 2000). The concern that proceeds of crime flow back to the immigrants'

[12] While illegal drugs are the usual culprit, we can also see this discourse applied to things like counterfeit consumer goods such as cigarettes, or household products that have not undergone safety inspection.
[13] Kleinknecht's (1996) discussions of the various ethnic organized crime groups include this sort of attribution. For example, the "fratricidal politics" of Jamaica are the training ground for gangsters who immigrated to the US (227-229).

countries of origin creates the image of foreign criminals feeding off the western world. Even the governments of these countries may be implicated as Bovenkerk (2001) claims that they "encourage their subjects to send criminal capital home to provide the country with foreign currency"(120). From this perspective, the entire national or ethnic group is complicit in the conspiracy. It is important to note that in the age of TOC, it is not necessary for alien and local partners to be of the same ethnic group. Often the discourse is about cooperation between various ethnic groups. The simple fact that *foreign* crime groups are involved feeds into the pluralist conspiracy theory by reinforcing the oppositional positioning of the civilized, progressive West against the chaotic Other. This filters down to the micro-level; as Sheptycki (2003a) argues, TOC discourse "establishes a separate 'criminal class' that threatens the well-being of legitimate citizens" and combines with racism and cultural difference to reproduce alien conspiracy (126). Immigrants, and by extension the members of their ethnic groups, are drawn together as the outsider threat to the dominant members of society.

Alien conspiracy theory and its internationalization through TOC discourse makes organized crime a global matter. There is something about foreign countries that fosters criminality that is then exported through immigration or works through transnational networks to harm western nations. While certainly there are harms associated with activities crossing borders – such as the trafficking of humans or conflict (or "blood") diamonds – the discourse positions foreign nations and individuals as the problem and minimizes the role of demand in destination countries.[14] In this view, the only way that western nations contribute to the organized crime problem is by having

[14] In contrast to the actor-centred framework of ACT and the focus on transnational organized crime groups, a process or market-oriented framework would address aspects of these markets such as demand.

available riches and markets susceptible to exploitation. Additionally, the existing ethnic communities within them provide a natural link through which their foreign compatriots enter, operate and victimize. Within this discourse, immigrants are already criminal or have criminal tendencies before arrival in the West.

The "Archetypes"

The dominance of an alien conspiracy model of organized crime has led to the adoption of certain concrete notions of what real organized crime "looks" like. These "classical" forms of organized crime have historical roots. Ethnic homogeneity is a defining feature of these models, as is an aura of secrecy and mysteriousness. These elements reinforce the idea of organized crime as an entity outside of mainstream society – they look and talk differently, and have strange secret rituals brought over from the old country. Secrecy lends to the conspiratorial element of organized crime. As Paoli (2001) writes, "lasting large-scale criminal organizations" are presented as "archetypes of organized crime" (88). Specifically, she refers to the Italian Cosa Nostra, American La Cosa Nostra, the Calabrian 'Ndragheta, Chinese Triads and the Japanese Yakuza. What these organizations have in common are their origins as secret societies. Restricted membership, formal structure, hierarchy and secret codes and rituals are common elements to these types of organizations. Ritual kinship relations form the basis for all of these groups. They also share common symbolic elements used in rituals, such as blood, religious terminology and iconology. Paoli (2001) points out that institutions based on fraternalism are one of the most widely available and used forms of social organization throughout European, American and Asian history – examples range from professional guilds and associations to religious groups. While details such as position

titles differ, there is nothing inherently culturally unique about secret societies that tie these groups to a particular ethnicity.

Paoli (2001) writes that the Sicilian and Calabrian Mafia groups came into existence in the mid nineteenth century. However, there is a lack of evidence that "Mafia" secret societies existed. Studies by Albini (1971), Hess (1973), Blok (1974), Servadio (1978), Arlacchi (1986), and Waltson (1986) all concluded that there was never an organization called "Mafia" in Italy (cited by Albanese, 1989). Rather, "Mafia" could be described as a patronage or protection system that emerged in Sicily following the official abolishment of feudalism (Albanese, 1989).[15] The period Paoli refers to coincides with Servadio's assertion that "during the decade of 1860-70 ... the myth of a 'secret society' was born and baptized. Italy, and soon Europe, discovered 'the Mafia'" (1978, cited in Albanese, 1989: 20). The origins of other groups are less disputed. The beginnings of the Yakuza are traced to disenfranchised samurai in the eighteenth century. The Heaven and Earth Society, believed to be the first triad-type organization, emerged in 1760 as a resistance movement against the Manchu dynasty in China (Paoli, 2001; also Kleinknecht, 1996). The establishment of these organizations preceded their involvement in criminal activity. These groups were not formed for the purpose of crime. Rather, the desire of some members to engage in criminality capitalized on the advantages of the existing group. Secret societies, or organizations derived from them, provide the existing secrecy structure that facilitates crime. Secrecy, trust, and loyalty – important components in collective criminality – were already established in these groups.

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[15] See also, Gambetta, D. (1993) *The Sicilian Mafia – The business of private protection.* Cambridge, MA: Harvard University Press.

Perhaps with the exception of Chinese triads (which are referred to in the plural) these models appear to represent a single organization – *the* Yakuza, *the* Mafia, and *the* 'Ndragheta. Paoli (2001) emphasizes that these are *not* monolithic organizations, but "consortia" of units, each of which operates with full autonomy (93-94). Each unit carries out activities autonomously, and even within the unit there is freedom for members to engage in their own ventures. At the same time however, without providing justification, she states that "it still makes sense" to consider them as unitary organizations (92). Perhaps it does make sense if coming from a law enforcement perspective that seeks to identify a clear target. From between 1890 and 1920, the terms Mafia, Camorra, and Black Hand were all used interchangeably to refer to Italian organized crime. This obscured that these were all different associations (Reynolds, 1995). Finckenauer and Waring (1998) echo the same criticism of the term "Russian mafia." Similarly, Chin, Zhang and Kelly (2001) argue that the contemporary use of the phrase "Chinese Mafia" hides the range of different groups and individuals involved in organized criminal activities. McIllwain (2004) writes that the grouping of tongs, triads, and street gangs together as Chinese "Mafia" or "Triad" reflects a "tendency...to want to impose a familiar, organizational paradigm of organized crime on Chinese organized criminality"(30-31). In reality, these are different organizations. Tongs were formed as protective, benevolent organizations for immigrants without association to large and connected families or those from small villages or regions. The strength of their bonds came through rituals and oaths instead of familial relationships (Dubro, 1993). Tongs are not themselves criminal organizations, but they are a "means of obtaining and using individual and associational *guanxi* for both criminal and non-criminal purposes" (McIllwain, 2004:

33).[16] McIllwain (2004) argues that Chinese organized crime was active early in American history based on the existence of early tong organizations, which he defines *as* criminal organizations. However, the existence of these groups *preceded* any involvement in crime. While they may have had a non-political or religious ideology, restricted membership based on race or ethnicity, a code of secrecy and an organized hierarchy – all part of his definition of organized crime – the "criminal" elements of violence and seeking profit through illegal means came later. Those non-criminal elements of his definition define a secret society or fraternity-type organization. Triads were secret societies in China with political goals. Rituals and ceremonies have lasted through the centuries of their existence. Because tong membership often included triad members, it was natural for them to adopt elements of triad (or secret society) subculture, reflected in its oaths and ceremonies (McIllwain, 2004) – thus the association of tongs as secret societies, and by extension, criminal organizations. This conflation is part of the criminalization of racialized/ethnicized groups.

The lumping together of various groups and people involved in organized crime under broad archetypal labels reproduces the alien conspiracy model. Because these archetypes are associated with secret societies and historical traditions, it contributes to the alien/outsider aspect of the theory. Alien conspiracy exploits a fear of the unknown by emphasizing organized crime groups as different and foreign. The Mafia or Cosa Nostra archetype has been the most exploited in organized crime discourse. As Finckenauer and Waring (1998) write, La Cosa Nostra is "regarded by many practitioners and scholars as the epitome of organized crime in America" (15). But

[16] *Guanxi* is a system of social relationships based on mutual obligations. It is a social support strategy ensuring that people have access to resources and can acquire social status.

through time, the other archetypes have entered popular discourse and now circulate as classical or traditional models of organized crime. In part, the commonsense knowledge about organized crime as ethnic hierarchical criminal organizations has been sustained through uncritical sociological explanations.

The Role of Sociology

Early studies such as Thrasher's *The Gang* (1927) and Landesco's *Organized Crime in Chicago* (1929) did not link organized crime to ethnicity. Instead they focused on economics and emphasized informal networks rather than hierarchically structured organizations (Reynolds, 1995). Both studies took an activities-process orientation rather than an actor-centred approach. There was little other empirical research into organized crime until the 1967 President's Crime Commission and the introduction of alien conspiracy theory (ACT). According to Albini (1988), academic interest in studying organized crime grew significantly in the mid-1960s,[17] and many scholars accepted ACT as the basis for their research, relying on an uncritical use of law enforcement data – a key critique of Cressey's work (see Albini 1988, 1997). Exceptions such as Albini's (1971) *American Mafia: Genesis of a Legend* and Smith's (1975) *Mafia Mystique* that challenged the ACT model were greatly outnumbered. Block (1991) criticizes sociologists' blind acceptance of a highly problematic concept. He argues that most contemporary research on organized crime has been "constructed from the interpretative framework of [these] popular histories" and narratives (8). Academia thus played a role in substantiating ACT as knowledge and the "truth" about what organized crime is and

[17] It is also significant that Mario Puzo's novel *The Godfather* – a fictionalized account of a Cosa Nostra 'family' –was published in 1969, followed by a film adaptation released in 1972. The novel and film (and its two sequels) drew heavily on the information produced through the 1963 hearings. Rawlinson (1998) describes these fictionalizations as "the definitive text on America's criminal nemesis" and its exportation to international audiences "ensured that the predominant image of organised crime was American-influenced" (348).

where it comes from. Aside from those who take an (pluralist) alien conspiracy approach, the other major body of sociological work that has contributed to the association of ethnicity with organized crime has been the ethnic succession literature.

Ethnic Succession and the Crooked Ladder

The ethnic succession literature provides insight into how social factors make ethnicity a factor in organized crime. This literature can be seen as problematic because it uses ethnic groups as the starting point for analysis, which leads to a slide into the "ethnicity trap" (Albanese, 1996). Rather than examining the social, political or economic conditions that they suggest lead to involvement in organized crime, these authors start their analyses with ethnic organized crime groups and then trace backwards to find these conditions (see Mahan, 1998). They attempt to identify what it is about certain ethnic groups that make them susceptible to involvement in organized crime. Their answer is low social status and a lack of access to legitimate means of social mobility. These authors are arguing that social factors produce and sustain organized crime – it is not an evil conspiracy of foreigners attempting to destroy society. Rather, ethnic succession theorists generally seem to be more sympathetic to ethnicized groups than adherents to the alien conspiracy model. However, as Woodiwiss (2001) points out, "ethnic succession theorists merely added other ethnic groups to the alien conspiracy theory" (236). The basic premise is that immigrants engage in organized crime as a way to move up the social ladder. These works illustrate the actor-centric tendency of mainstream sociology and criminology to focus on individuals in studies of crime. As Beare and Naylor (1999) observe, this creates two classes of criminals – those who are "career criminals" and those who make a mistake occasionally. In an analysis of ethnic

succession theory, this "criminal class" division mirrors that between economic classes. For the lower classes to which most immigrant groups belong, organized crime is a possible "career" path to move up the social ladder because legitimate avenues are sparse. In comparison, because the middle and upper classes have a range of legitimate occupational opportunities open to them, organized crime does not have the same functional "necessity" as it does for the lower classes. If a member of the middle or upper classes were to participate in organized crime, it would appear anomalous. Because ethnic/immigrant groups are over-represented in the lower classes, they are therefore also more likely to be members of the "criminal class."

There are three key scholars associated with ethnic succession literature: Daniel Bell, Francis Ianni and James O'Kane. The idea of organized crime as an American way of life is common to all three authors. This is a key point of divergence from alien conspiracy theory in which organized crime is an imported phenomenon. Each uses the Italian-American Mafia (or La Cosa Nostra) as an idealized model for comparison of the "rising" groups. Bell's (1960) early analysis revolves around Italian-American organized crime, which sets the stage for the later studies. He refers to how early industrial capitalists whose "fortunes came by sharp practices and morally reprehensible methods" have attained respectability in American society (148). In the same way, Italian-Americans have come to attain positions of power as businessmen, professionals and politicians. As Luconi (1999) argues, Bell's linking of organized crime and Italian-American politicians lent an academic backing to a stereotype of gangster politicians that prevails today.[18] Although he rejected alien conspiracy theory, Bell's work had the effect

[18] Luconi (1999) discusses how the stereotype has been used to tarnish the reputations of Italian-American politicians. This has manifested in the Canadian political context as well with the example of former Liberal cabinet minister Alphonso Gagliano, who was identified by a New York newspaper as having connections to a Montreal-based organized crime

of reinforcing the idea of immigrant groups seeking power through corruption. Interestingly, Bell predicted that the changing economy, ethnic groups and nature of politics would contribute to the demise of "the kind of big, organized city crime, as we have known it" (149).

In contrast, Ianni (1974) and O'Kane (1992) end up reproducing the archetype by looking for indications of how other ethnic groups may fill the shoes of the Mafia. In *Black Mafia,* Ianni (1974) states that black and Hispanic organized crime have not reached the "level of development" of the Italians because they are dependent on outside sources to provide supplies and protection (314). This implicitly accepts that the Italian Mafia monopolizes criminal markets. He states that the purpose of this study was to find the "equivalent" among African-Americans and Latin-Americans to Italian-American organized crime (62). While his focus is primarily on micro-level relationships in organized crime networks, Ianni falls into the ethnicity trap when he widens his focus to discuss groups in terms of the characteristics of particular ethnic groups as indicators of potential "success" in organized crime. At the same time, Ianni's study of network relations provides a view of how shared ethnicity is a secondary corollary of criminal networks. He argues that kinship is one of the strongest bonds in criminal networks and looks for it in each ethnic group as an indicator of potential success in organized crime. The Italian model of familial/blood relations is the ideal type. Those ethnic groups with family or cultural values that more closely resemble those of Italians are seen as stronger. According to Ianni, Latin groups (Cuban and Puerto Rican) have similar family

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group. Two Conservative Party members of Parliament were photographed posing with an editorial cartoon depicting members of the Liberal Party under the heading "The Liberanos," a reference to popular television series "The Sopranos" which centres around contemporary Italian-American organized crime. Interestingly, a comment by Liberal MP Joe Volpe alluding to the Conservative Party as members of the white supremacist Ku Klux Klan organization was met with an immediate demand for an apology from the Conservative Party (Pedwell, T. (2005, May 3) Tories want apology for 'Klan' remark. *Canadian Press NewsWire*).

values to Italians. While African-Americans are "weak" in this aspect, they successfully build strong "family" through gangs and prison ties. He also emphasizes ethnic solidarity as an important factor for "successful" organized crime. Cubans have the benefit of being drawn together by a strong ethnic/national identity as well as the fact that many are exiles sharing similar political and economic interests. Similarly, he discusses political movements as a source of solidarity, in particular, the black civil rights movement.[19] The association between political movements, which threaten the status quo, and organized crime serves to reinforce the idea of organized crime as an entity outside of mainstream society.[20] So while Ianni's network approach reveals the role of ethnicity as a secondary factor, his acceptance of Italian American organized crime as a model, and the analysis of characteristics of other ethnic groups as indicators of their viability as successors pulls Ianni into the ethnicity trap.

O'Kane's *Crooked Ladder* (1992) argues that immigrants face a contradiction between the "idealized transition" through conformity and the Puritan work ethic and their lived experiences of discrimination, prejudice and conflict (8). O'Kane draws on Cloward and Ohlin's (1960) theory of differential opportunities, which posits that as a group attains political power their access to legitimate opportunities for obtaining socially encouraged goals also increases. As each ethnic group arrives in the US finding itself at the bottom of the social structure, their options for mobility are limited to one or a combination of seven routes, one of which is organized crime.[21] Once the group moves up in social status and more doors open, organized crime becomes less utilized. In

[19] At a broader level, Ianni relates the increasing prison politicization in the 1960s as a source of increased bonding of ethnically segregated prisoners. He also discusses the black power movement in the same period as instilling African-American criminals with the idea of "brotherhood" and a sense of security.
[20] In contemporary transnational organized crime discourse, the association of organized crime with the financing of political movements in "home" countries has blurred distinctions between organized crime and terrorist groups.
[21] Unskilled or semiskilled labour, retail/small business, professions, clergy, and entertainment were all legitimate routes. Urban politics was a semi-legitimate route because it was frequently tied to organized crime.

proving this thesis, O'Kane provides a history of Irish, Jewish and Italian organized crime and speculates on how groups such as African Americans, Mexicans, Cubans and Chinese will fare in replacing Italians, which he uses as the model of organized crime. Like Ianni, he predicts that African-Americans and also Mexicans are most likely to fill this role (91). Instead of focusing on the causes of crime – lack of opportunities and low socio-economic status stemming from prejudice – he frames his analysis around ethnic groups. Ethnicity thus becomes the primary focus as O'Kane falls into the ethnicity trap.

O'Kane argues that hostility from the larger society forces an ethnic group closer together, "insulating that group from the ravages of rootlessness" (152). Prejudice and discrimination contribute to ethnic group cohesion and the reinforcement of ethnic identity. He argues however, that racism is *not* a factor contributing to the low social status of ethnic minorities, especially African-Americans. The "problem" for those who are "slow to climb the ladder" is that they do not have middle-class skills or values (141-149). This exemplifies the criticism of the positivist influence in sociology that views the cause of criminality as an individual failure to assimilate or adapt to the values of mainstream society.[22] It reflects an ethnocentric positioning of the dominant culture as universal and the norm. O'Kane and other ethnic succession adherents take the existing social structure and institutions for granted and focus on the pathology of immigrant/ ethnic groups. The ethnic succession perspective leads to an assumption that the most socially marginalized are also most vulnerable to the lure of becoming involved in organized crime. As Ruggiero (2000) argues, the fact that ethnicized groups are excluded from legitimate opportunities is used as evidence that they are involved in criminal networks with others of the same ethnicity. This allows for the association of

[22] See for example, Reynolds' (1995) discussion.

ethnicized groups with organized crime without questioning the nature of the existing social structure and system. It simultaneously excludes members of the dominant class from scrutiny.

The works of Bell and O'Kane clearly explain involvement in organized crime according to immigration patterns. It has been argued that to "be" an immigrant denotes a risk-taking character, which is also associated with a greater willingness to engage in criminal activity (Finckenauer & Waring, 1998). However, Tonry (1997) found that first generation immigrants are generally more law-abiding than the native population. He suggests that because immigrants took the risk to emigrate, they would be more likely to "defer gratification" for long-term gain. Instead, their children are more likely to engage in criminal activities owing to their marginalization from the dominant culture (21). These findings are echoed in Yeager's (1996) review of the relationship between immigrants and criminality in Canada, the US, Continental Europe and Australia. Like Tonry, he notes the roles of racism and xenophobia in criminalizing immigrants and their descendents. Fox (1989) argues that the focus on ethnicity and immigration in ethnic succession theories hides the fact that the vast majority of immigrants achieve mobility through legitimate routes (cited in Finckenauer & Waring, 1998). Ethnic succession theories thusly contribute to the criminalization of racialized/ethnicized groups by emphasizing criminality.

One of the underlying assumptions of ethnic succession theory is that immigrants bring cultures that conflict with that of the new country. This disjuncture contributes to ghettoization and the conditions for organized crime to emerge. This premise is problematic because it positions "other" cultures as criminogenic. The argument that

some ethnic groups have values or worldviews that support criminal behaviour is ethnocentric (see, e.g. Finckenauer & Waring, 1998: 25). It assumes that the values and views of the dominant culture are "correct" and those that differ are wrong. The idea that there is something intrinsically criminal about certain behaviour ignores that criminality and legality are social constructs. For example, Bovenkerk (2001) writes that a sociological explanation for Italian-American involvement in illegal liquor distribution during Prohibition was that they came "from a real 'wine country'" (121). He cites this as an example of a neutralization process that allows unassimilated groups to engage in crime. The prohibition of alcohol is a useful example of crime as social construct, and Bovenkerk's example illustrates the problematic nature of describing "criminality" as a kind of cultural trait. When cultural traditions, values or beliefs are viewed as being supportive of criminality, it causes an entire group to be viewed as predisposed towards particular forms of criminality because they are assumed to share those values. Racism and xenophobia inform and are reinforced through the processes of criminalization and ethnicization that create and sustain the association between ethnicity and organized crime. These processes are discussed in the context of Canada's multiculturalism discourse in chapter three.

Ethnicity as a Secondary Factor

Shared ethnicity between participants may often be a feature of organized crime networks. However, it is a secondary factor that emerges out of the primary requirements of the criminal activities themselves (Mahan, 1998). Bovenkerk (2001) questions why scholars who refute the ethnicity thesis "keep coming across Jewish, Italian, German, Chinese and other minority entrepreneurs" in their historical studies if

ethnicity had no connection to organized crime (116). While his observation is correct, the insinuation is flawed. The rejection of ethnicity as an explanation of crime rests on the argument that it should not be the starting point of analysis. The authors that Bovenkerk cites – Block (1998), Potter (1994), and Reuter (1983) – take the economy and markets as a framework for their studies. Ethnicity may be a relevant descriptor of certain criminal markets at particular historical points due to various factors, including criminalization practices. The fact that members of Jewish, Italian, German or Chinese ethnic groups happen to be involved in these markets is of secondary importance to the existence of the markets themselves and the labelling of them as organized crime.

Activities defined as criminal are prohibited by law and punishable – thus concealment of such activities would be necessary to avoid negative consequences. If these activities involve more than one person (as per the concept of organized crime), trust between the parties is important and is often based on familiarity. A common ethnic background is often a characteristic of social relationships. Ianni (1974) identifies two categories of relationships that lead to the formation of networks, which he argues are necessary for organized crime: bonding and criminal. Bonding relationships exist *prior* to the formation of criminal relationships. These include childhood friendship, prison acquaintanceship, martial/sexual relationships, and kinship/familial ties. In each of these relationships, shared ethnicity may be common. These provide the foundation of trust that may give rise to relationships in the context of the criminal activity: employer/employee, partnership, buyer/seller, leader/follower, briber/receiver, relationships among followers/employees/partners, and so forth. If ethnicity is a factor in organized crime, it is because the circumstances of criminal activity make it useful. It is not ethnicity itself that determines participation in criminal activity.

The adoption of an actor-centric definition of organized crime results in a misguided emphasis on ethnicity as a defining characteristic of organized crime. This is reflected in alien conspiracy theory, its pluralist revisions and ethnic succession theories. These approaches have become embedded as commonsense understandings of organized crime based on ethnically identified archetypes. While law enforcement was instrumental in the emergence of this knowledge in the form of alien conspiracy theory in the mid-twentieth century, academia has also been complicit in maintaining the association between organized crime and ethnicity. This stems not only from the *de facto* acceptance of organized crime as a "real" phenomenon, but also from a failure to critically interrogate ethnicity as a social category. By understanding ethnicity as the outcome of a social process characterized by differential power relations, it is possible to understand how representations of organized crime can be a means of governing populations. The process of ethnicization is integral to the maintenance of the dominant conception of organized crime through the creation of ethnic narratives that are infused with attributions of criminality. The dominant conception of organized crime therefore retains legitimacy in mainstream discourse because of the acceptance of these narratives as commonsense knowledge about racialized/ethnicized groups.

Chapter Three: The (In)visibility of Race and Ethnicity in Multicultural Canada

Traditional criminological and sociological literatures have tended not to critically interrogate the commonsense definition of organized crime, and this is echoed by the inattention to race and ethnicity as problematic concepts. In Canada, this silence stems from a multiculturalism discourse that simultaneously claims Canadian society to be "colour-blind" yet emphasizes cultural differences through the symbolic mosaic. Within this apparent contradiction, multiculturalism acts as a means of preserving the status quo by silencing issues of discrimination and oppression but also in reproducing unequal power relations through racialization and ethnicization. Organized crime discourse is both reflective and constitutive of racialized/ethnicized social, political and economic relations.

Criminological and sociological research have largely ignored the contested nature of categories of race and ethnicity – when they deal with them at all. As Wortley (1996, 1999) observes, research on the relationship between race and crime has long been a taboo subject in Canada.[23] Talking about race within a discourse of the colour-blind society in which race is not supposed to exist is problematic in itself, and compounded further when such discussion is in the context of crime. Even with the increasing body of work in this genre, race or ethnicity are used as categories – objective variables of analysis. The "race and crime" genre therefore tends to examine the problem of the disproportionate representation of racialized people in the justice system and the debate hinges on whether this is due to offending rates or discrimination by authorities. While critical work on race has occurred in other spheres of Canadian

[23] Bowling and Philips (2003) suggest that this is the same case in both the United States and the United Kingdom (271). However, Canada is unique in that statistics on "race and crime" are not collected and reported. For more on the debate about race statistics in Canada see Wortley (1999), Satzewich (1998), and also Roberts, J. (1994) Crime and race statistics: Towards a Canadian solution. *Canadian Journal of Criminology, 36*, 175-185.

academia, it has been negligible in criminology.[24] From a critical perspective, the argument is often made that because it is a problematic concept we should reject "race" altogether as an object/subject of analysis to avoid its reification. However, as Satzewich (1998) argues, ignoring race simply fuels the denial of racism, which is more harmful than the possibility of reinforcing its "realness" by using it as a concept (30). Ignoring or avoiding race and ethnicity only contributes to the ability of elites to maintain a power imbalance (Henry & Tator, 2000). When academia evades race and ethnicity (or class, gender, sexuality, ability, etc.) it reinforces its position as an elite institution and contributes to the perpetuation of inequalities by inadvertently denying the existence of racism. By drawing on a critical framework that analyzes race and ethnicity as products of social processes, it is possible to address their impact on people while avoiding their reification.

Problematizing Race and Ethnicity

Race and ethnicity are socially constructed forms of classification that are based on observable or ascribed characteristics. They create boundaries between groups and are a basis for the distribution of power in societies. Both are problematic concepts that have become reified as real or natural. At the same time, they are "real" in the sense that the effects of the unequal distribution of power and resources based on these categories have a real impact on people's lived experience. Race is a category defined by biological features – usually skin colour. Ethnicity refers to a categorization based on elements such as shared nationality, language or culture. Race or physical characteristics are sometimes explicitly included in this definition, illustrating the link between the two

[24] Henry, Tator, Mattis & Rees (2000) suggest that there has been a general lack of attention from the social sciences as a whole.

concepts.[25] Racial identity is viewed as an objective biological fact with the "accompanying belief that there are personalities based on racial characteristics; and that inherited biological or physical characteristics are the most important individual and group traits" (James, 1998: 33). Biology implies immutability. However, race has historically been an arbitrary classification system. It has variously been used to refer to lineage, ethnic groups, religions, nationalities minority language groups, blood groups, and geographical origins (Elliot & Fleras, 1992).[26] In Canada this ambiguity is pronounced as the term "visible minority" is used as a substitute for both race and ethnicity. Statistics Canada defines "visible minority" as "persons, other than aboriginal peoples, *who are non-Caucasian in race or non-white in colour*" [emphasis added] (Statistics Canada, 2001).[27] Clearly, "visible minority" is another way of talking about race as it hinges on *visible* difference. While the subject of race is taboo in Canadian society, the euphemism of visible minority is used, which like ethnicity does not have the same forbidden status because it is part of multiculturalism discourse.

The categories of race and ethnicity emerge from and are inscribed by the social processes of racialization and ethnicization. Racialization is a process whereby "social relations between people have been structured by the signification of human biological characteristics in such a way as to define and construct differentiated social collectivities" (Miles & Brown, 2003: 101). Physical features are attributed to differences in biology, making racial categories "natural" providing justification for differential treatment. Within this process, expectations about abilities or behaviours linked to

[25] In contrast to racial categories, the number of ethnicities is infinite, especially with recognition of increasing multiethnic identities as categories themselves.
[26] For example, the United States uses the categories of Black, Hispanic, Asian or Pacific Islander, American Indian and White to represent racial groups in census data (Hendricks & Nickoli, 2000). In Canada, the 2001 census questionnaire listed Chinese, South Asian, Black, Filipino, Latin American, Southeast Asian, Arab, West Asian, Japanese and Korean as possible "visible minority" categories.
[27] This definition is taken from the *Employment Equity Act* (Statistics Canada, 2001).

biology come to characterize the racialized group. By treating race through the framework of racialization, it is possible to explain historical shifts in racial classifications, such as how individuals now considered white have been raced differently in the past, but also the interchangeability of racial and ethnic categories. Racialization is a process of differentiation, identifying the "other" vis-à-vis dominant society based on identifiable physical characteristics. Furthermore, as Miles and Brown (2003) emphasize, this is a dialectical process that also involves definition of the self. Visibility is a deviation from the norm in a dichotomous relation and is thusly inferior. The "capacity of whiteness not to be named" is the result – whiteness is rendered natural and therefore invisible (Henry & Tator, 2003: 8). "Blackness" is deviant in the sense of being the opposite of whiteness. Similarly, "brown," "yellow," "red," "olive" or the homogenous category of "colour," deviate from the non-colour of white.[28]

Ethnicization is a process similar to racialization but categorization occurs through the ascription of meaning to "socio-cultural signifiers" rather than biological or physical characteristics (Miles & Brown, 2003: 99). Like racialization then, ethnicization is a process that produces and reproduces ethnocentric beliefs of the dominant culture's superiority by categorizing people through discourse and action. Just as racialization makes whiteness the norm against which "colours" deviate, ethnicization renders Anglo-European beliefs, values and traditions as the assumed cultural norms for Canadian society. Cultural traditions, habits, customs and values that are different (and therefore visible) are deviant. The process of ethnicization is similar to racialization in that cultural difference "makes ethnicity phenotypical" (Dei, 1998: 301). Like race, ethnicity and the

[28] Of course the nature of racialized relations would vary depending on the social context. My analysis in this thesis is specific to Canadian society, its discourses and practices.

elements that compose it, become immutable characteristics of the individual as a member of an ethnic group. Ethnicization therefore distances or removes people from the dominant culture through differentiation into ethnic categories. It is based on cultural essentialism, which denies "the fluidity and variety of cultural identity and human behaviour" (Webster, 1997: 66). There is often an assumption that culture is static and universal for all members of that ethnicized group. This static nature of ethnic cultures is located in the past – as traditional and conservative vis-à-vis the modern and liberal Canadian culture (Bannerji, 2000). Like race, ethnicity is perceived as having clear boundaries marked by labels that cannot be crossed at whim. The permanence of the ethnic label therefore means that ethnicized individuals are excluded from the imagined community of the nation (Anderson, 1991). However, because racialization and ethnicization are ongoing and dynamic processes, it is possible that groups move between categories over time. The racialization of immigrants from Southern Europe in the early twentieth century and their eventual inclusion within the category of whiteness is evidence of this. At the same time, ethnicization allows for continued differentiation of groups such as Italians or Greeks from the dominant Canadian culture. Ethnicization carries the dimension of foreignness – to be categorized as "ethnic" is to be marked as foreign. The identification of certain cultural attributes links people to particular nation states, and this "distinct cultural profile" symbolizes their belonging to another nation (Miles & Brown, 2003: 138). As Jiwani (2002) suggests, the category of "immigrant" indicates a person of colour with a different culture and language. "Immigrant" and "ethnic" become almost interchangeable, which is reflected in Canadian multiculturalism discourse. In this light, to become Canadian and lose the ethnic/immigrant label means the shedding of ethnic culture (and its foreignness) to blend into the dominant one and

attain official citizenship in the (new) nation. Whether this can be a true inclusion is unlikely because ethnic status is intrinsically tied to visual (and audible) markers of race and outsider status – "visible minority" and "ethnic" thus have a degree of permanence.[29]

Whereas racial categories are more readily viewed as something imposed by others, ethnic identity is usually viewed as self-ascribed rather than the product of unequal power relations among social groups. This at least partially informs why use of the term ethnicity is less problematic (or more "politically correct") than race in public discourse. However, as Nagel (1994) argues, "the extent to which ethnicity can be freely constructed by individuals or groups is quite narrow when compulsory ethnic categories are imposed by others" (156). Like racial categories, power relations also shape ethnic identity. As Bashi (1998) writes, "It makes a difference who is doing the categorical defining, and who is policing the boundaries of these definitions" (965). The ability to freely construct one's own ethnic identity and to have it acknowledged or recognized by others can be seen as an exercise of power in relation to the powers of others in ascribing identities. Racialization and ethnicization are not always necessarily unidirectional processes, imposed by one group onto another. As Miles and Brown (2003) indicate, racialized and excluded groups have "appropriated and legitimated [racialised] discourse as a means by which to identify Self and Other. In so doing, the evaluative content has usually been changed from negative to positive..." (102). The fluidity of racial and ethnic identities reflects Foucault's (1980) position that power should not be conceptualized as a zero-sum commodity that is located within a particular social location or group. The processes of racialization and ethnicization cannot be divorced

[29] For more on the interaction between racialization and ethnicization, which some frame as a racialization *of* ethnicities, see Miles & Brown, 2003, Bashi, 1998, and Grosfoguel, R. (2004) Race and ethnicity or racialized ethnicities? Identities within global coloniality. *Ethnicities, 4(3),* 315-336.

from the role they play in the positioning of groups within a stratified social system (Bashi, 1998). These processes are means of managing populations in modern society within a political rationality of capitalism. Racialization and ethnicization create and maintain power relationships between groups that sustain the capitalist system as evident in the racialized character of the division of labour and of class relations. Racialization and ethnicization allow for the identification of potentially problematic populations (threats to the system and structure) and provide a means for their removal or distancing through marginalization and criminalization. The invisibility of these processes and their impact on individuals occurs in part through the discourses of multiculturalism and colour-blindness.

Multiculturalism and Colour-blindness

Multiculturalism has come to be viewed as one of the defining feature of Canada. Enshrined in official policy and pervasive in public discourse, multiculturalism reflects a pluralistic approach to assimilation that encourages some identification with a core ("Canadian") culture but also the maintenance of ethnic cultures by immigrant groups. The first incarnation of the policy emerged in 1971 influenced by the Royal Commission on Bilingualism and Biculturalism.[30] The stated objective of the policy was to eliminate prejudice and lead towards a society of equality. The official Multiculturalism Act was passed in 1988. The introduction of this policy was contextualized by increased immigration from Asia, the Caribbean, Latin America and Africa, an active separatist movement in Quebec and Aboriginal land claims (Henry, Tator, Mattis & Rees, 2000; Bannerji, 2000). Bannerji (2000) describes the policy as a coping mechanism to deal

[30] The Commission established English Canadians and French Canadians as the dominant "cultural" groups in Canada, with a third category of "others" (see Henry et al. 2000).

with "these multiple other cultural presences...interpreted as a threat to national culture" (37). She describes the policy as a "diffusing or muting device" (9). Similarly, Bolaria and Li (1985) frame multiculturalism as a means of "managing race and ethnic relations within a state apparatus" (in Li, 1988: 9). Citing Currie (1982), Li (1988) describes multiculturalism policy as maintaining power relations by sating ethnic groups through the provision of cultural funding, but also in being non-threatening to the dominant society as it "complements rather than challenges the operations of the labour market by strengthening the belief of equality" (10). Multiculturalism discourse relies on the language of tolerance, acceptance, accommodation, diversity and harmony. This discourse structures power relations by maintaining the superiority of the dominant group and culture by positioning it as the *giver* or provider of tolerance and accommodation: it is this group and culture that has the power/ability to tolerate or accommodate "*their* idiosyncratic cultural differences" [emphasis in original] (Henry et al., 2000: 30). Furthermore, it indicates that there is a limit to how much difference will be tolerated, which is determined by the dominant group. Built into this discourse is the assumption of existing equality – as Bannerji (2000) notes, the language of "diversity" appears neutral, and implies equality on the surface, but masks existing power relations. It therefore minimizes or "mutes" issues of social inequality based on ethnicity and masks the role of structural conditions in Canadian society in creating those inequalities (Li, 1988). These notions of equality and the denial of discrimination based on ethnicity are echoed in the discourse of colour-blindness. This discourse claims that we do not notice the skin colour of people, meaning that racial discrimination does not occur and therefore racism does not exist in Canadian society. It would seem paradoxical as multiculturalism recognizes difference ("cultural diversity") with the imagery of the

mosaic. However, ethnicization neutralizes "race" by drawing on the language of culture instead thus allowing for a "cultural" mosaic while denying racism.[31]

As Bannerji (2000) argues, the rationality of multiculturalism has been imposed from above through the categorization of immigrants into ethnic communities. These ethnic or cultural categories are created and inscribed by the dominant group and immigrants self-identify within them. This ethnicization process essentializes cultural differences through the homogenization of individuals' diverse and intersecting identities into symbolic or stereotypical elements that come to represent particular ethnic categories. Further, it denies the fluidity of culture by rendering it static, located in a past characterized as traditional and conservative. These essentialized cultural elements can be understood as stereotypes when they become associated with expectations about morality, intellect, abilities or behaviours. These cultural "traits" are associated with physical ("racial") features because of the racialized nature of ethnicization. Ethnic identity can become criminalized when these essentialized cultural features are used as an explanation for criminalized behaviours. In other words, these features are viewed as predisposing individuals towards such activities. Multiculturalism (as discourse and policy) enables racialized policing practices such as what has been termed "racial profiling." Firstly by constituting "ethnicities" and their stereotypes which can become targets, and secondly by providing the façade of colour-blindness allowing for the denial and evasion of racism. Discriminatory practices can be rationalized in the name of public safety and security.

[31] Henry et al (2000) define racism as "a system in which one group of people exercises power over another group on the basis of skin colour; an implicit or explicit set of beliefs, erroneous assumptions, and actions based on an ideology of the inherent superiority of one racial group over another..." (409). Racism can be seen as an expression of power relations and, drawing on Foucault, a political rationality that makes that expression possible.

Criminalization and the Role of "Profiling"

Stereotyping and the (re)production of racial and ethnic narratives can be thought of as techniques of governance that enable and are enabled by the processes of racialization and ethnicization. These techniques develop and provide assumptions about an individual's character and behaviour. Racial stereotypes attribute assumptions of ability or behaviour to biology whereas those associated with ethnicity assume that certain behaviours are natural because of cultural predisposition. In the same manner that biology or genetics has been cited as a "cause" of criminality, cultural difference becomes criminalized.

As an official form of social control, the criminal justice system criminalizes deviance, protecting society by removing harmful individuals through execution, imprisonment or other forms of institutionalization. The criminalization of deviance is the institutionalization of a morality discourse based on dominant cultural values. Crime, legality and morality are constructs that, like race and ethnicity, allow for the categorization of people. Criminalization can thus be conceptualized as "governing through crime" (Simon, 1997). Criminalization is a process through which the labelling of certain activities, people or groups as "criminal" is a means of social control that is only partially aimed at the official rhetoric of preventing or controlling crime (Hall, Critcher, Jefferson, Clarke & Roberts, 1978). It diverts attention from underlying social inequalities (that are sometimes used to explain offending) by holding individuals *morally* responsible for their actions (Brooks, 2002). Morality discourse underlies the criminal justice system despite the appeal to the neutrality or objectivity of safety and justice. In the contemporary "risk society," morality serves a purpose in categorizing people to make them "predictable" (Ericson & Haggerty, 1997: 39). As discussed, ethnicization is a

dichotomizing process that positions dominant culture (including a particular morality system) as superior and the norm against which "ethnic" cultures differ (and are inferior). The discourse of multiculturalism implies limits to the degree of difference (or deviation) that will be tolerated. The criminal law provides an official boundary of this tolerance. Because the stereotypes (re)produced through ethnicization attribute expected behaviours to essentialized cultural features, ethnic groups as a whole can be criminalized if those cultural feature are perceived to conflict with the moral standards that are institutionalized in criminal law. Proclivity towards certain behaviours, including criminal activity, can be predictable based on the attribution of cultural stereotypes to ethnicized individuals. There is therefore a criminalization of racial/ethnic narratives – the sum of essentialized characteristics or stereotypes and the assumptions derived from them, which comes to represent a particular ethnicity. These narratives circulate in public discourse as commonsense knowledge about ethnic groups, reinforced by politicians, media, police and experts. There is a feedback loop among these authoritative sources and the public, which sustains these narratives as commonsense. Because of the naturalization of these narratives along with the discourses of multiculturalism and colour-blindness, the racialized/ethnicized nature of social relations and the practices that (re)produce them are rendered largely invisible.

There are several examples of how ethnic narratives are criminalized specifically in relation to organized crime. Law enforcement and the media frequently describe Vietnamese organized crime as having a propensity for a high degree of violence. This is often attributed to the Vietnam War experience of the 1960s, which "bred" a culture of violence to which these individuals are inherently disposed (see e.g., Kleinknecht, 1996; Nyhuus, 1998). Similarly, Jamaica's "culture of violence" is attributed to the island's

socio-political history. Kleinknecht (1996) explains that a history of "fratricidal politics" gave birth to the organized crime groups – the Posses – that now operate in North America. In the case of Italians, Furstenberg (1969) suggests that the use of violence to settle disputes would be natural for Italian Americans because of their common background in which the Mafia was a dominant feature (cited in Block, 1991: 10). Rampant political and police corruption in the former Soviet Union and China are said to have created a culture in which people do not respect authorities (see Kleinknecht, 1996). In all these cases the socio-political conditions in the country of origin, regardless of temporality, are seen as the basis for a distinct ethnic culture in which a type of behaviour –violence – is the norm. Because ethnicization renders culture static, historical events retain a permanence that is inscribed onto these ethnic categories no matter how far removed – physically, temporally, or culturally – an individual may be from those conditions. In order for violence to be normalized in these cultures, values and worldviews must be implicated as allowing for this normalization. In other cases, criminalization occurs through the description of cultural "traditions" or practices as facilitative of organized crime or some aspect of it. One of these is the value of "face" or "honour," which is predominant in discourse relating to "Asian" cultures, but also parallels discourse about cultures of honour ranging in context from the Mafia, to urban black youth gangs to the U.S. South.[32] The high value placed on the maintenance of a good reputation (honour) in these cultures induces individuals to use whatever means possible to uphold it; violence is rationalized as an acceptable response to a challenge. This "tradition" is often presented as primitive or rooted in the past. A more specific example is the criminalization of *guanxi*, a "Chinese" system of social relations between

[32] See Nisbett, R.E. & Cohen D. (1996) *Culture of honor: The psychology of violence in the South*. Boulder, CO: Westview

people that is based on mutual obligations. It is a social support strategy that ensures people have access to resources and can acquire social status. McIllwain (2004) writes that it is maintained by an "intrinsic value system" (27).[33] The ethnic character of *guanxi* can lead to the erroneous interpretation that it is a culturally specific institution that fosters organized crime by providing a pre-existing network through which to conduct criminal activities. According to an RCMP document, "most Asian-origin organized crime relies on guanxi relationships or their equivalents" and advises that enforcement strategies focus on these social relationships (1998, "Understanding Asian Organized Crime").[34] A particular aspect of Chinese (or Asian) culture therefore becomes criminalized. This demonstrates a simultaneous ethnicization and criminalization process by which *guanxi* (face/honour, socio-political history) is 1) essentialized as a representation of an ethnic culture therefore making it different (deviant) from the dominant culture, and 2) imbued with an explanatory power for criminal behaviour. In this dual ethnicization/criminalization process, the dominant culture is invisible. Criminality is not attributed to Canadian socio-political history nor to "Canadian" worldviews in the same way it is for ethnicized groups. This knowledge about ethnicized groups is reflected in policing discourse, highlighted by cultural sensitivity programs that seek to educate officers on the cultural differences of various ethnic groups. Aimed at improving relations between the police and these communities, these initiatives can be problematic in reproducing ethnic narratives.

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[33] For more on *guanxi*, see Myers, W. H., III (1995) Orb-weavers – the global webs: The structure and activities of transnational ethnic Chinese criminal groups. *Transnational Organized Crime, 1(4),* 1-36.
[34] For another example, see Daye, D. D (1997) *A law enforcement sourcebook of Asian crime and cultures: Tactics and mindsets.* Boca Raton: CRC Press.

Police Knowledge

Coinciding with the introduction of multiculturalism policy, cultural sensitivity or cultural awareness programs for law enforcement began in the 1980s. These reflect the aims of multiculturalism policy in addressing relations between police forces and the increasingly diverse communities in which they serve through educating officers on cultural differences. An evaluation by the Ontario Race Relations and Policing Task Force in 1989 found the programs to be lacking and noted that they "may also result in reinforcing stereotypes" (1989: 97, cited in Stenning, 2003: 20). Stenning (2003) has described a "conceptual dilemma" in policing multicultural societies that mirrors the multiculturalism/colour-blind paradox. As he points out, the predominant strategy of dealing with police discrimination is to provide cultural sensitivity training and similar educational opportunities. He argues that this can cause confusion for officers who "are told that cultural (or racial or ethnic) difference is an inappropriate basis for discretionary decision making, and on the other hand, are told that they must always be alert and sensitive to cultural (or racial or ethnic) differences ..." (32-33). Stenning suggests that such an approach assumes people are able to distinguish between positive and negative discrimination, but this is not usually the case. It presents a contradiction to the universal enforcement of the law, which is seen as the primary duty of the police.

The RCMP has pursued some cultural sensitivity programming, examples of which are available through the Internet portal of its Learning and Development Branch. Currently available as an online module is a cross-cultural communications document on "The Vietnamese." There have also been a series of "cultural profiles" produced on

various national groups: Cambodia, Somalia, Laos, Iran and Lithuania.[35] The introduction to this series states: "It is hoped that the material contained herein will assist members explain the causes of culturally related concerns created when different values clash with western culture and values." This positions western culture and values as the norm against which "different" ones clash. It reflects the multiculturalism discourse that locates the superiority of the dominant group and culture through its power to tolerate or accept the cultural differences of others. Reflecting an attempt by law enforcement to incorporate diversity awareness and training, these profiles illustrate the conceptual dilemma Stenning (2003) raises. They construct difference on the basis of ethnicity, and these cultural differences can be perceived as deviant or criminalized depending on the tolerance levels of dominant Canadian society. Because these programs are implemented in a social context of systemic racism and the circulation of criminalized racial/ethnic narratives, they become problematic.[36] This criminalization is explicit in the module "The Vietnamese" in which a substantial amount of the section on "the Vietnamese in Canada" is devoted to the topic of "Vietnamese crime." It makes specific reference to organized crime, providing a useful example of the discursive criminalization of race/ethnicity and the ethnicization of organized crime. Together, ethnicization and criminalization impart knowledge about the Vietnamese community that identifies it as one of the usual suspects in the context of organized crime. In part this occurs through the production of the module itself and its focus on Vietnamese and not other racialized/ethnicized groups. Because of their focus on ethnic communities,

[35] These are not currently available online, but were accessed through *Internet Archive*. All of these profiles share common discursive themes that reflect the ethnicization process in the construction of difference. The general format of the cultural profiles is a description of "cultural etiquette" followed by a country profile including its socio-political history.
[36] The argument here is not to eradicate cultural diversity training initiatives, but rather to consider alternate formats that take a more holistic approach in addressing issues such as power and how this affects police interactions with community members.

these types of diversity initiatives reinforce the broader association between crime and ethnicity simply by providing more information about the criminality of particular ethnic groups. In contrast, the lack of a similar treatment of the (non-ethnic) dominant group minimizes a similar connection; criminality is not associated with the dominant culture.

The "Vietnamese" cross-cultural communications module reflects the essentialization of culture through the discussion of particular cultural elements as representative of Vietnamese culture. There is an emphasis on "tradition" and "traditional values," which contrast against the modern culture of Canadian society. These conservative and traditional values are therefore ingrained in Vietnamese ethnic identity and predispose individuals towards particular attitudes and behaviours. Readers are informed about the "traditional Asian value" of "face" and cautioned that "lose [*sic*] of face among the criminal element, could result in retaliation." The cultural value of "face" is a significant element in discourse about "Asian crime." In another learning resource titled "Understanding Asian Organized Crime" (1998), this cultural attribute is described as being "learned early in Asian cultures, and is entrenched by the time a person reaches their teens."[37] Not only is there a generalization, but this illustrates how a cultural feature is rendered phenotypical and therefore predisposes individuals to particular behaviours. Here, "face" is described as "a feeling of immense self-pride." It parallels discourse about cultures of "honour" in that the maintenance of honour or face is cited as an explanation for criminal behaviour, specifically violence. In "The Vietnamese," violence is also attributed to a specific socio-political history: "These [refugee] camps, were frequently no better than prisons, and proved to be a breeding

[37] In contrast to the framing of the Vietnamese module as a "Cross-Cultural Communication" resource, this older document, dated 1998, was part of the "Functional Competency" series of the learning and development resources, in the section "Acquiring and Analyzing Information – conducting investigations and collecting evidence." Accessed through Internet Archive.

ground for exploitation and criminal activity, the legacy of which would impact upon the émigré Vietnamese communities and their host countries for years to come." This excerpt is preceded by a brief overview of the social-political history of Vietnam with a specific focus on the Vietnam War. The war/refugee experience becomes a defining characteristic of what it means to be "Vietnamese" – as part of this ethnic identity and therefore a feature that can predispose this ethnic group towards certain behaviours. By describing the criminality within refugee camps as a "legacy," it is given a sense of embeddedness within the Vietnamese identity. This criminality is specifically characterized as "organized crime":

> The roots of Vietnamese crime bears some of the somewhat romantic or mystical origins associated with other Asian crime. The Vietnamese appear to have been subject to the same development of Triads, in the like manner as the Chinese, and like the Chinese, their Triads were theoretically formed to fight oppression and injustice on behalf of the people. The Mafia in Italy of course, claims a similar heroic origin.

There is a direct association of Vietnamese crime to an archetypal form of organized crime, thus making it a central feature of the Vietnamese criminal narrative. When Vietnamese individuals engage in criminal activity, it is organized crime rather than individual. It reinforces the commonsense knowledge of organized crime by describing it in relation to Triads and Mafia.[38] The next paragraph discusses the history of this form of criminality in Vietnam, which is intertwined with the country's political history. It is described as a permanent feature of Vietnamese society, fuelled by corruption:

> Whatever its original nature, organized crime existed in Vietnam during the French Colonial regime, and continued to grow effectively during the brief existence of South Vietnam. Political and police corruption which were ripe in the country, only lent power and wealth to criminal organizations.

[38] The historical claim that such groups served primarily political purposes at a point in time is disputed by the use of the phrase "of course" implying that this is the expected defence offered by criminals. Further, the description of these origins as "romantic" and "mystical" emphasize this doubt.

In a section titled "Background of Vietnamese Criminals," a member of the British Columbia Coordinated Law Enforcement Unit (CLEU) is quoted describing Vietnamese criminals as "the most tenacious, extraordinarily focused criminals ever introduced to Canada." Again, criminality precedes immigration. It is a broad generalization that implies a common "type" of Vietnamese criminal with particular characteristics.

> Vietnamese gangs soon proved themselves so ruthless and effective that they intimidated other more established Asian gangs (...) It is claimed that even the notorious Hells Angels motor cycle gang has been forced to develop a working relationship with Vietnamese gangs in their previously unchallenged control over the drug trade.

Vietnamese gangs are positioned as an emerging threat because they have challenged the dominance of both Asian gangs and the Hells Angels. What has been described as "cooperation" between Hells Angels and Vietnamese groups in other texts (such as CISC reports) is cast in a different dynamic in the context of intimidation implied by the word "forced." This is reinforced in the next line that describes typical Vietnamese criminals as having "a benign sense of concern for their own safety, as well as a preparedness to use vicious and brutal methods to achieve their aims, [which] makes them a dangerous adversary." In light of this, the final section on "Checking Vietnamese Criminals" emphasizes that

> (...) caution must in all cases be exercised when checking vehicles or persons on the street. Many Vietnamese males, because of their comparatively short stature and slight builds, often appear younger than they are, which may lead police to believe (...) they are dealing with teenagers, rather than adult, and in some cases, seasoned criminals.

There is also the recommendation that an officer not conduct searches alone due to safety concerns. The physical description of body type reflects racialization as a phenotypical feature is generalized and associated with an expected behaviour – violence. This creates a suspicion of Vietnamese men in general, whether or not they

are "seasoned criminals" and regardless of age. Furthermore, read together with the preceding description of the dangerousness of Vietnamese criminals, it introduces the threat of violence in police interactions with Vietnamese men.

This module creates a typology of "Vietnamese crime" directly associated with organized crime. The construction of this criminality is interwoven with the ethnic narrative, in particular that of "face" and the socio-historical background of Vietnam. The introduction to the module states that its aim is to "educate and sensitize employees of the RCMP to certain specific ethno-cultural communities in Canada." This raises the question of why particular groups are singled out for this treatment. In the section on criminality, there is an answer: "The wave of Asian crime which has unfortunately accompanied Asian immigration in recent years, has been a matter of study and alarm." Thus, "Asian" crime, which apparently includes Vietnamese crime, has been identified as a problem. This implies an anticipated interaction with the Vietnamese community, requiring this sensitization. As Ericson and Haggerty (1997) argue, the development of an "over-sensitization" to concepts such as "Asian crime" can lead to officers' interpretation of innocent behaviours as suspicious, and therefore grounds for investigation (289). Ethnicity (represented through cultural and physical features) is criminalized through this process. In the case of the Vietnamese community, its criminal narrative is one of violence and organized crime. This knowledge provides a profile of "the Vietnamese" that can impact directly on the perception of the threat or risk of this ethnicized group, and policing practices.

From Narratives to Profiles to Targeting

The targeting of individuals for enforcement action based on racial/ethnic identifiers – or "racial profiling" – is a form of racialization/ethnicization that contributes to the criminalization of racialized and ethnicized groups. Because the police are usually the first point of contact between individuals and the criminal justice system, they play the important role of gatekeepers – thus their decision-making in targeting individuals for attention has considerable weight.

There are various definitions of racial profiling ranging from the broad to the narrow. Henry and Tator (2003) conceptualize it as "a racist ideology put into practice" (8) – in essence, it is a manifestation of racism. The Ontario Human Rights Commission defined it as "any action undertaken for reasons of safety, security or public protection that relies on stereotypes about race, colour, ethnicity, ancestry, religion, or place of origin rather than on reasonable suspicion to single out an individual for greater scrutiny or differential treatment" (2003: 6). Debating whether an incident should be labelled racial profiling according to narrow criteria draws attention away from systemic and institutional racism and leans towards individualistic "bad apple" explanations (see Tator & Henry, 2006). Under such an approach, proof of individual officers' bigotry becomes necessary. Accusations of individual racism fail to recognize racism/ethnicism as a cultural and ideological system. The qualifier of reasonable suspicion in narrow definitions is problematic because it fails to recognize that suspicions are informed to some degree by racial and ethnic stereotypes that, to the extent they are embedded in commonsense knowledge, may be interpreted as being "reasonable." By adopting a broad approach such as that advocated by Henry and Tator (2003), profiling can be conceptualized as a racialized exercise of power through which certain social groups are

designated (potential or likely) criminals, justifying disproportionate attention from social control agents such as the police. The practice of proactively targeting the usual suspects can result in a self-fulfilling cycle in which the initial assumption is confirmed. Not only does it reproduce these assumptions, but also *strengthens* them. Gill (2000) frames this as a power/knowledge relationship whereby police knowledge about *who* is responsible for crime is confirmed through their powers of discretion and targeting. The ability of police to produce this knowledge stems from their largely exclusive "access" to the realm of crime problems.

Because the police engage with crime problems on a regular basis, they have a certain claim to expertise on the topic. Particularly in relation to a less visible form of criminality such as organized crime, they have an almost exclusive monopoly on this realm of knowledge. The police can be described as "knowledge workers" (Ericson & Haggerty, 1997) in that through their activities they are generating a knowledge base about crime. Operational activities such as arrests, disruptions and interdictions as well as practices around the production of intelligence (collecting information, conducting analysis) are ways that knowledge about crime problems is produced.[39] Another source of knowledge is officers' "grounded knowledge" (Cope, 2003: 356), which is rooted in their experiences and informs their decision-making. Decision-making, as noted by Ericson (1982), is often characterized by a significant amount of discretion and low visibility. This makes it difficult to challenge the knowledge that they produce. Therefore, police have "control over the production of 'facts' about a case, and this control of knowledge becomes a very potent form of power." This power is exercised in the context

[39] There is a high degree of visibility in police operations that result in the apprehension of organized criminals, relayed through television news programs. Thus, the apprehension of racialized/ethnicized individuals substantiates public knowledge that these are the usual suspects.

of the occupational culture (Ericson, 1982: 13-14). Because police "occupational culture is related to wider social structures of racialized relations and associated ideas about ethnic minorities," this knowledge affects police assessments of threat and their targeting decisions (Holdaway, 1996: 17). Experiential ("grounded") knowledge is informed by conceptions of usual suspects and "symbolic assailants" (Skolnik, 1966 cited in Wortley, 1999) that are informed by stereotypes and criminalized narratives. As Ericson and Haggerty (1997) point out, police do not create these stereotypes, but through their activities reproduce and reinforce them as "truth." Because of their position as experts, police also exert power through their control over what knowledge is disseminated and how (see Ericson, 1989). As Sheptycki (2003b) argues, for police "to maintain a semblance of balance and objectivity, it is necessary that police knowledge about organised crime cohere with knowledge produced by and for 'public opinion'" (501). Thus, public (commonsense) knowledge about organized crime is at least partially, if not fully, reflective of police knowledge communicated usually via mainstream media outlets. The feedback loop between police and public therefore creates a self-fulfilling "truth" about organized crime and its usual suspects that becomes a foundation for targeted policing practices such as profiling.

There are two forms of profiling employed by law enforcement: reactive and proactive. Reactive profiling is used to apprehend individuals who have already committed a crime.[40] Proactive profiling is part of an effort to prevent harmful or criminal activities from occurring. While reactive strategies depend on circumstances and evidence relating to the actual criminal act, proactive profiling attempts to *predict* who is

[40] Popular notions of serial killer or rapist profiles are examples of this type of profiling that abound in news and entertainment media.

likely to commit certain crimes (see Bumgarner, 2004). Based on observable behaviour and visible characteristics, it allows for the identification of appropriate suspects/subjects for surveillance (Harcourt, 2003). Racial and ethnic narratives inform the interpretation of these observable features. This practice is reflected in an entire policing model that emerged during the end of the twentieth century. Intelligence-led policing (ILP) has become the dominant framework in most western states. Based on the targeting of resources and actions on those believed to be responsible for the majority of crime (and the most harmful kind) in society, ILP risks implementing racialized/ethnicized enforcement under the rhetoric of public safety and security.

The following chapter examines ILP and how racialization and ethnicization can occur through particular aspects of the intelligence process employed in Canada in the policing of organized crime. This leads to a reproduction of a racialized/ethnicized construct of organized crime that is reflected or manifested in the discourse of law enforcement agencies. At the same time, this construct provides a framework for the practices and process within the ILP model.

Chapter Four:
Intelligence-Led Policing – Intelligence as Knowledge, Knowledge as Intelligence

A shift in dominant policing strategy began at the end of the twentieth century in North America towards a proactive, preventative model against the backdrop of the "risk society"(see Ericson & Haggerty, 1997; Harcourt, 2003). Previously, the dominant policing approach was reactive and responsive – law enforcement would act only after criminal activities had occurred. In the new orientation, cast as a radical response to the perceived failure of the traditional reactive policing model to truly deal with crime problems, policing seeks to be proactive and preventative. The assumption in a proactive risk approach is that suitable suspects can be identified through analysis based on observable behaviour or characteristics (Harcourt, 2003). Such an analysis can be used to predict who is likely to commit certain crimes and therefore enables police action to prevent them from occurring.[41] The concept of intelligence-led policing originated in the United Kingdom and has spread to most western countries (IALEIA, 2005: 1). A significant feature of ILP is that it is a business model for policing, spurred by the demand for fiscal accountability or "value for money" against budget reductions (Ratcliffe, 2002: 54; Deukmedjian, 2006). This was part of a move towards a "new managerialism" in the 1990s (de Lint, 1998, cited in Deukmedjian, 2006; Maguire & John, 2006). This business model is reflected in the ILP discourse of intelligence "products," "clients," and "marketing." ILP is based on directing enforcement attention and resources towards problems (individuals, groups, activities, issues, etc.) that are considered to be the most problematic in terms of the threat posed to society and/or the scope of harm of activities. It is a "strategic, future-oriented and targeted approach to

[41] There have been three main variations of this framework implemented in different jurisdictions to varying degrees: problem-oriented policing, community policing and most recently the intelligence-led policing (ILP) model (see Tilley, 2003).

crime control" (Maguire, 2000: 316), which is based on the assumption that a small number of individuals are responsible for the majority of serious crime (see Tilley, 2003). By targeting this segment, police can theoretically have a greater impact on the overall "crime problem."

What primarily distinguishes ILP from the preceding proactive model of community policing is as Deukmedjian (2006) observes, the locus of responsibility for problem solving is shifted to the agency level instead of in cooperative partnerships with the community. The primary client of law enforcement in an intelligence-led model is not the public but rather other police agencies and departments, as well as non-law enforcement organizations in the public and private sectors (Ericson & Haggerty 1997; Johnson, 1999). Law enforcement and its partners make the determination of which crime problems deserve attention. In Canada, through the alignment of policing priorities with those of government, organized crime – and after September 11, 2001, terrorism – has become the primary crime problem for the RCMP (Deukmedjian, 2006) and also a priority for provincial and local forces. Accountability to the public occurs through the assumption that limited law enforcement resources (funded through taxpayers) are being directed at the most serious crime problems. Through this model, law enforcement regains its position as sole experts in the identification of crime matters and how to best deal with them, whereas under the community-policing model the community itself was cast as also having this expert knowledge and therefore shared in decision-making. ILP therefore seems to return policing to a professional model, from which the community-policing model had theoretically diverged.

Another characteristic of ILP is the central role that intelligence analysis is supposed to play as the process from which intelligence is produced to guide law

enforcement targeting decisions. The ILP model is characterized by an intelligence cycle that feeds into enforcement. Every agency that has adopted an ILP approach draws on a common cycle that guides its operations. This cycle will be examined in more detail below, but generally, it consists of five stages: planning, collection, gathering/collation, analysis and dissemination (see Figure 2). Some explicitly include evaluation as the final stage before the cycle returns to the planning phase.[42]

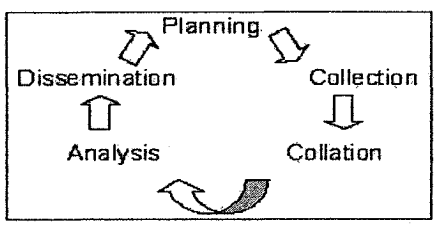

Figure 2: Intelligence cycle

The dissemination of intelligence products to clients is supposed to inform their decision-making with regard to operations. Intelligence is distinguished from *information*, which is described as the raw material that is subjected to an analytical process (i.e. it is collected, synthesized, analyzed). Intelligence is the result of this process from which the "meaning and relevance" of information is determined (IALEIA, 2004: 33) and packaged as products for dissemination. There are two main types of intelligence. Tactical intelligence is geared towards supporting front-line officers in actual investigations, whereas the strategic variety is aimed at informing decision-making in the development of long-term objectives or policies.[43] Tactical intelligence has always been a part of policing, as it is essentially "your knowledge and understanding of your target or threat" (CID Interview, July 10, 2007). ILP institutes or formalizes a model for the

[42] This is perhaps a more recent development as the IALEIA (2004) has noted that product evaluation has been a "missing component" of the process (29)
[43] The exact application of these terms varies by jurisdiction.

production and utilization of intelligence, and also puts an emphasis on the importance of strategic intelligence and priority setting in its proactive, preventative orientation. It seems that what is "new" about ILP is this *formalization* of processes and practices that have long been used in policing with a greater emphasis on the role of knowledge or intelligence. As Ratcliffe (2002) notes, the context of the risk society creates a demand for knowledge and ILP meets this demand as it "emphasizes building a knowledge base for police operations" (Brodeur & Dupont, 2006: 16). This knowledge base is a way of managing risk in society (see Ericson & Haggerty, 1997) and occurs through the collection of information and its transformation into intelligence products, which include threat and risk assessments. As a form of knowledge, these products inform the identification of policing priorities for immediate tactical operations and for long-term strategic planning. Strategic planning can often include goals of increasing the knowledge base on subjects (whether individuals, groups, activities, issues, etc) that are identified as priorities. At the centre of the intelligence cycle is the analytical process that turns information into intelligence. Reflecting on the managerialism and professionalism of ILP rhetoric, Innes, Fielding and Cope (2005) suggest that the analytical function serves an organizational purpose in reflecting an image of policing as "a modern, progressive organization, whose methods of 'doing business' are technologically sophisticated" (49). ILP can be seen a manifestation of the trend identified by Ericson and Shearing (1986) towards the "scientification" of crime control by the police (cited in Innes, Fielding & Cope, 2005: 39). Intelligence analysis is "a process of objectification...whereby... 'soft' data come to be ascribed 'harder' qualities" (Innes, Fielding & Cope, 2005: 40). The development of analytical methodologies and tools along with the emphasis on the objectivity of the practice (and the analysts themselves)

serve to paint the process and products with a degree of scientific legitimacy. Although tools and methods provide some structure, analysis ultimately relies on the interpretation and judgements of the individual analyst or teams of analysts, thus positioning them as experts.

Although it is promoted as an ideal model, Maguire (2000) notes that there has been a lack of both academic and official evaluation of the effectiveness of ILP strategies.[44] Several scholars have identified numerous problems, or "pathologies" (Sheptycki, 2004) in the functioning of ILP in Canada and in other jurisdictions (e.g. Cope 2003, 2004; Sheptycki, 2004; and more broadly, Brodeur & Dupont, 2006). It is beyond the scope of this thesis to discuss these issues in detail, but they are significant in that they pose a challenge to the rhetoric of ILP as a rational and scientific process. Cope (2003) groups these problems as data and cultural issues. Data issues include those relating to technology, information overload, hoarding, timeliness, and so forth. Cultural issues pertain to the occupational (sub)culture of policing. The intelligence-based approach of ILP clashes with the traditional "action" orientation where policing is based on the exercise of discretion drawing on officers' individual experience or their "grounded knowledge" (Cope 2003: 356). With ILP, such discretion is supposed to be based on intelligence (knowledge) produced by analysts. The increased prominence of intelligence analysts who tend to be civilians rather than police officers is another issue of contention owing to a cultural suspicion of outsiders. This affects the perception of intelligence products as being removed from real experience and therefore lacking in credibility (Cope, 2004). Because true operationalization of the ILP model requires a

[44] Part of this can be attributed to the newness of the model, but also to the decrease in transparency. Having been adopted from its long use in the national security and military realms, the intelligence process in policing has perhaps also imported an increase in the degree of secrecy and reduction of transparency.

fundamental change in how front-line officers operate, Deukjiman (2006) suggests that new expectations will be met with resistance. Indeed, a lack of training around ILP was identified as a major factor leading to rejection of the new model by the front-line officers in the UK, presenting an obstacle to its implementation (see Cope, 2004; Maguire & John, 2006). ILP requires a cultural shift within law enforcement, in which police officers must relinquish their monopoly on this knowledge and share their position as crime experts with analysts.

The greatest concern with ILP is that the intelligence process is essentially a self-fulfilling one (see Sheptycki & Ratcliffe, 2004). The process by which problems become identified as priorities is significant because it narrows the scope of what becomes knowledge. It is the same problem that sustains arguments in support of practices referred to as racial profiling. The crime "problem" or priority is identified based on existing police knowledge/intelligence that it is a threat to society. Resources and operations are disproportionately targeted against the identified problem/priority resulting in activities (e.g. arrests, detection, surveillance) that contribute to the knowledge base on that particular problem/priority (such as through arrest statistics or intelligence products). This provides confirmation of the initial assessment and justifies the continued targeting practices. The institutionalization of a policing framework built around the proactive targeting of individuals based on assessments or judgements of who is a threat or risk thus raises concerns in the context of the criminalization of racialized and ethnicized groups, particularly in light of the distancing of police from the public through its redefinition of community and the increased secrecy characteristic of intelligence systems. In other words, the concern is that ILP could potentially institutionalize a process by which problematic policing practices are legitimized through the rhetoric of a

modern, efficient and effective policing model based on rational and scientific methods. The following analysis suggests that this concern is a real possibility. Very recent developments indicate that there is a move away from an ethnicized archetypal model of organized crime – the 2005 CISC report is evidence of this. However, there are significant obstacles and challenges in attempting to reshape this problematic understanding of organized crime and how it is policed.

Intelligence-Led Policing in Canada

Following trends in other countries, the end of the twentieth century brought a clear shift in the dominant policing strategy in Canada against the backdrop of the risk society. Although intelligence has long been used in policing, especially in the context of organized and serious crime, it is only in recent years that ILP has emerged rhetorically as the dominant framework. There is a natural fit between the targeting approach of ILP and the traditional actor-based conceptualization of organized crime. The discussion and analysis that follows is focused on the two national organizations that work very closely in applying an intelligence-led policing framework to organized crime.

The Criminal Intelligence Service Canada (CISC) was created in 1970 in response to the 1966 Federal and Provincial Conference. A central intelligence body was identified as necessary for organized crime enforcement, and CISC was modelled on the Criminal Intelligence Service Ontario (CISO) created in 1966 out of the Roach Commission (1961-1963) and the Ontario Police Commission Inquiry (1964). CISC consists of a central bureau located within RCMP headquarters in Ottawa and ten

provincial bureaus located in each province.[45] Initially, CISC acted largely as a clearinghouse to facilitate the sharing of information and intelligence relating to organized crime in Canada among law enforcement agencies. However, following a strategic review in 2002, CISC has become actively engaged in developing strategic intelligence products including the first integrated National Threat Assessment on organized crime. Each of the provincial bureaus has a similar purpose in both facilitating the exchange of information and intelligence as well as producing strategic intelligence identifying provincial priorities. The central bureau focuses on strategic intelligence while provincial bureaus produce both tactical and strategic products. CISC can be thought of as a network, comprised of approximately 380 member agencies.[46] Municipal and regional law enforcement agencies that are members of the provincial bureau provide it with information and intelligence. Analysis conducted at the bureau produces strategic priorities that are disseminated back to members to inform their operational and intelligence planning processes. The primary means of sharing information and intelligence among agencies, the provincial bureau and the central bureau occurs through the Automated Criminal Intelligence Information System (ACIIS) database.[47]

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[45] Each of the territories is served by one of these bureaus (Yukon by British Columbia, Northwest Territories by Alberta and Nunavut by Ontario).

[46] Agencies belong to one of three membership categories. Level one members are policing agencies that enforce provincial and federal statutes. Level two members have limited policing mandates and include agencies such as Canada Border Services Agency and the Canadian Security Intelligence Service. Agencies in the third level are not policing agencies but have "complementary" mandates (CISC Interview, July 9, 2007). Membership levels are used to determine dissemination of classified information.

[47] ACIIS was created in 1976 and is a centralized, online database managed by CISC central bureau in which members of CISC can input and access information relating to organized crime. As of 2005, ACIIS is the sole national organized crime intelligence database for Canadian law enforcement agencies. It provides a nation-wide electronic intelligence system. Agencies are required to enter any information they have obtained relating to any of the "subjects or objects" contained in CISC's threat assessments. Information about individuals or groups is sorted into categories such as location, commodity and vehicles. The system allows users to develop profiles of individuals and groups, and also to make links between individuals contained in the database (Richards, 2000).

The Royal Canadian Mounted Police (RCMP) is Canada's national police force, having a formal presence in all provinces and territories.[48] The RCMP consists of fifteen divisions and 750 detachments. Its focus on organized crime began in the 1960s and "there was a concerted attack by law enforcement agencies on every aspect of organized crime" by 1970 (RCMP, *Royal Canadian Mounted Police History*, module IV, para. 20), which was when CISC was established. Since then, organized crime has remained one of the force's enforcement priorities. The emergence of transnational organized crime as a global priority in the 1990s was a driving force behind the establishment of the Criminal Intelligence Directorate (CID) at headquarters (Smith, 1997). The CID was established in 1991, centralizing intelligence units that had previously been contained within separate operational centres such as national security, organized crime and drugs. The CID brought together national security and organized crime with specialized units within each section. There was an analytical branch producing intelligence for both the national security and organized crime sections (CID Interview, July 10, 2007). In 2006, the various components of the CID (national security, major and organized crime intelligence, National Operations Centre (NOC)) were separated and the CID is now focused on organized and serious crime. As part of the RCMP's criminal intelligence program, each RCMP division has a criminal intelligence unit consisting of investigators and analysts responsible for producing tactical, operational and strategic intelligence.

The relationship between the RCMP's criminal intelligence program and CISC is an interesting one in terms of their overlap. As noted, the CISC central bureau is housed

[48] The RCMP also provides contract policing services to all provinces and territories except Ontario and Quebec. It also provides services to municipal and First Nations communities.

within RCMP headquarters in Ottawa. Personnel at the central and provincial bureaus are composed of employees drawn from the RCMP or secondments from other policing agencies. In many of the RCMP divisions (generally based on provincial boundaries), particularly in contract provinces with fewer resources, the organizations share offices and staff are "wearing both hats" (CID Interview, July 10, 2007). CISC is described as being under the "stewardship" of the RCMP – it is an independent organization supported through the RCMP's National Police Services (CISC Interview, July 9, 2007).[49] At the same time, as the national police force the RCMP is a key member agency of the CISC network and contributes towards CISC threat assessments. There is significant interaction between the two bodies at the national and provincial levels. CISC distinguishes itself based on its very specialized mandate of organized crime whereas organized crime is just one of the RCMP's strategic priorities. The two organizations are also distinguished by CISC's lack of an operational capacity vis-à-vis the RCMP as a policing organization. This "weakness" in CISC has contributed to a somewhat tenuous relationship between it and member agencies, which was revealed in the comments of the York Regional Police and Toronto-based CFSEU members.

Several significant developments in the period between 1999 and 2002 are indicative of a clear shift in policing at the national level towards ILP. In 1999, the RCMP formally adopted the *Sleipnir* threat assessment methodology that allows for the rank ordering of criminal groups based on certain attributes. This symbolized the increased role of analysis in the policing process. While the shift towards ILP had begun almost a decade earlier with the establishment of the CID in 1991, the RCMP formally adopted

[49] The National Police Services is an RCMP program that provides services to Canadian law enforcement and criminal justice agencies across the country. In addition to CISC, other services include the Forensic Laboratory Services, the National Child Exploitation Coordination Centre and the Canadian Police College.

the ILP model in 2000-2001 (RCMP, 2001).[50] Also, while the establishment of CISC in 1970 is evidence that the seeds of this model were in place much earlier, its strategic refocus in 2002 towards the production of strategic intelligence signalled its move to be a central component within a national framework. The CISC has recently completed the first phase in the development of a Canadian Criminal Intelligence Model, a framework for the national implementation of intelligence-led policing principles (CISC Interview, July 9, 2007).[51] The move towards a formal ILP framework has been relatively recent, which was noted by all of the individuals interviewed, and this newness makes it difficult to evaluate. Furthermore, interviews with members of the RCMP's CID and CISC revealed that there has also been a significant amount of development very recently in both organizations in terms of re-evaluating their intelligence processes and practices with a recognition that these may be problematic. Other organizations and units have also re-examined their practices. What is highly significant is that much of this re-examination revolves around the recognition that firstly, their existing conceptualizations of organized crime have limited their scope of enforcement, and secondly that the standard ethnic-based categorizations, such as "Asian organized crime," are problematic. At this point these observations have translated into discussion and works in progress – such as the formation of a working group to develop a new categorization framework that is not ethnicity-based (CISC, 2007a) – and it is therefore difficult to assess what impact they might have. However, they will be addressed in my analysis of the existing process as evidence of the potential for ILP to change the framework of knowledge about organized crime.

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[50] This is directly tied to Giuliano Zaccardelli's appointment as Commissioner of the RCMP in 2000 as he spearheaded this shift.

[51] The Canadian Criminal Intelligence Model (CCIM) is based or inspired by the UK's National Intelligence Model (NIM), which was adopted by the UK Association of Chief Police Officers in 2000.

As noted above, ILP is characterized by the adoption of a formal intelligence cycle consisting of five or six stages: planning, collection, gathering/collation, analysis, dissemination and increasingly, evaluation. Drawing on an analysis of materials produced by CISC and RCMP and on interviews conducted with members of Canadian enforcement and intelligence agencies, the following analysis examines aspects of the intelligence process in Canada and discusses how features of the intelligence cycle itself can lead to the reproduction of commonsense knowledge about what organized crime is and who is involved in it. As discussed in the preceding chapters, this knowledge tends to be racialized/ethnicized and this has implications because it interacts with and reinforces the problematic aspects of Canada's multiculturalism discourse that exclude ethnicized individuals and communities.

The Intelligence Process

Identifying Priorities and Planning

Priority setting is central to the intelligence-led policing model because it provides direction for focusing both the intelligence cycle and for enforcement decision-making. Because intelligence products are supposed to guide policing, the process for establishing priorities in the intelligence cycle is crucial. Every intelligence cycle or process begins (or ends) with a planning phase during which enforcement and intelligence priorities are established.[52] At this stage, decisions are made based on the outcomes of the previous intelligence cycle, including operations, about where to focus efforts in developing intelligence. This is a crucial stage in the process because it directs resources towards particular individuals, groups, activities, markets or issues, which

[52] Because of the cyclical nature of the intelligence process, this analysis could just have well started with the final dissemination stage and its output to the enforcement side.

necessarily means that others are not problematized and therefore do not become a significant part of the knowledge base. Because of the cyclical nature of the process, priority setting is informed by the outcomes of the previous cycle. This presents a "chicken or the egg" problem in starting this analysis with this "first" stage. However, ILP and the intelligence cycle must be historically situated as they were not implemented in a vacuum but rather emerged in the midst of existing practices and structures in the policing of organized crime, which were (and in some cases still are) based on an existing knowledge base of what and who organized crime problems are.

As discussed in chapter two, organized crime has historically been associated with ethnicized immigrant groups. It is not surprising therefore that organized crime policing priorities have been identified according to broad "cultural-geographic categories"[53] such as Asian organized crime, Eastern European organized crime and Traditional or Italian organized crime. Both the CISC and CID identified national priorities based on these categories. As a member of the CID explained, these "generic descriptors" were needed "in order to deal conceptually with these sorts of issues," and were based on observations of the membership characteristics of groups (CID Interview, July 10, 2007). Since 2005, CISC central bureau has not engaged in setting national priorities recognizing the problems with this type of categorization (CISC Interview, July 9, 2007). The CID has also stopped using this framework. However, other agencies and some provincial bureaus continue to use it in their own processes.

This type of organizational framework (structural and conceptual) has been recognized as being highly problematic for a number of reasons. One reason, which is

[53] The term "cultural-geographic" appears in the 2004 CISC annual report and is how CISC refers to the broad ethnically identified groupings (e.g. Asian organized crime, Eastern European organized crime, Italian organized crime, etc) that have been used to categorize organized crime groups in its intelligence framework. It should be noted that this term avoids the use of "ethnic" (or ethnicity).

the official explanation provided by CISC in their annual reports about the shift away from these categories, is the recognition that criminal groups are not always ethnically homogenous, that they interact with other groups outside of their ascribed categories and that the categories have an ambiguity about the origins of the groups and individuals within them:

> In previous years, CISC reported on organized crime under broad-based cultural-geographic groupings. As noted in the 2004 Annual Report, CISC recognizes that these cultural-geographical based categories, while valid in some instances, are proving to be problematic in that the membership of some crime groups is becoming ethnically diverse with diminishing linkages to culture, language and homelands. In addition, the composition of some crime groups is becoming more fluid and temporary. Furthermore, it has also become evident that there are numerous other crime groups that do not readily fit under previously identified broad-based cultural-geographic groupings, but who are also engaged in serious criminal activities, many at levels which equal or surpass crime groups that CISC previously reported on in past years. (CISC, 2005: iii)

This was also recognized by member agencies: "What we had identified was that criminal enterprises that had normally established themselves within a certain ethnic origin were crossing those ethnic boundaries and working with each other where we had never seen that in the past" (York Regional Police Interview, June 13, 2007).

A second limitation is that these categories present a misconception about organized crime, giving the impression that these categories refer to monolithic entities rather than to a grouping of various groups and networks thus making threat-based prioritization for operations difficult. "If you're talking even in terms of Eastern European organized crime, I mean again it gives that monolithic, the idea that there's some big headquarter with structure and a long term plan..." (CISC Interview "A", July 9, 2007). The use of these types of categorization in intelligence products and priority setting therefore has limited utility because of their lack of specificity in identifying targets: "...the problem is of course, that you can't actually attack any of those things...that's like

looking at the world with like a thirty meter resolution, there's just big fuzzy blobs" (CID Interview, July 10, 2007). And although not identified in the interviews, because of the ethnic label, these categories also make ethnicity the defining characteristic of organized crime problems rather than factors such as the harm posed by specific actors and their activities. This has implications for the analytical stage in the production of threat assessments, but also in the presentation of enforcement priorities, presumably selected as such because of their assessed threat. Ethnicity becomes associated with threat.

A third reason relates to the perception of discrimination based on race and ethnicity. This was expressed in different ways, but mostly from a personal rather than an official perspective. Some referred to an institutional concern about possible perceptions or accusations of racial profiling: "Because if you're starting out looking at a criminal organization and you're looking at traditional organized crime, which is Italian organized crime, is that racial profiling. And I think that's the big fear. That an organization or an entity is afraid that they're going to be accused of racial profiling" (York Regional Police Interview, June 13, 2007). Others raised the possibility of alienating ethnicized communities who might perceive this as discriminatory thus hindering enforcement efforts:

> The other issue of course runs into things like ethnic labelling and the sensitivities around that. Because if you're perceived to be labelling, you know, oriental crime, okay we're talking about Orientals who are criminals not about Orientals being criminals, right? And making sure that when you're talking about it, just talking about it in such a way that's obvious to everybody involved what you mean.... 'Cause we do have, you know, in Canada, we got a lot of people coming in from countries where the police are not your friend. So we need to be able to reach out to them and to make sure that the organized crime that's actually operating within their own communities and preying on them, right, that they can do something about it. And if the way that we actually talk about organized crime alienates them from talking to us about it, then we're not doing anybody any good. (CID Interview, July 10, 2007)

Although these insights were expressed on an informal level, it may be significant that a background context for this shift was the events surrounding the RCMP's treatment of Maher Arar, in which racial profiling was a major issue.[54] In the broader context, concerns about racial profiling have circulated in public discourse on anti-terrorism measures that were instituted following the events of September 11, 2001. Furthermore, the Ontario Human Rights Commission released its report "Paying the Price: the Human Cost of Racial Profiling" in 2003. The previous year, the *Toronto Star* newspaper published a series on racial profiling, which stimulated intense public debate. Although organized crime was absent from these dialogues, they may have contributed to the increased awareness in the law enforcement community of the problematics of an ethnic-based categorization framework in addition to the importance of public perceptions and its own legitimacy.

This framework for prioritization would have been (and in some cases, continues to be) sustained through the structuring of intelligence and enforcement units based on these "cultural-geographic categories." Until 2005, intelligence analysts and officers in CISC central bureau were assigned to portfolios such as "Asian organized crime" or "Italian organized crime." Some of the provincial bureaus continue to use this structuring, with a gradual movement towards market-based portfolios (CISC, personal communication, July 24, 2007). The RCMP has also moved away from this type of

[54] The Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar began in February 2004 and final reports issued in late 2006. Maher Arar is a Canadian citizen who was arrested and detained in the US in September 2002 while travelling through John F. Kennedy International Airport. He was sent to Syria (his country of birth) where he imprisoned and tortured for almost one year. Charges were never laid against Arar in any of the three countries involved. The inquiry was called to examine the role of Canadian authorities in these events (Arar Inquiry, 2006b). Although the case and the inquiry occurred in the national security context there is transferability of the concerns and findings towards the criminal context because of the RCMP's primary role as a law enforcement agency. Part of this stems from the congruence of the criminal intelligence process to that used in the national security context and the similar powers of investigation. Both organized crime and terrorism investigations have broader powers in the interception of personal communications. Unlike regular Criminal Code offences, investigators are not required to prove necessity to obtain judicial authorization for such methods. Authorizations are valid for one year versus two months (See Arar Inquiry, 2006a).

structuring. By establishing portfolios or units based on these standard groupings, they are reified as natural categories and reinforced as (constant) priorities. By assigning intelligence analysts and officers to these areas, their focus would be tuned into their particular "genre" and developing an expertise in that area. Being assigned to an ethnic-cultural based portfolio would mean that the individual would be expected to obtain a certain degree of cultural knowledge. Directly related to this is the problem discussed in the previous chapter of the kind of cultural awareness or knowledge development opportunities that are available to officers and analysts assigned to these "specialist" areas. For the most part, they are responsible for acquiring this knowledge on their own (York Regional Police Interview, June 13, 2007; CISC, personal communication, July 24, 2007). Because of the built-in focus on these areas, it would therefore not be surprising that the generation of intelligence would have constantly found these ethnic-geographic types as priorities. The reaffirmation of these areas as priorities would then justify or rationalize the maintenance of this structuring around ethnic-geographic categories. Because of the relationship between CISC and member agencies in terms of priority setting, this also resulted in a trickle-down effect by which the framework could be reinforced within member agencies. A recent review report on the intelligence function within the Ontario Provincial Police noted,

> It was typical for the priorities to be established in a very general way (i.e. Traditional Organized Crime, Asian Organized Crime, etc) and not specify the distinct criminal organization, or the rationale for its prioritization. By virtue of being established at CISO, they ipso facto became OPP priorities (Ontario Provincial Police, 2006: 20-21).

And because member agencies feed information and their own intelligence into the CISC network via their provincial bureau, it creates a positive feedback cycle that constantly establishes these as priorities.

With the identification of priorities, the planning phase consists of developing an information collection plan, which provides guidance to as to "what has to be collected and why" (RCMP, *Criminal Intelligence Program*). RCMP collection plans consist of five components: objectives, investigative questions, information sources, collection methods and details relating to the method such as resources and cost. In the context of organized crime, possible "types of data" that might be part of a collection plan include elements such as: the membership of a criminal organization, geographic data on targets, a description of the hierarchy of the criminal organization, the criminal activities of a group, any legitimate business activities, financial data or connections to other criminal organizations (RCMP, *Criminal Intelligence Program*). Although the questions asked in collection plans are "very basic...who, what, why, when, where, how" (CISC Interview, "A", July 9, 2007), they are based on specific groups or issues (e.g. a particular drug market) that have been identified as priorities, thus limiting the scope of information that is returned to the analytical unit. The CISC central bureau develops a national collection plan that acts as a template for the provincial bureaus to customize. These are then distributed to member agencies in each province. Intelligence units within member forces can use these in formulating their own collection plans (as per following their own intelligence cycle).

By setting priorities according to broad ethnic-geographic categories, the intelligence process is set up to merely feed back into itself thus limiting the scope of the organized crime problem. As a CISC member noted, "We found that we weren't getting the whole picture. And actually, to be honest, by setting up national priorities, people tended to collect towards those points. Then it would not be a surprise what the priorities would be the following year" (CISC Interview, "A", July 9, 2007). The recognition of the

impact that these problematic categorizations have has been quite recent, leading many agencies including the RCMP to forgo identifying broad categories as priorities in addition to specific identified criminal organizations or networks. There is still a question of how those organizations or networks become identified as priorities, which is a function of the other stages of the intelligence process.

Collection and Collation

The identification of priorities provides the direction to collect information to fill intelligence gaps relating to those priorities, thus building the knowledge base about particular targets or issues. Information is pursued based on the collection plans, by the intelligence analyst and through intelligence officers who engage in more active information gathering. Gill (2000) identifies three primary sources of information: that which is collected within law enforcement (such as through databases or intelligence products produced by other agencies), open sources, and that which is collected through covert means such as the use of informants, surveillance or interception.

A core issue at the collection stage is the (necessary) reliance on law enforcement as a primary source of information. Because police have a monopoly on knowledge about crime, they must be a significant source. The key question is what kind of knowledge do law enforcement personnel have and how is this affected by existing pre-conceptions of what organized crime is and who the usual suspects are. Although CISC, the RCMP CID and other agencies and units have moved away from structuring themselves around the broad-based ethnic categories, this is not to say that all of the agencies that contribute information and intelligence to these bodies have also gone in this direction. For example, while the Organized Crime Bureau of the York Regional

Police had considered such a move in 2005 a decision was made to maintain their "specialized" broad-based ethnic intelligence units (York Regional Police Interview, June 13, 2007). Police agencies have themselves noted that the collection of information is in part limited by the allocation of resources towards particular priorities (CCJS, 2002: 22). Because each police agency (that has adopted ILP or elements of it) also follows an intelligence cycle, the information gathering within front-line agencies that are structured in this way potentially limits the scope of what gets to the analytical stage – whether it is within their own organization or in the wider integrated law enforcement community. From a national (CISC) or provincial perspective, priority setting may be influenced by how information is collected by member agencies or the intelligence products that they produce that is contributed to the network. As noted, each member agency exercises its discretion in forming and executing a collection plan based on both the priorities and/or the plan produced by the provincial CISC bureau and their own. Thus, the identification of specific groups or networks as priorities is at least partly constrained by the structural organization of the agency. There may be a tendency therefore for specialized units to maintain an intelligence focus on particular groups that fall into the ethnic-geographic scheme with the consequence that other potentially harmful groups and their activities may not become priorities. This is illustrated in a comment by the York Regional Police member in discussing information collection: "It's still somewhat reactive because the organized crime groups are so established. It's not like you have to go out in the community and look for individuals or groups to collect intelligence on." Those groups that do not fall into the scope of these specialized units, those that are not structured on an ethnic base, would be "picked up normally through criminal market investigations." There is a distinction between market-based units such as fraud or drugs, which are

described as being "very reactive" and those that focus on groups (via ethnic-based structuring), which have a "preventative" approach based on the ILP theory that a small group of individuals is responsible for the majority of crime (June 13, 2007). The possible consequence of this approach is that particular ethnically identified groups are consistently and actively reinforced as priorities because resources have been dedicated to their monitoring through the structuring framework. In the case of the Toronto-based Combined Forces Special Enforcement Unit (CFSEU),[55] which began with investigative teams assigned to Traditional, Asian, and Eastern European organized crime groupings but moved away from this specialization in 2004, this type of structuring was seen to have impacted on their operations by narrowing their focus:

> In the past...you had TOC, traditional organized crime group that were focusing on the hierarchy in the GTA. And that was what they were focussing on. You had a group that was focusing on the hierarchy in the Asian community and how it is affecting, for example grow ops in the GTA. Now it's broader. We're looking at ...even though you will have an Asian organized crime group it's how they also interact with the other Eastern Europeans, South Asians, all these other groups that are out there and active too (CFSEU Interview, "B", June 26, 2007).

The structuring of both intelligence and enforcement units therefore has an impact on how they identify targets to which resources are directed either for obtaining information or carrying out operations. The CFSEU teams are now referred to by number and will investigate "cases as they come across" ("B", June 26, 2007). However, there is a slight inconsistency in this restructuring as the actual teams have not changed and are still sometimes referred to by to their previous ethnic-identifiers: "We call it the Asian team because that's their background and that's what they used to focus. But it's, it can be anything" ("A", June 26, 2007). While law enforcement recognizes that ethnic-based

[55] The CFSEU is an integrated joint-force enforcement team with a specific mandate to investigate and carry out operations relating to organized crime.

prioritization frameworks are problematic, structural changes have perhaps been slower to emerge. So although the scope of attention may be increasingly more specific with priorities identified in terms of particular groups or networks, the process can be shaped by the structure of units. Because some agencies maintain specialized ethnic-geographic based units, it therefore affects what is contributed to the CISC integrated process.

A related issue is the added burden that is placed on front-line officers as a "new" role in collecting and reporting information in support of intelligence production, which is seen as a task in addition to their usual duties (Higgins, 2004). In identifying one of the difficulties of information collection, a CISC member noted, "there's the question of time. And front-line officers, being busy dealing with calls for service, filling in reports...to help someone down the road, it's a balancing between their precious time available to do it." Because intelligence products are usually restricted to police managers and decision-makers, "from the front line perspective, it's something that's not always seen by them" and therefore it is difficult to see the value of an added responsibility (CISC Interview, "A", July 9, 2007). The implication is that routine collection and reporting of information would tend to remain within the scope of their understanding or knowledge base of crime problems, whether individuals, groups or issues. The subjectivities of individual officers in their decision-making with respect to what information is reported thus influences what is available for analysts to discover. Cope's (2004) research in the UK found that front-line officers "exert considerable control over the intelligence process" as gatekeepers of information (197), leading her to question whether ILP is more aptly described as "policing-led intelligence." The fundamental issue is the degree to which front-line officers engage with(in) racialized/ethnicized commonsense knowledge about who and

what (organized) crime problems are and how this impacts on their discretion in reporting information.

Open sources are increasingly being used in the information collection process, particularly in pursuit of strategic intelligence. This practice is seen as a means of expanding beyond a dependence on police investigation-based information (IALEIA, 2004: 17). Open sources are forms of information that are available in the public domain. This includes media, academic journals, reviews, Internet websites, online discussion boards and the publicly available intelligence reports of enforcement agencies. One of the benefits of using open sources is that the intelligence that is produced from them can be disseminated to a much wider audience because the intelligence product does not have the security restrictions that are placed on internal law enforcement-derived information (CID Interview, July 10, 2007). It has also been suggested that open sources are a cost-effective means of gathering information (Gill, 2000), certainly a consideration in light of organizational fiscal constraints. Gill (2000) indicates that information from non-law enforcement organizations, public and private, are considered "open sources" by intelligence agencies that are able to circumvent Privacy Act restrictions through partnerships (or joint operations, secondments) (170). Such partnerships are increasingly common as part of the integrated policing approach emphasized with the ILP model – reflective of a new version of community policing in which the community is defined in terms of public and private agencies. Because of their increasing significance in light of growing partnerships, it seems that the records of other government agencies or of financial institutions would more aptly be considered an additional type of information source. Again, the control exercised by the law enforcement institution over crime knowledge and the dominance of the police framework for such knowledge in the

public realm and discourse raises the possibility that open sources are perhaps more likely to reflect the existing knowledge base rather than offer new insights.[56] On a broader level, the circulation of racialized and ethnicized narratives in the public discourse through channels such as the media could carry into the intelligence process.[57] In other words, like the intelligence and policing processes, the structuring and production of open sources (media, academic studies, websites, etc) are just as likely to be informed by dominant commonsense frameworks, including racial and ethnic (and) criminal narratives.

Leading from the collection of information is the collation phase, which is the processing of information to be used in the analytical process. Part of the collation process is an evaluation of the information for both validity and reliability, based largely on whether it is verified by other information. Open source information is therefore verified against law enforcement-sourced information. Innes, Fielding and Cope (2005) and Gill (2000) have noted a partiality towards information arising from law enforcement sources, which stems from the police position of expertise on this kind of knowledge. Gill (2000) suggests that this explains the greater willingness to use open sources by intelligence units the further they are from the front-line (170). Indeed, the CISC and RCMP CID members all indicated greater use than the York Regional Police unit, where open source information "isn't one we rely on" (York Regional Police Interview, June 13, 2007). In intelligence processes relating to specific targets, whether strategic or tactical, law enforcement (and its community of partner organizations and agencies) appears to serve as the ultimate source of information. In contrast, processes based on issues

[56] See, e.g. Ericson, 1989 on the relationship between law enforcement and media outlets.
[57] For example, see Henry and Tator (2000) for a critical discourse analysis of racist discourses in Toronto print media.

identified as priorities (e.g. specific drug markets or methods of operations), particularly in identifying emerging ones, would more likely to draw on open sources.

Analysis

Through the priority setting, direction, collection and collation phases, information has been filtered directly and indirectly before reaching the analytical stage, which is the core of the intelligence process and by extension the entire policing process within ILP. While intelligence has been employed to some degree in the context of organized crime since the 1950s (Stewart, 1996) the development of intelligence analysis is more recent, particularly strategic or long-term intelligence. Consistent with the "scientification" of policing and the actuarial discourse of risk management has been the development of analytical tools and methodologies to assess threats and risks. The RCMP CID's *Sleipnir* tool and CISC's Strategic Early Warning methodology are two mechanisms developed in the last ten years to aid in the production of strategic intelligence on organized crime.

The *Sleipnir* analytical technique was developed in 1998 and formally adopted for use by the RCMP in 1999.[58] It compares two or more organized crime groups on the basis of nineteen attributes, resulting in a relative threat ranking for each group (RCMP, 2000). These nineteen attributes, in rank order of importance are: corruption, violence, infiltration, expertise, sophistication, subversion, strategy, discipline, insulation, intelligence use, multiple enterprises, mobility, stability, scope, monopoly, group cohesiveness, continuity, links to other organized crime groups and links to criminal extremist groups. Each attribute is weighted, and an analyst will assign a group a numerical threat level score for each based on a five-point scale: high, medium, low, nil

[58] There was a previous "Beta version" in development in the early 1990s. The organized crime version of *Sleipnir* is actually based on one developed earlier for criminal extremism.

or unknown. The unknown value for each attribute is the equivalent of the medium value. Definitions are provided for each attribute and threat level value to "minimize the degree of subjectivity in interpreting and assessing information for these assessments" (Strang, n.d.: para. 2). The results of *Sleipnir* analyses are presented as colour block matrices (each threat level is colour-coded) with attributes listed on the left and groups listed across the top beginning with the group with the highest total score. *Sleipnir* has been used primarily by the CID in producing their threat assessments, and has been adopted in the wider intelligence community in the last five years, including by CISC (CISC Interview, July 9, 2007). There has also been interest from foreign jurisdictions and organizations such as Europol in adopting the technique. The original intent was for *Sleipnir* to be just one of several forms of assessment; however, additional measures are only now nearing fruition.

The attributes at the heart of the technique were determined by "expert consensus" developed through the Delphi method, a structured technique that surveys experts in the relevant field to develop a knowledge base.[59] In this case, surveys were sent to organized crime experts, mainly from within the RCMP's Criminal Intelligence Program. Out of 200 surveys issued, the final version is the result of the responses of fifty-one individuals. As Sheptycki (2003b) points out, this raises issue with *Sleipnir's* validity in whether the attributes are an accurate reflection of organized crime. Not only does *Sleipnir* reflect a "selected community of experts" (496), it is specifically a *law enforcement* community. While it might be unfair to make assumptions about the universality of perspectives within this "selected community," such a concern has merit

[59] The Delphi method was developed by the RAND Corporation in the 1950s.

considering law enforcement's role in the identification and definition of organized crime as a problem in the mid-twentieth century.

Sleipnir is presented as a method that is able "to produce reliable and valid results" towards the production of strategic intelligence (RCMP, 2000: ii), drawing on its basis in the Delphi method, numerical rankings and the provision of attribute definitions as ensuring its reliability and validity. This reflects the shift towards a policing discourse based on "science" that is rational and objective. However, the *Sleipnir* attributes and definitions might better be described as being a reliable and valid reflection "of the 'mentality' ...held by police experts who specialize in the governance of organised crime" (Sheptycki 2003b: 499). What is clear, as Sheptycki (2003b) argues, is that organized crime is assumed to be "Mafia-type" (498). The nineteen attributes and their definitions reflect an understanding of organized crime in the vein of ACT. The highest ranked *Sleipnir* attribute is corruption, which is defined as "the continual efforts to corrupt public figures, representatives of the justice system and business leaders through the practice of illicit influence, exploitation of weakness and blackmail. Also the ability to place organized criminals into sensitive positions" (RCMP, 2000: 19). As with the other attributes – the most obvious being "infiltration," which is third on the list –this description positions organized crime as external: it is something that acts upon or against legitimate society. Violence is the second most important attribute. It is defined in terms of *how* violence or intimidation is used rather than the amount of violence engaged in by the group. A group that does not use violence receives a nil score. Thus a group of individuals who engage in criminal activities for material benefit, but who may be "legitimate" players in the corporate world for example, would not require the use of violence to carry out their activities. They also would not be seen as "infiltrating"

legitimate institutions (and receive a high score in the third attribute) because they are already part of them. The attributes reinforce the idea of distinct criminal groups rather than fluid networks. Within the threat value definitions for each variable, the closer a group resembles the archetypal model of organized crime (hierarchical, closed, clear membership, underworld), the higher the score. For example, for the "stability" attribute a high score would be given to groups that are "stable" where "leaders stay in place for years, membership often a life-time commitment." In contrast those with "entirely fluid ad-hoc participation in criminal activity, no organizational leadership or structure" would be scored at *nil* (RCMP, 2000: 23-24). What is significant about *Sleipnir* is how threat is conceptualized. As the CID member pointed out, "...what Sleipnir actually measures is the group's competence as an organized crime entity" (July 10, 2007). The threat assessment is therefore based on how well a group fits the profile or archetype of the commonsense idea of what organized crime is.

By basing a threat assessment on this understanding of organized crime, it can also indirectly reproduce the racialized and ethnicized nature of it. The most important observation is that *Sleipnir* is focused on groups, reflecting the actor-centric model of organized crime. Of course, from a law enforcement (operational) standpoint it is intuitive to structure an assessment in this way, particularly in the context of ILP and the orientation towards targeting resources at what is identified as the greatest threat. The *Sleipnir* assessment rank orders threats thus providing guidance to decision-makers. The attributes therefore describe *groups* rather than the actual threat or harm of their activities. In the case of stability, the fluid nature of a network might make the harm caused by their activities greater than those of a stable group, but the network will be

ranked as a lower threat.[60] Arguably, this makes it more likely for stereotypes or ethnocentric assumptions to affect the analytical process. Because the threat level indicators (i.e. the numerical score given on each attribute) are "based on the observed behaviour of members of the organized crime groups" (RCMP, 2000: 4) there is opportunity for the subjectivity of both the observer (interpreting behaviour and supplying the information) and the analyst (interpreting the information) to impact the ranking. It is possible therefore, for racial/ethnic stereotypes and narratives to influence perceptions of the threat posed by different groups because of the criminalization/ethnicization process discussed in the previous chapter. Because the intelligence process was, and in some cases still is, based on a categorizing of groups into broad ethnic-geographic types, ethnicity becomes a defining characteristic feature of the groups. Through the *Sleipnir* assessment, ethnicity as an identifier becomes associated with a certain degree of threat. The *Sleipnir* Analyst's Guide indicates that national strategic priorities are presented both in terms of "major types of organized crime" which include "Italian, Eastern European, and Outlaw Motorcycle Gangs" and in terms of "significant specific groups" such as "Mafia families, EEOC groups and OMG chapters" (RCMP, 2000: 12). Groups are supposed to be categorized by "type" according to similarities in "methods of operating and organizational cultures. For example, all Italian-based organized crime families could be classed as making up one type of organized crime..." (13). The example provided does not illustrate any similarities beyond a grouping by ethnicity. Furthermore, the racial/ethnic typologies presented (Italian, Eastern European) as examples constrain the analyst in making his or her classification of individual groups. It

[60] For example, fluidity may increase the ability of a group to engage in a range of activities and also to evade law enforcement. A network can also increase the geographic reach or breadth of criminal activities.

is also significant to note the use of the archetypal language in the description of "Italian-based" groups as "Mafia families." One of the problems, as the CID member noted, is that not all organized crime involving people of Italian ethnicity should be labelled "mafia," which is a "real thing" with particular characteristics (July 10, 2007). As an analytical tool, *Sleipnir* reproduces the ethnic-geographic typology and prioritization framework in the national assessments of the CID and CISC.

The CID is currently in the preliminary stage of a process to revise *Sleipnir*, including revisions to the attribute set either through the Delphi or another similar method. The plan would be to include partner agencies through the CISC network, thus expanding the expert base beyond the RCMP. It is also possible that a broader expert community, including academia, might be approached to participate (CID Interview, July 10, 2007). One of the major criticisms of the existing tool is that it cannot be used to assess harms of activities (which it was not designed to do). Thus a major focus is to integrate a harm assessment component that would allow an analysis to "correlate the competence against the harm" (CID Interview, July 10, 2007). The Federal and International Operations branch of the RCMP is developing a harm prioritization scale that examines the harms caused by particular criminal activities (e.g. drug trafficking) within specific communities and the CID is looking to adapt this work to the intelligence side in relation to organized crime groups. The preliminary stages of this revision involves reviewing the technique itself as well as the actual attributes with the possibility that some will be removed or "compressed." It was also noted that some attributes were secondary in that they were not readily assessed through observable behaviours (CID Interview, July 10, 2007) and perhaps subject more to the interpretation of analysts. According to the CISC members, variations in the interpretation of attribute definitions is

"a significant challenge" (CISC Interview, "B", July 9, 2007). Until the new version of *Sleipnir* is developed and implemented, the existing attributes and definitions continue to be used with "business rules" as an interim solution to ensure consistency among analysts in their interpretations (CISC Interview, "A," July 9, 2007).

Sleipnir is based on groups that have been identified by enforcement and reported as such. The primary means of identifying "new" issues or groups is through reporting from investigative units and domestic and international partner agencies. The initial identification of a group *as* an "organized crime group" comes largely from the front-line (operations and proactive intelligence gathering). The knowledge base of what organized crime is can therefore act as a frame of reference for this identification process. There is recognition that the outcome of the assessment is "only as good as the information available to the analysts" (RCMP, 2000: 5), which highlights the significance of the information gathering stage of the intelligence cycle. If *Sleipnir*-informed strategic assessments are used in the formulation of collection plans, the circularity of the targeting process is clear. If enforcement resources are to be targeted at priority groups, there is a danger that other groups or issues will be neglected.

To anticipate or look for issues outside the realm of "known" problems, CISC has developed a Strategic Early Warning (SEWS) methodology to identify potential criminal threats that have yet to emerge or "projecting the direction of those that are already established (CISC & Country Indicators for Foreign Policy [CIFP], 2005: 5).[61] This can include groups, activities or commodities. Like the use of intelligence, the CISC SEWS is adapted from the military context. Unlike the intelligence cycle, which begins with a

[61] Part of the development of the SEWS methodology involved a collaboration between CISC and the Country Indicators for Foreign Policy (CIFP) program located within the Norman Patterson School of International Affairs at Carleton University.

direction based on known threats, SEWS is a bottom-up process that begins with an open-ended environmental scan in which open sources are a significant resource (CISC, 2007b). This is a highly subjective process, recognized by CISC as "scenario development is based largely on what could be termed imaginative threat perception" (10). Through a collaborative process among analysts, certain scenarios are selected for additional research and the development of indicators – criteria or conditions that can be monitored to detect the emergence of the threat scenario. The scanning process leads to the creation of a *Watch List* that draws attention to particular issues but does not identify priorities. From the *Watch List*, certain threats will be selected for detailed research and the production of a *Sentinel* assessment.[62] This assessment consists of "clear strategic judgements" on: the likely timeframe for the threat to occur, its probability of occurring, the potential impact, the strength of indicators, potential scenarios (best case, worst case, most likely case) and an overall threat advisory level (CISC, 2007b: 13-20).

Again, the problem of self-fulfilling prophecy emerges here as the selection of priority topics is partially shaped by the input from law enforcement who play a role in "offering insight into new possible future threat scenarios, as well as supplying much of the indicator data (indications) for listing *Watch List* and *Sentinel* topics" (CISC, 2007b: 8). The *Sentinel* product could ultimately serve as confirmation of initial suspicions or concerns, raising the question of how these arise in the first place. If this strategic intelligence is meant to address "what do we need to do today to prepare for tomorrow?" (CISC & CIFP, 2005: 6), it is necessary to interrogate the possible consequences of

[62] The kinds of threats that might emerge in a Watch List can range from specific criminal markets such as that for methamphetamine or a potential threat from a certain country, such as Haiti. These two examples were used in the pilot projects in the development of the SEWS.

taking proactive enforcement actions to prevent a predicted threat from materializing. Connected to this is the inherent problem identified with the methodology that evaluation of SEWS is nearly impossible. If a scenario occurs, the warning failed because it did not prevent the threat; however the failure of a threat to materialize could be the result of a successful warning as measures were taken to prevent it, or it could be viewed as a "false alarm" – making SEWS a "self-negating prophecy" (CISC, 2007b: 21). Another issue identified is the perceived contradiction that even in the absence of identifiable indicators, there might still be an assessment of medium or high threat level because "the absence of those indicators is not necessarily proof that no threat exists." The duty to warn overrides this concern. The entire process is highly analyst-driven and dependent – "gaps in evidence" are filled by "analytical reasoning" (CISC, 2007b: 22) – raising concerns since these products are aimed at informing law enforcement and policy decision-makers on something that has not happened, which depending on the context can be highly problematic.

Some of these concerns can be illustrated by examining a risk assessment report on Haiti produced by a researcher at the Country Indicators for Foreign Policy (CIFP) program at Carleton University for CISC as a backgrounder for a pilot *Sentinel* assessment.[63] It provides an overview of Haiti's economic, political and social problems and highlights the country's role as a "trafficking nation" providing a route for "Central American drug dealers" (Prest, 2005: iv). The report also describes the Haitian-Canadian community in Montreal and the existence of "several Haitian-Canadian-dominated street

[63] This backgrounder document was not finished until after the completion of the pilot *Sentinel*. During the development of the SEWS methodology, the original intent was that detailed background reports such as this would be produced as a foundation for *Sentinel* assessments. However, during this process it was determined that the time required to produce such reports was inconsistent with the aim of the technique. Instead, *Watch Lists*, less detailed but quicker to produce, are the basis on which further research for *Sentinel* assessments occur (CISC, personal communication, July 27, 2007).

gangs." It warns that "conditions in both Haiti and Canada favour the continued growth" of formal connections between Haitian criminal organizations and those in Montreal. Although the report does not provide support for this link, it highlights several areas that potentially make this possible, ranging from explanations such as the "the continuous flow of people, money and material between the two countries," (v) or because for immigrants "the process of integration is a slow one" (13).

If *Sentinel* assessments were simply that – assessments – then these issues may not be so disquieting. However, within the framework of ILP and the potential for these products to lead law enforcement or other decision-makers to "design a strategy or mitigation approach" (CISC Interview, "B," July 9, 2007) questions emerge. This is highly concerning when the threat scenario is linked to a particular ethnicized community. Because of the global attention to transnational crime, the scanning or topic identification process has a global scope: "events and conditions around the world are evaluated in the context of the Canadian situation to develop potential threat scenarios" (CISC, 2007b: 10). It becomes possible that disproportionate attention will be focused on ethnicized and immigrant communities because of their connection to foreign countries and the events and conditions occurring there. Using the Haiti backgrounder as an example, there is a focus on the Haitian-Canadian community in Montreal as a potential locus for "new" or growing Haitian organized crime. Even within the framing of the scenario, the identification of slow integration and marginalization as factors in the formation of criminal organizations is a discursive form of criminalization that does not address the systemic social causes of that marginalization.[64] The response of Haitian

[64] As discussed in relation to the ethnic succession literature, social-structural causes are minimized in favour of individual-level explanations of maladjustment.

immigrants to "congregate in specific neighbourhoods or ghettos, and form a strong sense of community vis-à-vis broader Canadian society" (Prest, 2005: 22) is presented as a cause of their marginalization and a self-exclusion from "Canadian society." If this type of information is used to develop indicators, from a decision-making standpoint proactive or preventative measures could include the monitoring of the Haitian-Canadian community. However passive this monitoring might be, it is still a form of targeted surveillance that would be rationalized on the basis of what *might* happen. Another preventative measure might be an increased scrutiny of Haitian immigrants.[65] This raises the possibility of SEWS leading to a case of (possible) ends justifying the means through the rhetoric of crime prevention based on a quasi- (social) scientific, expert assessment. The impact of SEWS analysis will not be readily apparent in the immediate future, but the potential impact on the lives of people who are *not* actual criminal targets must be considered.[66]

SEWS and *Sleipnir* are examples of analytical tools used in the production of intelligence on organized crime problems. They are keys to the creation of knowledge about organized crime in Canada and who is involved in it. This knowledge creation occurs both through how these tools are structured and applied, as well as in the outcomes and how they are presented. The SEWS methodology is a very recent development and it attempts to apply the intelligence process beyond the scope of existing or known crime problems. It therefore has potential to broaden the understanding of organized crime beyond a narrow conceptualization. As discussed

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[65] This would not be without precedence. The RCMP has engaged in the screening of immigrants from Asian and Eastern European countries "fitting profiles" of individuals involved in organized criminal activity in order to keep them out of Canada (see RCMP Departmental Performance Reports from 1998/99 to 2000/01).

[66] It is another of the key differences in the application of this methodology from military use to the realm of crime prevention in that possible targets are broad segments of the domestic population (and their civil liberties) rather than specific nation states.

however, the existing knowledge frameworks themselves – those relating to organized crime and its causes and also broader ones such as multiculturalism discourse – can limit this. The initial discussions around the revision of *Sleipnir* appear to address the key limitation of the technique in that it does not take into consideration the nature and harm of criminal activities. However, it is unclear whether the revision of attributes and definitions will address the archetypal model of an organized crime group that currently provides the standard for measuring competency. Of course, this depends largely on the results of the new survey of experts, which will reveal whether the commonsense understanding continues to be "commonsense" among the enforcement community (and perhaps the academic one if included) or if it has changed in the last ten years or so. Because of the centrality of the analytical stage in ILP, the development or revision of analytical tools structured around a broader and more comprehensive understanding of organized crime would seem to be a means of breaking away from constant identification and targeting of the "usual suspects." Part of this would occur through the circulation of a new discourse of organized crime that would be reflected in the materials produced from the intelligence process.

Dissemination

The final stage in the intelligence process is the dissemination of intelligence products. This is based on a "need-to-know" principle constrained by security classifications. In most cases, the production of intelligence is undertaken with a particular audience (or client) already identified. The CISC produces three variations on its annual strategic threat assessments. The National Threat Assessment and Provincial Threat Assessments are provided to law enforcement agencies, the *National Criminal Intelligence Estimate on Organized and Serious Crime* is produced for government

policy-makers, and the *Annual Report on Organized Crime* is a public document. CISC also produces specific intelligence assessments, intelligence briefs, as well as quarterly *Watch Lists* and *Sentinel* assessments. The RCMP CID produces strategic intelligence assessments, criminal intelligence briefs and threat assessments. From here, intelligence provides a means for planning on the enforcement or operational side (strategic) and can inform investigations (tactical). Intelligence products can include recommendations such as tactics, prevention measures or the collection of additional information on the problem (group, activity, commodity, etc). On the intelligence side, dissemination flows into the priority setting for the next cycle.

The fundamental question is whether strategic intelligence produced by the CISC bureaus merely reinforces existing priorities or whether they actually have some utility in terms of priority setting at the agency level. There is a sense that the strategic intelligence produced by CISC is only a packaging of the information provided by the front-lines and does not necessarily provide anything that they are not already aware of:

> ...they're a little bit behind because everything is dated. Whatever they get has already happened. And so they're just kind of catching up with the trend that police officers go through as it happens. And you know, we write about it and send it off to them, and they put a label on it. (CFSEU Interview, "A," June 26, 2007)

> For us, the end project is we do get the intelligence, they are confirming certain things for us. Our bottom line is that we need to investigate no matter what the commodity is, what the group is, or who the person is. (CFSEU Interview, "A," June 26, 2007)

These products provide a means of validating enforcement activities that still are primarily opportunity-based and ultimately shaped around the priorities identified at the agency level (York Regional Police Interview, June 13, 2007; CFSEU Interview, June 26, 2007). Part of the reason that the utility of these products is diminished is the time lag

between the provision of information and the production of intelligence. It seems that the issue discussed above in the information collection stage, of the front-lines shaping the outcome of the process, is occurring. Furthermore, if local priorities and opportunity ultimately direct operations, the utility of strategic intelligence is questionable aside from being "a nice little book" that is useful primarily as "tools for senior management to assess how to spend their funds, how to spend their manpower. That's what they're used for" (CFSEU Interview, "B," June 26, 2007). Most significant from these observations is that it diminishes the importance of the analytical function – the core of the entire ILP model – if intelligence is not seen to be contributing "new" knowledge to the existing base. Some comments from the enforcement side are interesting in referring to the contribution of intelligence analysis as "new method[s] of collecting information and analyzing and crunching it" and developing "new wording or way of analyzing stuff" (CFSEU Interview, "A," June 26, 2007). The recent developments in the RCMP CID and CISC certainly underscore this role. As discussed, there has been recognition from all sides that the commonsense understanding of organized crime and the prioritization framework based on broad ethnic-geographic categories are problematic and lead to misconceptions about organized crime. All of the interview participants noted that this is part of a gradual "cultural shift" (CFSEU Interview, "A," June 26, 2007) in both the law enforcement community and the general public. If the role of intelligence is to develop new ways of conceptualizing organized crime problems, it occupies a central position in what direction this cultural shift takes.

Discourse, or "wording," plays a large part in the structuring and functioning of the process that (re)produces discourse (i.e. the intelligence cycle). It provides the foundations on which organizational frameworks are built. The analysis in this chapter

has examined aspects within the intelligence process that could result in the reproduction of the commonsense understanding of organized crime and the identification of racialized/ethnicized groups as usual suspects and therefore made the target or focus of future intelligence and operational activities. In the following chapter, the results of an extensive discourse analysis of material produced by these agencies are presented. The CISC annual reports, which until 2005 outlined the priorities identified by CISC through the intelligence process, can be used as a proxy for the outcomes of analysis – specifically *Sleipnir* threat assessments. This provides insight into the law enforcement knowledge framework of organized crime. The knowledge that is communicated in the discourse of these and other publicly available documents is significant because they represent the primary source of "expert" knowledge on organized crime available to the public. Thus, how the organized crime problem is represented can shape wider understandings.[67] The nature of the dominant discourse is highly significant because as highlighted in this analysis, individual subjectivities play a significant role throughout the intelligence process – those of the officers tasked to collect and report information, the analysts producing intelligence from that information and the decision-makers interpreting the intelligence. Dissemination of knowledge, whether through formal products such as the CISC annual reports or informally through statements made to the media, impacts on the intelligence process and can be self-reinforcing.

[67] Furthermore, their availability in the public domain means that these reports can be a form of open source information for other jurisdictions engaging in the information collection phase of their own intelligence process.

Chapter Five: Reproducing Knowledge in Canadian Law Enforcement Discourse

In the previous chapter, the various stages of the intelligence process were examined, with a specific focus on the analysis stage and threat assessment. The intelligence process/cycle is a way of producing knowledge about organized crime to inform policing strategies and operations. It was suggested that there are aspects of this process that are inclined towards reproducing the commonsense understanding of organized crime, including the ethnic connection. The intelligence cycle itself can therefore be problematic as a self-fulfilling process through which existing knowledge is confirmed and endorsed by a quasi-scientific methodology. An analysis of law enforcement discourse can provide insight into the knowledge that is produced through the intelligence process. Discourse is reflective of the knowledge within which decision-making is based. This chapter presents the results of an extensive discourse analysis of various textual materials produced by the RCMP and CISC. The first section examines how organized crime is represented in these documents and the second section presents an analysis of the representation of the usual suspects – those who are most often identified as forming the organized crime problem in Canada. From an intelligence-led policing perspective, the question of "who" engages in organized crime is central because it allows for a targeted approach to both the development of intelligence products and the implementation of enforcement operations. As described in chapter one, this analysis is primarily a macro-level analysis of themes and narratives in the discursive representation or construction of "what" organized crime is, and "who" engages in it. Due to space constrictions, an exhaustive compilation of textual elements is not provided. Rather I present and analyze some specific examples in support of my discussion of themes that appear and how they are used in the discourse. These

examples are not meant to be representative of the discourse, but highlight various discursive elements that shape it. I have also attempted to provide examples within each section and theme to represent the time span of the documents.

Constructing the Problem of Organized Crime

The first part of this analysis examines the conceptualization or definition of organized crime in law enforcement discourse. While not explicitly identifying it with particular racial or ethnic categories, the reoccurring themes reproduce the commonsense knowledge of "what" organized crime is. While the elements and structures examined in this section do not necessarily make explicit connections with racialized/ethnicized groups, they must be contextualized in two ways. First, as suggested in the second chapter, the concept of organized crime that previously emerged in the twentieth century was highly racialized/ethnicized. Situated in this historical context, the contemporary construction of organized crime through this discourse indirectly implicates racialized and ethnicized communities because it draws on an embedded commonsense knowledge. Second, this discourse must be situated in the contemporary contexts of institutional and systemic racism, ethnicism and xenophobia and the criminalization of Others. Drawing on Foucault's (1972) archaeology, Fairclough (1992) refers to this as intertextuality – the premise that discourses "always draw upon and transform other contemporary and historically prior texts" (40). Working with a broad question of *how is the 'problem' of organized crime represented in the RCMP and CISC discourse*, I identified six broad themes and narratives within them that are consistent throughout the time period. It will be clear that

these themes are not mutually exclusive and there is significant intersection between them.

Actor-Focused

As discussed, crime in general tends to be represented or analyzed in terms of the actor(s). In this framework, the "criminal" is viewed as pathological or defective (morally, biologically, socially, etc.) while the social and historical context of the criminalized behaviour is de-emphasized or ignored all together. "Criminal" becomes part of an individual's identity. This actor-focus has shaped the commonsense understanding of organized crime to be understood as an entity rather than as a process or as a market. The discourse analysis revealed that this orientation is the dominant one. This conceptualization is highly significant because it informs 1) how risk or threat is assessed – *Sleipnir's* focus on groups, and 2) strategies of enforcement – disrupting or dismantling groups.[68]

Organized crime and criminals as "different." One aspect of the actor-centred conceptualization of organized crime is the characterization of the individuals as different from the rest of the population. As discussed in the second chapter, traditional criminology has embraced this approach, attributing this difference to various explanations ranging from biology and genetics to the use of illegitimate means to attain

[68] There is a gradual shift towards this focus on criminal organizations in the reporting of RCMP activities in its annual Departmental Performance Reports (DPR). Prior to the 2002-2003 DPR, there was a greater emphasis on commodities (as reflective of criminal markets) with success measured in terms such as the amount and dollar value of drugs or counterfeit goods seized during that reporting year, or the amount of assets seized through Integrated Proceeds of Crime (IPOC) legislation (see DPR, 1998: 23-30). Before 2002-2003, DPRs note that the RCMP engages in two types of strategy, "one set [that] focuses on illegal activities (illicit commodities and services). The second set focuses on people (criminals and their organizations)" (DPR, 1999: 16). However it is the activities that provide the main measure of performance. In 2000-2001, with a clear directional statement about the adopting of the ILP framework, there is a greater emphasis on the "dismantling" of organizations through a "targeting upwards" strategy (DPR, 2001: 17). In the 2002-2003, the statement of strategic outcome for organized crime is to "Disrupt, dismantle and prevent organized/terrorism criminal groups from operating in Canada" to be measured by the number of groups "seriously disrupted/dismantled" that have been identified as the "top priority threats" (DPR, 2003: 41). Beginning with the 2003-2004 DPR, performance measures are reported in terms of the number of groups disrupted. This increased emphasis on targeting groups is consistent with the adoption of the ILP framework.

social mobility. These individual-level causes or responses of criminality are seen as abnormal or defective. The examples presented below reflect this conceptualization of those involved in organized crime as different from those who are not – both the non-criminal population and those who engage in criminal activities that are not considered organized crime.

> The increasing sophistication of organized criminal activity demands of police and other law enforcement personnel an ever-greater knowledge and understanding of criminal methods and motivations. (CISC, 1996, "About")[69]

The reference to "criminal methods and motivations" implies that there is something different about how organized criminals operate. It creates a distinction from "ordinary" crime, enhanced by the use of the word "sophistication." It also reinforces the idea that criminals are inherently different from those who do not engage in criminal activities (who are law-abiding and therefore normal) by suggesting that their thought processes and behaviours are beyond "our" (law-abiding, normal) comprehension requiring study to develop adequate knowledge.

> Criminals have not changed significantly over the centuries. All criminals are motivated by greed. All criminals seek wealth and power through the exploitation of human material resources and deficiencies in government and the rule of law (CISC, 1998, "Message from Commissioner J.P.R. Murray")

While the previous example seems to distinguish between organized and ordinary criminals, here, all criminals are described as having the same motivations. Nevertheless, it reinforces the idea that "criminals" are inherently different from non-criminals. It categorizes "criminals" as a group sharing common characteristics. Because of the consistency of criminal motivations over time referred to in the first sentence, there is perhaps an implication that criminals are internally disposed towards criminality. The

[69] References are provided for each excerpt. Those from CISC annual reports (indicated by CISC as author) include the year of publication and the section from which the excerpt was taken and a page reference if available (reports up to 2002 did not include page numbers). See Appendix A for full references for these documents.

desire for "wealth and power" – goals of the capitalist society – is described here in the negative, positioning their morality as inferior.

> Those seeking to remain inconspicuous look to integrate themselves within their economic, social, and cultural communities and establish personas of legitimacy, normality and respectability, and thus insulate themselves from law enforcement attention. (CISC, 2005, "Characteristics and methods": 6)

Organized criminals are firstly identified as being inherently different or distinguishable from others. By inference the use of the word "inconspicuous" means that these individuals usually stand out from the rest of the population. Similarly, the use of the words "legitimacy," "normality" and "respectability" imply that the true nature of these individuals is one of *illegitimacy*, *abnormality* and *disrespectability*. Particularly, the use of normality/abnormality is interesting because of its association with ideas of nature or biology. It could be interpreted as meaning that there is something naturally different about organized criminals that they must *try* to hide. The reference to "cultural communities" is an example of the subtle racialization/ethnicization that occurs in these texts. While superficially neutral, read in the context of multiculturalism discourse, "cultural" has a direct link to "ethnic." It is through the dialectical processes of racialization and ethnicization by which a group identifies the Other as having certain distinguishing features and simultaneously defines (it)Self as not having those characteristics. This reference in the text therefore implies that the people of interest are (most likely) those from ethnic communities. Reading this along with the other examples that attribute to criminals some inherent or pathological characteristic, it makes a connection between race/ethnicity and criminality.

Groups. The conceptualization of organized crime as criminal organizations means that instances that do not conform to this criterion are not considered organized

crime. Thus activities of white-collar or corporate criminality, which may be the same as those committed by "criminal organizations," escape this categorization and are more likely to be treated as less serious. The most obvious manifestation in the materials analyzed of the conceptualization of organized crime in terms of groups rather than markets or processes, is in the reporting format of the CISC reports until 2005. Even with the shift towards reporting by criminal market rather than ethnically-identified groups in the 2005 report, there is still clearly a discourse that reinforces the association of organized crime with groups:

> To understand the organized crime phenomenon in Canada, it is not only necessary to grasp the workings of the country's various criminal markets, but also to have an appreciation for the principal entities that drive these markets: organized crime groups. It is therefore necessary to understand the inner workings of groups (i.e. structure), their membership, the relationships between groups, as well as the various tools and methods (...) (CISC, 2005, "Characteristics and methods": 5)

> What is organized crime? It is any group with a structure, a corporate structure, whose primary objective is to obtain money through illegal activities, greed, fear and corruption. These groups often mirror trends in legitimate business (...) Organized crime is a global, international challenge (...) (Zaccardelli, May 25, 2001, speech to the Federation of Canadian Municipalities)

> That definition [in the Canadian Criminal Code] encompasses a broad spectrum of criminal groups including outlaw motorcycle gangs (OMGs), Asian-, Italian-, and East European-based organizations, and networks of people trafficking in child pornography, counterfeit credit cards or illicit telemarketing or electronic mail schemes (RCMP, 2004, "Fact Sheet on Organized Crime")

The association of organized crime with groups reinforces associations with the racialized/ethnicized archetypes of organized crime. The references to "structure" and "membership" allude to the archetypal models. As will be examined in the next section, there are frequent references to archetype names/labels such as "cartel", "triad" and of course, "mafia." So although the discourse relating to "groups" does not make a direct or exclusive link between organized crime and these archetypes, the continued circulation

of these labels may reinforce the association – if organized crime *is* criminal organizations/groups and these groups *are* cartels, triads, and mafia, then organized crime *is* the cartel, triad, and mafia.

Homogenous and monolithic. There is a homogenization of organized crime into one monolithic entity. Allusion to criminal conspiracy links back to the alien conspiracy theory that associated organized crime with a single criminal conspiracy united in a common purpose. It creates a dichotomy between the entity of organized crime and legitimate society. This also entails an assumption that all manifestations of organized crime must share certain characteristics that appear to be closely associated with the archetypal model and particular criminal activities. These similarities are emphasized over differences:

> Some organized crime groups are united by common origins, while others are defined by their specialization in specific forms of criminal activity. And while this report documents those differences, it also emphasizes that the similarities between organized crime groups may be even more critical. (CISC, 2000, "Message from the Chair Commissioner J.P.R. Murray")

Organized crime is frequently referred to with the use of the word "it":

> It is a highly sophisticated economic, political and social phenomenon and it is essential that, as a nation, we find innovative means of addressing it. The challenge of organized crime is not a challenge to any one institution or police force, but is directed at every single one of us. For this reason, cooperation (...) is the single most effective weapon that we have against organized crime. (CISC, 2000, "Message from the Chair Commissioner J.P.R. Murray")

> Organized crime has become knowledgeable of and utilizes all facets of the legitimate business and transportation community (...) Organized crime has also attempted to infiltrate and/or corrupt border entry points (...) (CISC, 2002, "Contraband": 31)

> This type of callous, destructive criminal behaviour is driven primarily by greed. It is fluid and highly adaptable. It feeds on globalization (...) It has vast resources at its disposal and can penetrate legitimate social and economic structures. It takes advantage of innovation (...) to wreak enormous damage on the fabric of our

lives. (Zaccardelli, March 20, 2002, speech at Transnational Organized Crime Conference)

The use of the word "it" to refer to organized crime implies this homogeneity and characterization as a single phenomenon rather than a myriad of actors, markets and means of operating. The personification of this "it" in the last two examples gives the concept human characteristics and abilities – as being "knowledgeable" and able to "utilize," "infiltrate," "feed," "penetrate" and "take advantage" – further enhances this sense of organized crime as a single phenomenon. Indirectly, this entity is also imbued with the human character description of "greed." Through anthropomorphization, individual-level characteristics that have been used to describe those involved in organized crime as pathologically different are transposed to "organized crime" – the actor and the phenomenon become one and the same.

Organized crime is represented in terms of the actors involved through reference to individual criminals as being fundamentally different from "us," the emphasis on criminal groups or organizations, and the representation of organized crime as a singular and homogenous phenomenon. The implication of this representation is that activities (e.g. corporate criminality) that do not conform to the understanding of organized crime might not receive the same prioritization although they may be as harmful. As discussed in chapter three, criminalization and ethnicization are processes of dichotomization through which the Self is shaped via definition of the Other. This is a significant theme in the discourse.

Dichotomy of Us versus Them: Organized Crime versus Canadian Society

One of the more common themes is the positioning of organized crime versus Canadian society. In addition to specific references to "Canadians" and "Canadian

society," there is also the use of the words "our" and "we" that, in the context of the full text are interpreted as meaning Canadians. The individuals involved in organized crime, and organized crime as a monolithic entity/phenomenon are outside the nation and are therefore non-Canadian. This discursive positioning occurs through several strategies: the description of Canadians as targets or victims, the presentation of organized crime as inconsistent with or challenging basic Canadian values, the threat of organized crime to Canadian society and well-being, and through the enlisting of Canadians as partners against organized crime.

Canadians as targets and victims:

> With this report, CISC seeks to make the effects of organized crime visible and of concern to every community and region in Canada. Organized crime is a threat to public safety and to all Canadians. (CISC, 2002, "About this report": ii)

> Recent events involving the seizure of counterfeit prescription drugs (...) demonstrates that every Canadian is a possible target for organized criminals. (CISC, 2005, "Message from Chair Commissioner G. Zaccardelli")

> The economic and social repercussions from organized crime extend beyond large urban areas to affect communities and families throughout Canada. The effects are often complex and sometimes not obviously associated with organized crime – the drug addict, the abused child, the toxic chemicals and environmental damage from illicit drug manufacturing – to name a few. (CISC, 2001, "Message from Chair Commissioner G. Zaccardelli")

The victims of organized crime are presented as being indiscriminately selected yet targeted as innocent Canadian citizens. All Canadians are positioned as potential victims of organized crime thus establishing the role dichotomy of offender and victim. As the innocent "victim," Canadians cannot simultaneously be the offender – whether directly involved in organized criminality or through demand for the products or services provided through it. This establishes the dichotomy between us/Canadian/victim and them/organized crime/offender.

Canadian values. The assumption of shared values among individuals is a defining feature of community and nation. In the discourse, organized crime is described as threatening "Canadian values":

> As Canadians, we pride ourselves upon living in a country that is stable, well-policed and, with few exceptions, relatively free of serious crime and violence. (CISC, 1999, "Message from the Chairman J.P.R. Murray")
>
> Organized crime affects our basic Canadian rights to peace, order and good government. (RCMP, "Strategic Priority: Organized Crime" (website))
>
> Organized crime endangers Canada's democratic institutions and values (...) (Zaccardelli quoted in Richards, 2000, *Gazette, 62(3)*: 10)

To be Canadian means that one identifies with these values – by not ascribing to these values, as evidenced by their challenging of them through their activities, those involved in organized crime are non- or un-Canadian.

> The Canadian Charter of Rights and Freedoms was conceived to protect the rights of the individuals and we police agencies totally agree with its objectives. But what we notice today is honest law-abiding citizens being exploited, extorted and having their children poisoned by drugs by criminal enterprise which are protected by the same Charter. Surely, this was not the objective of the legislator. Measures must be taken! (Sangollo, 1996, *Gazette, 59(6)*)

The Charter represents the values shared by Canadians. Because organized crime threatens or challenges these values, the individuals involved in it are deemed to be undeserving of its protection. If "they" do not belong to the Canadian community, organized criminals are not entitled to the same rights as "law-abiding citizens." Through reference to values and rights, a narrative of citizenship is invoked in the discourse that demarcates boundaries of inclusion/exclusion.

Canadian society: Quality of life and well-being. Closely related to the narratives of citizenship and values is the description of organized crime as threatening the quality

of life and well-being of Canadians through the negative effects on the country's social and economic institutions.

> AOC groups continue their involvement in prostitution, car theft, staged vehicle accidents, welfare and unemployment insurance fraud, commodity smuggling, contract killings and assaults, extortion and corruption. Canada's social welfare and health systems are affected by this criminality. (CISC, 1999, "Asian-based Organized Crime")

> Many harmful effects of organized criminality are far-reaching and long-term in nature, undermining Canadian institutions, the economy and quality of life. (CISC, 2006, "Introduction": 4)

> We have all seen our streets transformed by prostitution and drug-related violence. Vehicle theft has pushed up our auto insurance premiums, and our governments are losing tax revenue with the proliferation of contraband goods. Gang wars are killing innocent citizens. Illegal immigrants are being smuggled across our borders and exploited (...) those [synthetic drugs] we haven't caught before they reach their market are killing our youngsters, and leaving communities racked with grief (Zaccardelli, March 20, 2002, speech at Transnational Organized Crime Conference)

The last example illustrates the use of an emotional appeal through reference to youth. Through the use of the word "our," there is a personal connection made between the audience and the youth referred to in the text. It positions "youngsters" as innocent victims of drugs supplied through organized crime. It parallels (historically) earlier discourses about the threat of drug suppliers pushing harmful substances on innocent (white) youth. The consensual or demand aspect of the drug trade is made invisible. In the same way that the narrative of values excludes organized criminals from being Canadian, the characterization of their activities as threatening Canadian well-being also positions "them" outside the nation.

Canadians citizens as enforcement partners. One of the strategies to deal with organized crime highlighted by the RCMP is the education of the general public. The CISC report is identified as one means of achieving this. In the discourse, there is a

responsibilization of Canadians/citizens to be part of the policing of organized crime. This further emphasizes the Us versus Them dichotomization between legitimate society and organized crime. It draws on the discourse of shared values and desire for "peace, order, and good government" – values that are not shared by Them. Being involved in the policing of organized crime (through passively supporting the police or through more active means) aligns the individual with these values and therefore inclusion in the imagined community/nation. Through the use of the words "Canadian" and "citizen," this participation is a form of citizenship. Because of the dichotomization, failure to support law enforcement would reflect a rejection of the shared values and therefore identification or complicity with Them – organized crime.

> Organized crime is not some nebulous concept. It is a real and ongoing threat both to our communities and to our personal safety. Educating Canadians on the threat of organized crime and enlisting their support in protecting their community by reporting crime and obeying the laws is crucial to our collective efforts (CISC, 2005, "Message from Chair Commissioner G. Zaccardelli")

> Organized crime touches each one of us in some way and every citizen is a key factor in halting its advance. (CISC, 1997, "Message from Director R. Philippe")

> We all have to work together as concerned and law-abiding members of the public against the national problem of organized crime groups and criminal activities in Canada. (CISC Director General R. Philippe, in RCMP News Release, August 25, 2000)

> It is a highly sophisticated economic, political and social phenomenon and it is essential that, as a nation, we find innovative means of addressing it. The challenge of organized crime is not a challenge to any one institution or police force, but is directed at every single one of us (...) cooperation (...) is the single most effective weapon that we have against organized crime. (CISC, 2000, "Message from Chair Commissioner J.P.R. Murray")

In this last example, there is a reference to the "nation" which excludes organized crime. Those who are potential victims (Canadians), as members of the "we" of the nation, are responsible for cooperating together "against" the "it" of organized crime.

Through the dichotomization of organized crime vis-à-vis Canada and Canadians, organized crime as an entity is positioned as a common enemy of the country and its citizens. This occurs through the description of Canadians as the inherent victims and targets, the threat to "Canadian values" and social well-being, and finally through the active enlisting of the public in the enforcement effort *against* organized crime. This framing process is significant because it establishes the dichotomization in which organized crime is positioned outside the nation and citizenship. Organized crime is therefore located along with other forms of social identities associated with exclusion. Through parallel "othering" processes of racialization and ethnicization, certain communities are marked as outsiders along with organized crime. The representation of organized crime as non-Canadian – even when not in a definite connection to citizenship – raises a parallel association of foreignness and racialized/ethnicized identity thus amplifying the degree of Otherness.

The Economy

The concept of organized crime has always been closely related to the economy and a distinction between the legitimate and the illegitimate in terms of economic systems and the individuals (with)in them. One of the most common characterizations of the threat posed by organized crime relates to the (legitimate) economy and capitalist systems. This theme rests on the assumption that capital markets and the economy exist naturally and are therefore inherently legitimate. The activities of organized criminals in this space must therefore be illegitimate – they are illegitimate players. Frequently described as "infiltrating" or "penetrating" the legitimate economy or financial institutions, organized crime is positioned outside of this legitimate space. Consequently,

to discuss financial or economic crime in the context of organized crime – as understood in terms of criminal organizations – means that activities and individuals that do not fit the model escape this label. Because financial institutions are described as the targets or victims *of* organized crime, they cannot be included within the definition of organized crime.

Organized crime as outsider. Most often organized crime is characterized as being external to the legitimate economy rather than being a symbiotic part of it. By positioning organized crime on the outside, it dialectically excludes some people from being defined as organized crime. For example, fraud committed by executives of a large corporation would likely not be considered organized crime because those individuals are viewed as being a part of the legitimate economy and markets.

> [Organized crime groups] involved in a wide variety of illegal activities throughout Canada are increasingly infiltrating mainstream Canadian businesses and society (...) to launder their illicit profits and a basis to expand their infiltration of the economy. (CISC, 1996, "Introduction")
>
> Organized crime groups also exploit legitimate businesses, professionals and other community members to assist them in the criminal ventures and launder their criminal profits. In some instances, providers of this assistance may be unaware of their exploitation by organized crime, while others, lured by the profitability of their relationship, either may suspect but remain silent or knowingly and openly participate (CISC, 2005, "Characteristics and methods": 6)
>
> Canadian-based companies are vulnerable to exploitation by both domestic and foreign-based criminal groups (CISC, 2006, "Characteristics and methods": 11).

The positioning of organized crime outside of the legitimate economy occurs through the description of activities through active verbs such as "infiltrate" and "exploit" that imply non-consent on the part of the receiving party. Thus, "mainstream Canadian businesses and society" and "legitimate businesses, professionals and other community members" are the innocent victims of organized crime groups. There is a sense of

passivity ascribed to these "victims" that removes them from complicity in criminal activity – they are "vulnerable to exploitation." Even when they are complicit, as in the second example, they are described as being "lured" into it, maintaining a sense of their innocence and the questionable morality of the organized criminals. The specification of these businesses and companies as being "Canadian" draws indirectly on the narratives of organized crime as a foreign phenomenon. In the last example, this is clear in the oppositional positioning of "Canadian-based companies" to "foreign-based criminal groups." Although there is also reference to "domestic" criminal groups, the repetition of the "-based" descriptor emphasizes these as opposites.

Economy as primary victim. There is an emphasis on the harms caused by this organized crime infiltration to the economy (and society); however, these costs or harms are rarely if ever quantified – they are referred to in the abstract. Economic health is described as fundamental to the well-being and safety of Canadians.

> (...) health and safety implications of organized crime are important to all Canadians. You may not be aware of it, but organized crime can affect your take-home pay (health care and tax losses are recouped by paying for those who are drug addicted, and for people trafficked into Canada); your property tax bill (policing costs and costs of money laundering effects to the local economy); your electricity bill (hydro diversion for drug operations); your car and home insurance bills (organized auto theft rings and property break-ins); your monthly banking fee (as a profit-seeking business, banks need to recover bank fraud costs by billing regular customers); your credit card payment (credit card fraud and identify theft costs (...)) (...) and much more (RCMP, "Strategic Priority: Organized Crime" (website))

> [Contraband products] often exists due to some degree of societal acceptance. However, these markets can significantly affect society, particularly through the loss of potential tax revenue that could be directed toward health and social programs. The business community is also affected as businesses that operate honestly are at a serious disadvantage in relation to those who sell contraband products at significantly lower prices. (CISC, 2004, "Selected socio-economic effects": 37)

> The illegal distribution of software and intellectual property causes financial loss to legitimate businesses, governments and taxpayers in Canada and around the world. These losses are estimated to be in the billions of dollars (...) As we know, some counterfeit goods, such as auto parts, electrical components and pharmaceuticals, can also endanger the health and safety of Canadians. (Raf Soccar, Assistant Commissioner of RCMP Federal and International Operations, in RCMP News Release, June 30, 2005)

These examples also reflect the dichotomization of the legitimacy of the capitalist economic system against the illegitimacy of organized crime. Everyday issues such as taxation, the remuneration of labour and banking are linked to organized criminal activities. Through this government, employers or banks are positioned as legitimate social institutions that are the primary victims of organized criminal activity, the costs of which are passed down to the individual. The diversion of tax revenues away from social and health programs, rising insurance costs or the increase in credit card fees are represented as necessary responses by these institutions to their victimization, which de-emphasizes factors such as politics or the profit motives of private corporations. "Legitimate" and "honest" businesses are victimized because of the competition created by criminal markets that reduces their profits. The functioning of the capitalist economy is therefore also threatened by organized criminal activities.

Legitimate fronts:

> [Money laundering] can help criminal organizations to infiltrate the legitimate economy to such an extent that they evolve to become solely legitimate enterprises, despite the fact that the capital behind the company was originally supported by criminal activities (...)[This] undermines the legitimate economy, especially investor confidence in important Canadian markets (....) [such as through] the company's tarnished image thus undermines shareholder and public confidence in it. (CISC, 2005, "Criminal markets": 24)

> Investments in legitimate businesses can also facilitate numerous criminal activities. In addition, some organized crime groups hide cross-border smuggling within the trade of legitimate goods, through import-export flows, or through companies involved in the transportation industry. (CISC, 2006, "Characteristics and methods": 11)

> This is the most dangerous level of activity for our democratic society – not dangerous as to the violence used, but rather the important economic power that is gained in difficult economic times (Sangollo, 1996, *Gazette, 59(6)*)

One of the dangers of the involvement of organized crime groups in the legitimate economy arises in the invisibility of this involvement. Having an association to individuals who are or have been involved in criminal activity taints legitimate businesses. In the last quote, there is a clear association between wealth and power reflecting a concern that socio-economic order is put off balance by organized crime.

The emphasis on economic institutions and "legitimate markets" as victims of organized crime activity reflects elements of both alien conspiracy and ethnic succession theories. In the first case, there are parallels to concerns about criminal monopolies in both the illegal markets and in legitimate industries. Ethnic succession theory explains organized crime as a means of attaining wealth and social mobility. In both approaches, the legitimacy of the existing social structure and economic system is assumed. Organized crime is located outside of this, seeks to enter and does so through illegitimate or unacceptable means. This therefore threatens the social structure and economic system as it allows organized criminals to (unfairly) accumulate wealth and the attendant status and power that accompany it.

The Invisibility of Danger

A fourth theme in the discourse is the description of organized criminals and their activities as being hidden from the public. The invisibility of organized crime is represented as an indication of its dangerousness, related to the sophistication of organized crime groups. It is symbolic of their ability to engage in harmful activities out of the sight of the general public and law enforcement. This is one of the factors that

characterize organized crime as being more serious than conventional criminal activity. The theme of invisibility fits with the mythologies of organized crime as secret societies, the metaphor of the underground or underworld and the narrative of conspiracy. A frequent concern cited by law enforcement is the general public's failure to acknowledge or recognize the seriousness of the threat. There has been a greater emphasis on the use of education to raise public awareness. In addition to bringing criminal activities such as identity theft under the rubric of organized crime, there is also the linking of the problem to phenomena such as rising insurance premiums. Almost anything affecting people can be attributed to organized crime because of the breadth of the concept. While there are attempts to make organized crime visible, there is still an emphasis on its invisibility that maintains the element of dangerousness that justifies its characterization as something different from ordinary crime.

> Organized crime is one of the most insidious forces in the world today. (CISC, 1997, "Introduction")
>
> Unlike ordinary crime, it does not immediately manifest itself in broken windows, a rash of break and enters or a sudden rise in the murder rate. But we cannot be complacent, we cannot afford to ignore organized crime simply because its effects are not immediately apparent to us. (CISC, 1999, "Message from Chairman Commissioner J.P.R. Murray")
>
> Criminal organizations attempt to mask their influence and operations to escape the attention of the public. The invisibility of much of organized crime is one of its greatest strengths. The CISC Annual Report on Organized Crime is a step towards countering this invisibility. We need the public to recognize the effects of organized crime in our communities and across the country. We need the public to take an aggressive stance against all organized criminality. (CISC, 2001, "Message from Chair Commissioner G. Zaccardelli")
>
> The activities and workings of criminal organizations are often complex and can be hidden from the everyday world. With this report, CISC seeks to make the effects of organized crime visible and of concern to every community and region in Canada (CISC, 2002: ii).

One of the goals of law enforcement generally, and the CISC public reports specifically, is to render organized crime visible. The representation of organized crime that in materials such as the CISC reports is therefore significant for how the public understands it. The use of the word "insidious" in the first example lends moral overtones to this invisibility, emphasizing danger.

> Those seeking to remain inconspicuous look to integrate themselves within their economic, social, and cultural communities and establish personas of legitimacy, normality and respectability, and thus insulate themselves from law enforcement attention (CISC, 2005, "Characteristics and methods": 6).

Not only might the activities of organized crime be hidden, but those who are involved in these activities may do the same. This last quote draws on the narrative that represents organized criminals as pathologically or inherently different from others. It suggests that these individuals must make an effort to appear "normal" thereby implying that they are fundamentally abnormal and that this abnormality is their natural character.

Outsider: Foreign, External

The construction of organized crime as oppositional to "Canada" and "Canadians" as discussed above is also informed by a narrative that specifically describes it as a foreign phenomenon. The narrative of organized crime as inherently foreign or external to society is at the core of the dominant conception of organized crime. This is a common thread in alien conspiracy theory, the ethnic succession thesis and the contemporary concern with transnational crime networks. It is also a strong factor that implicates ethnicity as a characteristic of organized crime. As discussed in chapter three, ethnicization attributes to people a permanent foreignness and therefore positions ethnic groups outside the dominant culture and the nation.

External sources. One narrative is the locating of the origin of the organized crime problem outside of Canada rather than having developed within the country. This applies to both the individuals involved and many of the commodities they provide, especially drugs and counterfeit products.

> Canada is by no means immune to the encroachment of organized crime. Virtually every major criminal group in the world is active in this country, and many are well established, their roots sunk deep in Canadian society and the Canadian economy. (CISC, 1997, "Introduction")

The use of the word "encroach" places the source of organized crime outside of Canada because it implies the action of entering without consent. Canada is dichotomized to organized crime groups, which originate in other countries around the world but not here. The emphasis created with the double use of "Canadian" to describe society and the economy reinforces the identification of the criminal groups as non-Canadian.

> The flow of illicit drugs into the country contributes to property crimes, violence including domestic disputes, assaults and homicides, and is related to adverse health effects such as addiction and the spread of infectious diseases. (...) Counterfeit goods from foreign sources can cause serious health and safety concerns because of incorrect or non-existent legal restrictions or regulations. As well, the smuggling and distribution of contraband can contribute to the corruption of public or private sector officials and professionals. (CISC, 2004, "Organized crime at marine ports, airports and land border areas": 10)

> It is drug trafficking that significantly fuels and finances other criminal acts, creates situations prone to violence, and encourages societal corruption and disruption. ... A significant portion of the contraband that supplies the Canadian illegal markets, particularly illicit drugs, is supplied from foreign sources (...) (CISC, 2002, "Contraband": 31).

> But you don't produce cocaine or heroin in New Brunswick or British Columbia or Ontario, do you? Criminal organizations take these commodities and move them around the world and ultimately into our cities and towns. (Zaccardelli, May 25, 2001, speech to Federation of Canadian Municipalities)

Drug trafficking is the "classic" crime that is associated with organized crime. The historical equation of racialized/ethnicized groups with so-called "vice" – drugs,

prostitution, gambling – further delineates their position in the moral dichotomy/hierarchy. The discourse positions Western society as pure and vulnerable to the corrupting influences of conspiring foreigners/outsiders peddling these vices to create social instability. The source for these commodities is abroad, which implicates foreigners in trafficking and distribution activities. While drugs and counterfeit goods pose real health and safety risks, the perceived dangerousness of these goods is enhanced through this foreign and unknown origin. Through the linking of organized crime with certain types of offences such as drugs or human trafficking where the source originates from abroad, people with connections to a source country or region through birth, language or family ties (or ethnicity) are cast as the most likely perpetrators and become targets for law enforcement (Gill, 2000).

Immigration:

> The illegal entry of migrants into Canada threatens the integrity of the formal immigration process. Illegal migration has an impact on immigrants arriving legally into the country, as the costs associated with deportation and immigration hearings divert resources (...) The integrity of citizenship documents are also undermined as counterfeit and falsified documents are frequently used (...) (CISC 2005, "Criminal markets": 32)

> Organized crime has existed for years. However, in more recent times many criminals, whether alone or in groups, have emigrated to Canada from a variety of countries. Many of them have become predators within their own cultural communities, while others prey upon Canadian society. (Sangollo, 1996, *Gazette, 59(6)*)

There is a clear association between criminality in general, and organized crime specifically, to immigration.[70] In the first example, the immigration process becomes tainted through this association with illegal migration facilitated by organized crime networks. Although not identified as the organized criminals, migrants themselves are

[70] See Tonry, 1997 and Yeager, 1996 on the association between crime and immigration.

criminalized, creating a conflation between these two categories.[71] In the second quote, the connection between organized crime and immigration is explicit. The immigration of "recent times" is associated with an increase in the number and variety of organized crime in Canada. What is consistent in the discourse in relation to this theme of foreignness is that individuals are characterized as being "criminal" prior to arriving in Canada – this narrative is also reflected in the cultural awareness materials discussed in the previous chapter. There is a differentiation between "cultural communities" and "Canadian society." In the context of multiculturalism, "cultural" is understood as "ethnic" and associated with immigration. Drawing on the racialization/ethnicization framework, through a dialectical process, "Canadian society" can be interpreted as meaning "white society." The use of the words "predator" and "prey" impute an animalistic and therefore dangerous quality to these (organized) criminals and groups. The statement that "organized crime has existed for years" juxtaposed with the last sentence seems to imply that the recent influx of immigrants/criminals is a more threatening problem. The use of the word "however" separates the old organized crime from the new. By characterizing the new organized crime as (ethnic and) dangerous to Canadian society, the old organized crime that has "existed for years" prior is constructed as having been less of a threat.

> The point here is that many in the West had a fundamental misunderstanding of the East and how it had actually functioned under Soviet communism...This explains why many Western law enforcement agencies were taken by surprise by successive waves of Eastern criminality. Later, many were also unprepared for the criminality emanating from the war-torn Balkans. (...) The lessons that should have been learned by the earlier arrival and development of groups such as the Outlaw Motorcycle Gangs, the Cosa Nostra and the Jamaican Posses – to name but a few – simply had not been. (CISC & CIFP, 2005: 7)

[71] See Hier, S.P. & Greenberg, J.L. (2002) Constructing a discursive crisis: Risk, problematization and *illegal* Chinese in Canada. *Ethnic and Racial Studies, 25(3),* 490-513, on the discursive construction of Chinese migrants as criminals.

This text from CISC's description of the development and implementation of its early warning system *Sentinel*, locates the origin of organized crime outside Canada. This discourse is closely interlinked with an anti-immigration discourse because of the increase in immigration following the dismantling of the Soviet Union and then the conflicts in the Balkan region. There is an association between these waves of immigration and increased criminality. The reference to specific organized crime groups as historical predecessors further embeds this connection between immigration and criminality. Two of the three groups specified – Cosa Nostra and Jamaican Posses – have a clear racial/ethnic association, and both of these racialized/ethnicized groups have historically (and contemporarily) been criminalized. Outlaw Motorcycle Gangs are also identified as originating outside of Canada. The phrase "to name but a few" broadens this characterization of organized crime as foreign beyond these specified examples. Without any limiting text it implies that most, if not all, organized crime groups should be included in this assessment. The phrase "arrival and development" indicates that criminality pre-existed emigration. Criminality is therefore not a result of social, political, or economic conditions in Canada but rather those in the countries of origin. The first part of this example implicates Soviet/Eastern society, politics, culture and economy in explaining criminality. This is extrapolated to other countries and their inhabitants through the reprimand about the failure to learn "lessons" from other (immigrant) criminal groups.

There is a strong narrative of foreignness within the discourse that describes organized criminality as a phenomenon and many of the illegal commodities provided through it as originating outside of Canada. In the context of multiculturalism, the

association between *foreignness-immigrant-ethnic-visible minority* means that organized crime becomes associated with racialized/ethnicized communities in Canada.

International Connections

Related to the narrative of foreignness is the emphasis on the international quality of contemporary organized crime. As discussed in the second chapter, the identification of transnational organized crime (TOC) as a global law enforcement priority emerged in the 1990s and is closely tied to broader concerns with the effects of globalization and specifically the perceived opening up of borders. Mirroring legitimate corporations, criminal organizations have connections around the world. The groups and their activities are able to cross national borders. However, the predominant narrative maintains Canada as a site of operation rather than the source or origin of criminality.

> (...) Canada has become one of the most important bases for the globalization of organized crime in recent years, and that virtually every major criminal group in the world is active in this country. (Evans, 2000, *Gazette, 62(3):* 3)

> Virtually every major criminal group in the world is active in this country; many are well established, their roots sunk deep in Canadian society and the Canadian economy. There are many reasons for this. First, profound social, political, economic and technological change has effectively eliminated borders and notions of national sovereignty... Secondly, Canada is an important branch operation of the global "business" of organized crime, and criminal activity (...) (Smythe, 2000, *Gazette, 62(3):* 40)

> Cars stolen in your municipalities are now routinely shipped in large numbers to destinations in Africa, Asia, Eastern Europe and the Middle East. These thefts affect your insurance premiums and mine. (Zaccardelli, May 25, 2001, speech to Federation of Canadian Municipalities)

> (...) the bulk of illicit drugs consumed in Canada originates abroad, and therefore must be smuggled into the country (...)Typically it is the more sophisticated organized crime groups in Canada who possess the necessary international criminal contacts in source and transit countries that can carry out these conspiracies. (CISC, 2005, "Criminal markets": 36)

The last two quotes demonstrate how this narrative draws on the discourse that locates the source of organized criminals and illegal commodities outside of Canada. In the first case, "our" goods are being transported out of the country, presumably to the countries from which these criminals originate. This assumption emerges because of the theme of international connections that is reflected in the first two examples that describe Canada as a "branch operation." The idea of a "branch operation" means that there is a headquarters located in the home country. This also indirectly implicates these destination countries (and their inhabitants) because they are benefiting from these crimes. Also evident is the positioning of all Canadians as potential victims because the effect on insurance premiums goes beyond the individual. This reinforces a dichotomy between Canadians/victims and foreigners/organized criminals. The last quote reflects the understanding that the most sophisticated and therefore most dangerous criminals are those that possess these international connections. Indeed, having connections with other groups internationally is a factor that increases the threat value within the attribute of "links to other organized crime" in the *Sleipnir* threat assessment. Because of the "branch operation" metaphor, the most dangerous organized crime threat is represented as foreign. Again, the conflation or interchangeability between concepts of *foreignness-immigrant-ethnic-visible minority* becomes a factor that implicates racialized and ethnicized communities as a risk or threat.

Terrorism nexus. There is a linking of organized crime with terrorism in the discourse, which seems to be part of a broader conceptual shifting of the organized crime problem under the rubric of national security. Perhaps the most significant implication of this is the greater tolerance for increased enforcement measures at the expense of individual rights, in particular those of racialized/ethnicized groups. The

application of a militarized national security discourse to the local level is reflected by Galeotti's (2003) assertion that "influence and control over marginalized communities will be as important as physical control of national borders" in dealing with organized crime (30). What is apparent in the discourse is that this nexus between organized crime and terrorism hinges on positioning the problem outside the nation – not only is organized crime foreign, but so is the terrorist threat. Within this narrative, the implication is that shared national or ethnic origins among criminals and terrorists make them more likely to work together. This follows from the ethnicization process through which cultural values or worldviews are generalized and assumed universal.[72] The connection between organized crime and terrorism is represented in the context of monetary support or the smuggling of "terrorists."[73]

> Organized crime is one of the most insidious forces in the world today (...) It forges alliances with nationalist and extremist groups (...) (CISC, 1997, "Introduction")
>
> Smuggling networks and organizations assist and support criminal extremists from their own, or other religious or ethnic groups by providing access to established smuggling networks. Criminal extremists also take advantage of existing drug or contraband smuggling routes and networks to smuggle extremists and material. (CISC, 1997, "Illegal migration")

This statement implies a willingness on the part of organized criminals to support people of different affiliations – "other religions or ethnic groups." Although they may not necessarily share the value or worldviews of these other individuals, they are willing to assist them. There is a homogenizing of the criminal/terrorist Other as a foreigner that

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[72] An interesting exception to this characterization of terrorism/organized crime as emanating from outside Canada is the representation of "Aboriginal organized crime." In the CISC reports prior to 1999, there is a direct and explicit association between First Nations political activism, termed criminal extremism and organized crime – specifically, there is no distinction made between these concepts. This is discussed in detail in the analysis of discourse relating to Aboriginal organized crime in the second part of this chapter.

[73] This also implicates smuggled/trafficked migrants as not only potential criminals, but also possible terrorists. See Hier, S.P. & Greenberg, J.L. (2002) Constructing a discursive crisis: Risk, problematization and *illegal* Chinese in Canada. *Ethnic and Racial Studies, 25(3),* 490-513, for a discussion on the problematization of illegal migrants in Canada.

threatens "our" society. It injects suspicion about migrants because of the inability to distinguish the extremists from those who are not.

> Since September 11th, 2001 there has been a heightened concern over security at the marine ports. (...) The Canadian law enforcement community is cognizant of the potential threat to marine ports as an entry point for terrorists and/or their destructive weapons or materials. It is recognized that organized crime elements entrenched within the port environment could potentially facilitate a terrorist infiltration through a mutual arrangement, being either unaware and/or uncaring of the ultimate consequences of their cooperation. This adds a new dimension to the threat of organized crime at Canada's marine ports and the potential damage that this situation could cause to Canadian society or to our neighbours in the United States. (CISC, 2002, "Other monitored issues": 39-40)

As in the previous example, this quote reinforces a dichotomization between Canadian society and organized crime/terrorists. The use of the word "uncaring" implies a lack of attachment or devotion to Canadian society thus allowing organized criminals to cooperate with terrorists. This positions them outside of Canadian society. This nexus emphasizes the international nature of organized crime by linking a variety of entities (criminal and terrorist) that are discursively positioned outside Canada.

Summary

This analysis identified six major themes in the discourse used in representing the problem of organized crime in Canada. The actor-focused orientation allows for the dichotomization of organized crime against Canadian society. It is characterized as a threat to the economy, vicariously affecting Canadians. Organized crime groups, criminals and their activities are described as being invisible, and this invisibility lends to the degree of danger they pose. Foreignness is a major theme, closely tied to narratives about international connections and the nexus between organized crime and terrorism. Within these themes, the various attributes of the *Sleipnir* threat assessment technique are apparent. The *Sleipnir* focus on groups is reflected in the actor-focused model of

organized crime (rather than activities or processes). Generally, *Sleipnir's* positioning of organized crime as an external phenomenon is central in the dichotomization from Canadian society, particularly the attributes of corruption, violence and subversion that are described as oppositional to Canadian values and affecting quality of life. These attributes, as well as infiltration, expertise, sophistication and multiple enterprises are evident in the narratives describing economic threat. The theme of invisibility draws on the ability of crime groups to hide their activities, drawing on attributes of sophistication, infiltration, expertise, subversion and strategy. Within the theme of foreignness are other attributes such as mobility, scope and links to other groups. These are also evident in the terrorism nexus, which itself is a *Sleipnir* attribute. This discourse therefore clearly mirrors the understanding of organized crime that informs the *Sleipnir* threat assessment technique. By feeding back into the intelligence process through its various stages, the discourse is reproduced.

Identifying the Usual Suspects: Ethnicization of Organized Crime

The various themes presented in the previous section reflect a conceptualization of organized crime consistent with a commonsense understanding based on an archetypal model. All of the themes and the various narratives within them construct a framework that allows for the association of organized crime with ethnicized groups – it makes it possible to understand or know that certain people are the "usual suspects" associated with organized crime. Throughout the period covered by this analysis the groups or types identified as priorities have remained largely consistent. Each of these priorities has a narrative that reflects the dual processes of ethnicization and criminalization. There is a melding of ethnic narratives with the organized crime narrative

to create an ethnicized organized crime narrative/criminalized ethnic narrative for each cultural-geographic priority. Through this process, "truths" about 1) a particular ethnicity and 2) the organized crime problem are mutually reinforcing through the grounding of each in the truth or knowledge of the other. In this section, the narratives of each of the cultural-geographic groupings that have been consistently identified as national priorities are discussed. This is preceded by a broader analysis of the ethnicization of organized crime as presented in the texts, which is the seventh general theme in the construction of organized crime.

Organized Crime as an Ethnic Problem

The discursive representation of organized crime as an "ethnic" phenomenon marks ethnicized groups as more likely to be involved in organized criminal activities and excludes non-ethnicized Canadians from designation. As suggested in the previous section, the representation of organized crime is composed of various elements that within a multiculturalism discourse allow for the connection with ethnicity. There is also a more direct narrative that makes this connection and it occurs through several means.

The first is a general ethnicization of organized crime simply through the use of the word "ethnic" as a descriptor and the resulting invisibility of "non-ethnic" organized crime. The best example of this is the "note" to readers of CISC's annual reports on organized crime:

> References to organized criminal activity associated to particular ethnic organizations in this report are not meant to suggest that all members of that specific ethnic group are involved in organized crime or that the government of the country of origin or its lawful agencies permits or participates in any illegal activities. These references allude to the illegal activities of particular criminal organizations, the majority of whose members share ethnic similarities. (CISC, 2000)

Within the discourses of multiculturalism and colour-blindness, the label of "ethnic" is an indicator of difference from the dominant culture. Although these statements are intended to counter the idea that particular ethnicized groups are inclined towards organized crime, they actually reinforce this connection in a broader sense. Because of the *foreignness-immigrant-ethnicity-visible minority* association within multiculturalism discourse and through the process of ethnicization that dialectally renders the dominant group invisible, ethnicized groups remain at the root of the organized crime problem. Ethnicity is assumed to be self-ascribed, however this identity is *imposed on* the criminal organization, reflecting the homogenization of individual identities. Multiculturalism discourse creates an association between ethnicity and visibility (most evidently through the term visible minority) that in turn reinforces the connection between organized crime and racialized/ethnicized groups.

The discourse also borrows directly from multiculturalism discourse in the use of terms such as "diversity" and "multicultural" to describe recent trends in organized crime. As with the general use of the term "ethnic," these concepts also reinforce the ethnic connection. Like the previous examples, the narrative of the increased "diversity" of organized crime is geared towards countering the perception of organized crime as being associated with particular ethnically homogenous organizations. However, again because of the context of multiculturalism, such references continue to maintain organized crime as a phenomenon perpetrated by ethnic groups. In the following examples from various CISC reports, although it is not homogenous, ethnicity remains a central characteristic of organized crime groups:

> Although a number of street gangs often retain strong ethnic identities, multi-ethnic gangs are increasingly common. (CISC, 2003: 27)

> The internal composition of many organized crime groups reflects the multicultural nature of contemporary Canadian society. Although shared ethnicity remains an important organizing principle for a number of the country's crime groups, there are other, multi-ethnic criminal organizations equally influential within the criminal environment. ...it is no longer unusual to have groups that were once ethnically exclusive to now include members and associates from a multitude of cultural backgrounds. (CISC, 2005, "Characteristics and methods": 6)

> Just as Canada has become a more multicultural society, so too have many organized crime groups. Multicultural criminal organizations are increasingly evident, particularly among newly established and emerging groups, often as a reflection of the multi-ethnic demographics of their locale. Although cultural ties remain an influencing principle within the organized crime landscape, multi-ethnic groups can be based on the criminal capabilities of members rather than on their ethnic or cultural heritage. (CISC, 2006, "Dynamics": 5)

As in the multiculturalism discourse and the process of ethnicization, the identification of ethnicities is a form of exclusion through differentiation from the dominant culture and therefore the Canadian community. Just as organized crime is represented as being un- or non-Canadian, ethnic groups by extension can also be positioned outside Canadian society. This reflects a dual ethnicization/criminalization process through which the association between ethnicity and organized crime discursively creates divisions:

> Organized crime has existed for years. However, in more recent times many criminals, whether alone or in groups, have emigrated to Canada from a variety of countries. Many of them have become predators within their own cultural communities, while others prey upon Canadian society. (Sangollo, 1996, *Gazette, 59(6)*)

> (...) a recent survey conducted by Angus Reid in March 1998, indicated that 91% of Canadians view organized crime as a serious problem, many still identify transnational crime as an ethnic problem. This perception can be upsetting to the vast number of ethnic communities in the GTA and negatively impact their attitude toward police. (2000, *Gazette, 62(3)*: 21)

In the first example, there is a clear differentiation between ethnic or cultural communities and "Canadian society." These communities are not included within Canadian society. There is a linkage between these "cultural communities" and

foreignness through the reference to immigration. There is a simultaneous positioning of both ethnicized groups and organized crime as outsiders. The context of the second quote is again an attempt to counter the perception of organized crime as "an ethnic problem." While the insinuation here seems to be that this perception is wrong, it does not explicitly dispute it. Tensions between ethnic communities and the police are attributed to the reactions of the communities. The generalization of "ethnic communities" locates the racialized/ethnicized population in the Greater Toronto Area in an oppositional position to the police, who are representative of Canadian society. As with the first example, organized crime and ethnic communities become intertwined through this dichotomization.

As many of these examples demonstrate, there is an attempt to counter the belief that organized crime is the preserve of particular homogenous organizations. However, within the frame of multiculturalism, that discourse often reinforces the ethnic connection rather than dispels it. Within apparently "oppositional" discourses that appear to counter the alien conspiracy stereotype, ethnicity is still a factor – explained as a feature that is exploited by those engaging in criminal activities to their advantage. Thus ethnicity becomes an integral characteristic of organized crime and a factor that aggravates the degree of threat attributed to particular groups because it provides advantages in facilitating activities and evading enforcement. As reflected in the following example, there is slipperiness in this; although ethnicity is emphasized as being a secondary factor to criminal activity, the process of ethnicization renders the entire ethnic group/community suspect as "families or community members" are implicated as possibly being involved. The Other community is therefore criminalized:

> Given the diversity and integrated nature of Canadian organized crime, no creditable analyst would suggest that organized crime is an "alien conspiracy" inflicted upon Canada by foreign "ethnic" enclaves. Therefore, one must clarify why it is important to specify the ethnic connection that run through some organized crime activity. *To suggest that ethnic groups are involved in organized crime is not to imply that there is any particular proclivity to criminal activity on the part of these identified groups, but rather to indicate that there are very real advantages gained from creating a closed and loyal criminal operation.* One way to succeed is to create a group that is difficult to penetrate and has a loyalty or commitment that extends beyond making money. Outlaw motorcycle gangs achieve this unity through their club rules, initiation rights, willingness to retaliate, and lifestyle. Another way to achieve loyalty and cohesion is through ethnicity requirements. *The ethnic factor may make it difficult for the police to use undercover operators to penetrate the group and may also increase loyalty if actual families or community members are involved. The ethnic factor may facilitate international organized crime by enabling the use of intimidation, and extortion, between countries of origin and the new country — which ultimately may result in an ability to control criminal activity from the first stage of production, to importing, and through to the final stage of street selling* [emphasis added] (Smythe, 2000, *Gazette, 62(3):* 43)

The attempt to counter the idea of homogenous ethnic organizations through the discourse of increased diversity and multiculturalism demonstrates a tension with the established discourse in which broad "cultural-geographic" categories have become the norm. These categories reflect the ethnicization process in which there is a homogenization of identities and of crime groups into broad ethnically identified categories. It also illustrates the power dynamics involved in ethnicization as law enforcement assigns these ethno-racial designations to individuals and groups to sort them into one of these categories. Until the CISC report change in 2005, these categories were used to identify priorities (i.e. those assessed to pose the greatest threat). Through the period of analysis, there are five "cultural-geographic types" of organized crime that have been consistently identified as law enforcement priorities. Four of these are racially/ethnically identified as Asian, Eastern European, Aboriginal and Italian. The fifth "type" is Outlaw Motorcycle Gangs. In 1996 and 1997, Columbian

organized crime was also identified as a priority. Aboriginal organized crime was removed from 1999 to 2002. These five types are often referred to by acronyms – such as AOC for Asian organized crime – which entrenches them as concepts. Even after the shift in the 2005 CISC report, these types continue to circulate in the discourse. For example, a joint Canadian-US threat assessment by the RCMP, Drug Enforcement Agency and Federal Bureau of Investigation released in 2006 uses this terminology and is organized according to ethnically identified categories. As discussed in the previous chapter, interviews with both intelligence and enforcement personnel indicated that these categories continue to be used.

This type of categorization implies that all the groups and individuals included within a particular category share certain features warranting their grouping together. The *Sleipnir* (2000) guide suggests that the "types" compared in analyses are "made up of criminals with similar methods of operating and organizational cultures" (13), however the "types" are identified as "Italian, Eastern European, Outlaw Motorcycle Gangs..." (12). The labels applied to these categories imply that ethnic identity is the overarching organizing principle. It would be assumed therefore that ethnicity is linked to particular ways of organizing and operating. As discussed in the previous chapter, this is reflected in the specialization of enforcement or intelligence units and personnel. This form of categorization and prioritization sustains erroneous assumptions that these are monolithic entities rather than a grouping of various, separate groups that may or may not work with each other. It treats the phenomena as if they are large ethnic conspiracies. Only in the 2003 CISC report was there a clarification that "each of these broad crime groups actually consists of numerous individual criminal organizations that operate independently as well as interdependently in criminal ventures" (1).

In the reports since 1997, these types have been referred to with the "-based" descriptor (e.g. Asian-based organized crime). In 1998, the term Italian-based organized crime was replaced with Traditional organized crime (TOC). Other ethnically identified groups beyond these five priorities are described in the same way – with the racial/ethnic identifier and the "-based" attachment and the use of an acronym. Outlaw motorcycle gangs are the exception. This contrasts with the treatment of "domestic," "independent," and "Canadian" groups, which are not referred to with acronyms. The acronym coveys a sense of durability about the phenomenon it represents; the use of it reproduces this permanence. Gill (1998) suggests that the intended use of the "-based" descriptor is to communicate that criminal activity is occurring within that particular ethnic community rather than that those groups are targeted. He notes that the "subtlety of this distinction means that it may get lost" (347). However, when contextualized by the discourse that positions "Canadians" and Canadian society as potential victims, it seems that the "-based" descriptor should more accurately be interpreted as identifying the ethnicity of the individuals/groups, referring to the (ethnic) community in which their identities are based. This descriptor in conjunction with the vagueness of the ethno-racial/geographic identifier preceding it conveys a sense of the foreignness of the organized crime problem. Whether this means that it originates in another geographic region or that it occurs within an ethnic community, it is "based" outside of Canadian society. There is therefore a conflict within the discourse as attempts to dispel the "ethnic connection" are contradicted in two ways. First, the broader context of multiculturalism acts to reinforce this connection because of the association of the term "ethnicity" with visibility and immigration. Secondly, there is a continued reliance on the problematic types or categories to talk about threats and priorities. As discussed in the previous chapter,

these continue to provide a frame for both intelligence and enforcement operations. The representations – which are taken as knowledge – produced through law enforcement processes and practices are the same frames shaping those same processes and practices and are mutually reinforcing. While all "types" share similar characteristics in terms of the general construction of organized crime through the themes discussed in the previous section, each has a unique organized crime narrative that draws on broader racial/ethnic narratives.

In the following sections, the specific criminalized/ethnicized narratives of the organized crime types identified as national priorities between 1996 and 2006 are examined. These sections are divided according to the categories used by law enforcement while recognizing the problematic of reproducing and reifying this form of racial and ethnic categorization. Use of these terms is in the context of their problematization. The dominant themes or narratives in the organized crime discourse for each type draw on broader narratives (stereotypes) of that ethnicized group. A discussion of the narratives is presented, followed by examples and analysis from the materials examined. As a form of ethnicization and criminalization, this establishes a link between that ethnicized group and organized crime involvement as natural, and therefore commonsensical.

Asian Organized Crime

Asian organized crime, or AOC, has been widely targeted as one of the greatest emerging crime threats to North America.[74] The AOC "problem" spans the continuum

[74] In 1992, the United States Senate Committee held televised hearings into Asian organized crime, identifying it as "an international problem." Alleged Asian crime group members and law enforcement authorities testified to their involvement in criminal activities (Ho & Hendricks, 2000). There are clear parallels between this process and the organized crime hearings in the 1960s that names the Mafia and La Cosa Nostra and popularized alien conspiracy theory. As with the

from street gangs to global networks. The perception of a growing Asian crime problem – distinctly characterized as organized crime – is directly related to increased immigration numbers (Mosher, 1998). Immigration and foreignness are key elements of the Asian narrative, which in North America has been extrapolated from a specifically Chinese narrative owing to their earlier settlement. With eventual immigration from other East, Southeast and South Asian countries, this Chinese narrative was expanded and various diverse groups subsumed within an Asian category through racialization.

The Chinese/Asian narrative is one of an inability to assimilate into the dominant society, perpetual foreignness and a presumed disloyalty to their "host" nation (Gotanda, 2000). These themes play directly into the alien conspiracy model of organized crime. The removal or distancing of Asian communities from the dominant society through ethnicization maintains the perception of organized crime as the work of hidden outsiders. They are hidden in the sense of being (self-) segregated in ethnic communities or enclaves. Referring to Said (1991, 1993), Webster (1997) suggests that Orientalism infuses the Asian narrative with stereotypes of untrustworthiness and deviousness. Furthermore, Orientalist conceptions of the Asian Other as mysterious and exotic directly feed into the romanticized version of organized crime, specifically the mythology of Triads. At the same time, the model minority stereotype rather than criminality tends to be the dominant narrative associated with the racialized Asian. The model minority stereotype paints an image of smart, hardworking people who place a high value on educational attainment, family and "face" or esteem. Seemingly on opposite ends of the spectrum these two narratives share the common element of

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Mafia hearings, Ho and Hendricks (2000) note that Asian organized crime was defined in the alien conspiracy model by the Department of Justice a few years earlier in 1988.

foreignness – placing the Asian Other as an outsider that threatens dominant society. Anti-immigrant rhetoric thus frequently draws on the fear that (hardworking) newcomers will take jobs from the domestic population. Webster (1997) describes the process by which young male Asians in Britain were "reassigned" a narrative of criminality, violence and drugs. In this narrative, the model minority stereotype is the Asian "norm," deviation from which means involvement in criminal activity (65).[75] Organized crime can be seem as *perversion* of this stereotype as it complements the archetypal model of organized crime. The valuing of "face," honour and loyalty to family feed into the idea of Chinese Triads that, like the Sicilian Mafia, are mythologized as having origins as secret societies. Loyalty plays on two sides: within the model minority narrative it is a positive valuing of family while the criminalization of this "cultural value" turns it into a disloyalty to the host country and society. This disloyalty implies a loyalty instead to the "homeland" and ethnic community. The narrative of the inability to assimilate is reflected in the language barrier that is frequently identified as an obstacle to effective law enforcement action against Asian organized crime groups. Asian communities in Canada are therefore painted as closed and unassimilated. In the RCMP and CISC discourse, themes of foreignness and disloyalty are common.

Analysis:

> The DAI HUEN JAI are primarily Chinese from the south of China, while the Lotus are mainly Canadian born Chinese. (CISC, 1999, "Asian-based organized crime")

The description of the origins of specific groups makes a distinction between foreign and Canadian born individuals, however they are both included within the

[75] Webster's (1997) work occurs in the UK context and deals with a South Asian population of Pakistani and Bangladeshi backgrounds. In North America, reference to "Asian" is most often associated with East Asian ethnicities. However, as noted, the racialization process subsumes a wide range of ethnicities within the Asian category. Of primary importance in this reference is the construction of criminality based on the model minority stereotype.

category of Asian organized crime. The "Asian" descriptor is therefore a reference to the perceived ethnicity of the individuals involved in these groups – Chinese ethnicity is therefore included as Asian. The grouping of Canadian born individuals within the category reinforces the narrative of perpetual foreignness. Their primary identity as imposed, is of being Chinese (and Asian) rather than Canadian.

> The structure of AOC groups includes criminal youth and members of street gangs. This membership is fluid with members often conducting several different criminal enterprises simultaneously with members of other AOC groups. (CISC, 2001, "Asian-based organized crime")

There is a differentiation between organized crime, street gangs and "criminal youth." It implies that all AOC groups are similar in structure in that youth and gangs are part of their organization. The differentiation between "criminal youth" and street gangs distinguishes the former as individuals rather than members of gangs, which may include youth members. By linking youth to organized crime, there is the potential for young people who are identified as Asian to be suspected and/or targeted because the seriousness of their criminality is elevated through this association. This is reflected in the following example:

> Where your average teenage gang may rip off a car to be stripped down for parts or simply taken for a joy ride, an Asian gang is more likely to have prearranged its shipment via an ocean going container and its subsequent sale in Mainland China. Even something as run of the mill as break and enters, the crime of choice for desperate drug seeking addicts and thrill seeking teenagers, can be elevated to near art by Asian gangs. (Nyhuus, 1998, *Gazette, 60 (9&10)*: 54)

Here the seriousness of the criminal activities of the "average teenage gang" is minimized vis-à-vis those of Asian youth gangs presumably because of their alleged connections to organized crime groups. It is interesting that Asian gangs are not described as "youth" but this is implied by the comparison to the "average teenage gang." Mirroring the discourse of organized crime, Asian gangs are described as being

more sophisticated in their activities therefore increasing their threat. This sophistication is emphasized in the second sentence in reference to the simple crime of break and enters. The invisibility of the racialized/ethnicized identities of the "average teenage gang," "desperate drug seeking addicts," and "thrill seeking teenagers" places Asians as the Other. There is a trivialization of the activities of these groups and a minimization of responsibility: drug addicts are "desperate" and driven by their addictions while teenagers are merely seeking thrills, a normal part of being a youth. In contrast, Asian youth gangs engage in a higher level of criminality, beyond "normal" behavioural expectations. Also, the connection to Mainland China as a destination for stolen cars introduces the narrative of foreignness.

> As approximately 95 percent of the heroin smuggled into Canada originates in Southeast Asia, AOC traffickers, and increasingly, Fukinese-based criminal groups, dominate the heroin trade in Canada. All major heroin seizures in Canada in 2001 involved Asian-based crime syndicates. (...) A portion of this heroin is then smuggled to the US criminal groups composed of individuals of Chinese descent who operate on both sides of the border and control distribution. (CISC, 2002, "Asian-based organized crime": 10)

The foreign narrative is most evident in the association of drug smuggling as a signature crime of Asian organized crime. As discussed in the previous section, the identification of organized crime with certain crimes that have their source abroad reinforces the conception of organized crime and criminals as foreign in origin. This example demonstrates the vagueness with respect to the identities of those grouped within the category of AOC: there are references to the origins of heroin in Southeast Asia, "AOC traffickers," Fukinese-based groups, Asian-based crime syndicates and "individuals of Chinese descent." Citizenship or nationality is not specified – the ambiguity of terms used, in particular the "based" descriptor, subsumes all racialized/ethnicized Asians within one category. The reference to "individuals of Chinese descent" seems to imply

that they are not actually Chinese citizens, but they are involved with those who are based abroad. This reinforces the narrative of disloyalty to the "host" country. Again, the primary identity ascribed to them is Chinese.

> Heroin is smuggled into Canada from source countries in southeast and southwest Asia and South America for wholesale distribution by a variety of independent and Asian organized crime groups. These groups are frequently connected by cultural and familial ties and use smaller networks to distribute the drug across Canada. (CISC, 2006, "Illicit drugs": 15)

> Organized crime specialists say most Asian-origin organized crime relies on *guanxi* relationships or their equivalents. (...) these close and complicated relationships can make it difficult to investigate and track illegal behaviour in Asian communities. Links and favours can stretch across oceans, and are firmly based in a silent code of honour. Tradition can take precedence over comparatively new, Western style laws. (RCMP, *Understanding Asian organized crime* (Learning & Development document): paras 2, 3).

The importance of family and cultural ties as a characteristic of Asian culture is a major part of the Asian organized crime narrative. It illustrates how essentialized cultural elements converge with knowledge about organized crime to create a natural connection between the concept and Asian ethnicity. The focus on *guanxi* relationships as facilitative of criminal activity is problematic because *guanxi* is presented as being a unique cultural attribute. Because *guanxi* networks are not necessarily restricted to criminals, the broader racialized/ethnicized community becomes implicated. In the second quote from an RCMP learning and development document, there is a description of *guanxi* and a "code of honour" as "traditional" cultural features that are incompatible with modern western society. As a form of ethnicization it generalizes these features to a homogenous Asian identity, neglecting the heterogeneity and fluidity of beliefs and practices. There is a criminalization of culture because these traditions are seen to conflict with the western legal system and make it difficult to police organized crime

activities. Because of this, Asian communities are positioned outside the dominant Canadian society.

> Asian signature crimes include home invasion robberies, gang conflicts, assault, murder, extortion, fraud, credit card scams, drug importation and trafficking, shoplifting, gaming offences, counterfeiting and smuggling offences. (CISC, 1998, "Asian-based organized crime")

The reference to "Asian signature crimes" is interesting considering that these are activities that are attributed to organized crime in general. The term "signature" connotes a sense of uniqueness – that there is something about these particular crimes that can be identified with Asian organized crime. Listed are thirteen criminal activities, which are a portion of these "signature crimes" as indicated by the use of the word "include." By describing these generally as "Asian" signatures rather than the preserve of criminal groups, there is a subtle racialization of these crimes as they are associated with Asian ethnicities.

> Some are Triads. Some aren't. Some have Hong Kong as their point of origin. Some are from the mainland. Others are Vietnamese. Some of those are Vietnamese nationals but ethnically Chinese. Some group may be made up of members who have never set foot outside of Canada. Some gangs may or may not include some black and white members. Some may claim to be Triad members, behave as if they are, but have no affiliation with any Triad group. Criminals, yes; organized, often; Triads not necessarily. This is Asian crime, lesson one: complexity is the norm. (Nyhuus, 1998, *Gazette, 60 (9&10)*: 47)

This excerpt from a *Gazette* article describes the variations and differences between the groups included within the category of AOC. It points out the range of origins of these groups, including those composed of individuals born and residing in Canada. However, these individuals are not referred to as being Canadian. Again, the primary ascribed identity is Asian. Although some groups include "black and white members" they are still considered Asian. Applying the label of "Asian crime" to this range of organizations and individuals is a clear example of homogenization. It implies that this range or

"complexity" is a unique attribute of "Asian crime" and the corresponding assumption is that other crime is not so complex. Furthermore, the label of "Asian crime" rather than specifically "Asian organized crime" implies that organized rather than individual-level criminality *is* "Asian crime." This framing of Asian crime as group or network oriented would be consistent with the narratives described above of the valuing of relationships. This theme is also represented in discourse directly tied to immigration.

> Miu said most of the gang members he's come across got into Canada as refugees, and though he wishes there were tighter controls over that portion of the immigration flow, he's quick to point out that not every refugee deserves to be a suspect. (Nyhuus, 1998, *Gazette, 60 (9&10)*: 52)

> Obviously not all Asian immigrants join gangs, but those who do find familiarity, support and a stable source of income in the midst of a foreign, English-speaking culture. Immigrants involved in organized crime activities in Asia often carry the activity with them to North America. (RCMP, *Understanding Asian organized crime* (Learning and Development document): para 10)

Criminal organizations are described as a means by which immigrants (and refugees) are able to develop relationships. The description of the majority of individuals involved in organized crime as being refugees or immigrants directly reinforces the foreignness of Asians but also of organized crime. In both examples, (organized) criminality is described as originating outside of Canada and being imported. In the second quote, the inability to assimilate into the "English-speaking culture"– a feature of the Asian narrative – serves as an explanation for criminality.

Eastern European Organized Crime

In contrast to the perpetual foreignness of Asian organized crime, Eastern European organized crime (EEOC) is frequently framed in terms of their immigration to and integration into Canada. Many of the criminal activities linked to this "type" actually revolve around the immigration process, such as the forging of documents or the

business/economic nature of their motivation to immigrate. Although EEOC and Traditional (Italian) organized crime (TOC) are also discursively positioned outside Canadian society, there is a significant difference in this positioning as compared to AOC. EEOC and TOC are often described as being embedded within the mainstream society – usually through legitimate businesses that are funded by the profits of their criminal activities. This implied invisibility lends to the narrative of dangerousness and prevalence of these types of organized crime and also criminalizes the ethnicized Italian and Eastern European communities by raising suspicions about the legitimacy of their businesses or economic status. Similar narratives relating to invisibility are absent from the discourse about AOC. A possible interpretation is that the racialization of AOC and the visibility of physical characteristics associated with Asian identity eliminate the need for this device.

The criminality of immigrant groups is often attributed to the socio-political circumstances in the countries of origin. In the case of Eastern European (and specifically Russian) crime, the context of communism and the fall of the Soviet Union is used as an explanation for the criminality of these ethnicized communities (see, e.g. Kleinknecht, 1996). Eastern European ethnic identities, rooted in the socio-political background of communism, are criminalized in two main ways. Firstly, corruption and criminality is explained as having been endemic and thusly normalized in communist societies. These features therefore become ingrained in individuals within those societies as normal and incorporated into their values, beliefs and behaviours. This is similar to how violence is normalized in Vietnamese culture through the war experience. The second mechanism hinges on the dichotomization of Communism/the East and Capitalism/the West, and the accumulation of material wealth. Former director of the

Federal Bureau of Investigation Louis Freeh directly attributed the growth of organized crime in the former Soviet Union to communism, caused by a corrupt system that failed to effectively enforce against criminality (Rawlinson, 1998). The fall of communism allowed these groups to spread around the world– a narrative that seems to echo the Cold War discourse of a communist invasion.

Analysis:

> For a decade, Canada has experienced a proliferation of organized crime groups originating from the former Soviet Union and former communist states in Eastern Europe. These groups are part of a transnational East European-based organized crime community that is well connected and well-funded to commit their crimes. Some of these groups have also formed alliances with other criminal organizations in Canada in order to expand their market share and increase their profits. (CISC, 2001, "Eastern European-based organized crime")

This reflects the alien conspiracy theory of organized crime by homogenizing EEOC as a monolithic phenomenon through the description of a "transnational East European-based organized crime community." The notion of a "community" implies that all these groups are connected to each other and work together. While the groups are described as "originating" from former communist states, the identification of the "community" as being "East European-based" implies that there is still a concrete connection to the region. There is a sense that there is a headquarters of EEOC "based" in Eastern Europe, with various groups operating in Canada and around the world because it is a "transnational" community.

> Generally, EEOC comprises groups with individuals originating from a myriad of countries, including: Russia and other former Soviet Union (FSU) republics, the Czech Republic, Slovakia, Poland, Bulgaria, Romania, Serbia, Montenegro, Macedonia, Bosnia-Herzegovina, Slovenia, Croatia and Albania. As a result, the number of different cultures and languages used by EEOC present law enforcement with significant challenges as it collects intelligence and investigates these groups. (CISC, 2004, "Eastern European-based organized crime": 8)

Until CISC's 2002 report, there was no specification of what range of ethnicities was included within the category of EEOC. In subsequent issues, there is a listing of countries of origin. The common link is that they were all a part of the Former Soviet Union. Despite the diversity of cultures and languages among these groups noted by the report, this factor provides an overarching rationale to group them together as EEOC. It demonstrates the homogenization of ethnicities into a broad category. Because shared political history is the organizing principle, there is an assumption that this political history (i.e. communism) has shaped behaviours and beliefs and that this has direct links to the nature of the criminality of individuals "originating" from these countries. This contrasts with the presentation of Asian organized crime, which is a relatively vague category with the occasional description of Vietnamese or Chinese groups. Whereas racialization suffices to mark Asians as "others," the specification of Eastern European ethnicities may be necessary to differentiate groups that otherwise would be racialized as "white."

> The point here is that many in the West had a fundamental misunderstanding of the East and how it actually functioned under Soviet communism. We seemed blissfully unaware of the way things (i.e. the economy – legitimate or otherwise – as well as personal and political relationships) functioned in those countries. A change in political regime, whether peaceful or violence, does not immediately sweep away social norms and behaviours. This explains why many Western law enforcement agencies were taken by surprise by successive waves of Eastern criminality. (CISC & CIFP, 2005, *Creating an Organized Crime Sentinel*: 7)

This excerpt from a SEWS concept methodology paper makes an explicit connection between criminality and communism. Because the SEWS methodology is based on the identification of indicators to warn of potential criminal scenarios, it implies that communism was (can be) an indicator of organized criminality. Furthermore, there is a direct generalization of criminality to Eastern European societies both under communism

and after. Criminality is directly tied to "social norms and behaviours" implying that it is a cultural and social characteristic. The reference to "personal relationships" further reinforces this generalized criminality. The reference to the inability of "a change political regime" to eliminate this type of criminality presents communism and its pathologies as more than a political system – it is part of "being" Eastern European because it is cultural. This is reinforced through an explicit dichotomization of the East and West based on "Eastern criminality" versus "Western law enforcement" that characterizes the East as inherently criminal and the West as lawful.

> Young Eastern Europeans living in Montreal, undertake cellular cloning and less sophisticated criminal activities such as extortion and shoplifting. These are the types of crimes that cause insurance premiums and product prices to rise with a direct impact on legitimate consumers. In terms of structure this informal group falls somewhere between ordinary street gangs and specialized organizations and represents the new generation of Eastern European criminal in Quebec. (CISC, 1999, "Eastern European-based organized crime")

In the same way that Asian youth are criminalized through the description of their criminal activities as sophisticated and associated with organized crime, Eastern European youth are also subject to this process. In this case there is an ambiguity as to whether the subject is an actual identified group, which is implied in the last sentence describing its structure, because it begins by referring generally to "young Eastern Europeans." The failure to make a clear distinction here implicates all Eastern European youth as "the new generation of Eastern European criminal." The activities described may be undertaken at the individual-level, but are categorized as organized crime and therefore a more serious problem.

> Some individuals from the [Former Soviet Union] who have entered Canada as entrepreneurs, or who have since become involved in entrepreneurial activity, have become associated with criminal activity in Toronto and other major centers. The majority of these entrepreneur class criminals are now linked to organized crime. (CISC, 1996, "Eastern European organized crime")

A common theme in the discourse is the identification of entrepreneurship immigration as problematic.[76] While some individuals immigrate already as organized criminals, others might become involved in criminal activities after arriving. There is therefore a criminalization of entrepreneurial activity, clearly demonstrated by the use of the term "entrepreneur class criminals" to refer to these individuals. There is an ambiguity as this terms seems to imply that these individuals were already engaging in criminality before emigrating. This appears to contradict the initial statement that they "have become associated" with criminal activities after entering. The effect of this vagueness is to contribute to the criminalization of those emigrating from Eastern European countries – criminality is generalized. This is also reflected in the following example:

> Russian investors, some of whom are associated with criminal activity, continue to arrive in Montreal in significant numbers. Many have their way into the country eased by letters of invitation or sponsorship from Canadian companies. Most of the time these companies belong to fellow Russians who already have Canadian citizenship...and they often serve as fronts for various criminal activities including drug smuggling and money laundering. (CISC, 1999, "Eastern European-based organized crime")

Describing individuals as "Russians" with Canadian citizenship rather than as Canadians, excludes them from Canadian society. This example also demonstrates how a lack of detail serves to criminalize the entire ethnicized group. The words "many," "most," and "often" suggest that this is the usual scenario characterizing immigration from Russia. The use of the words "fellow" and "already" in referring to the company owners who have obtained citizenship implies that they belong to the same criminal milieu as the "Russian investors" who are now seeking entry. This creates the sense of a criminal conspiracy by which a foreign criminal element seeks to establish itself in

[76] The entrepreneurship immigration program seeks to attract immigrants with a net-worth of $300,000, business experience and the intention of owning and operating a business in Canada (Citizenship and Immigration Canada (n.d.) *Entrepreneurs*. Retrieved August 22, 2007 from http://www.cic.gc.ca/english/immigrate/business/entrepreneurs/index.asp)

Canada. The vagueness in this discourse criminalizes both those seeking entry and those living in Canada.

> Many of the members of the Eastern European-based organized crime element that have immigrated to Canada have attempted to distance themselves from the illegal aspects of their operations by involving themselves in legitimate business ventures. These are usually funded by criminal proceeds, however. (CISC, 1999, "Eastern European-based organized crime")

The association between organized crime and businesses creates a suspicion of all businesses run by those identified as being of Eastern European origin regardless of whether they actually are connected to organized criminal activities. When put in the context of the enforcement strategy enlisting the public as partners in combating organized crime (see previous section), patronizing Eastern European businesses could constitute vicarious support of organized crime. This discourse thusly provides a rationality in which individual behaviour might be self-adjusted to avoid (marginalize) particular individuals and/or businesses.

> Eastern European criminal organizations are masters at infiltration of legitimate sectors of the economy and the state. Indeed they have had plenty of practice in the anarchic post-Soviet environment.... There is huge potential for chaos here. For example: large sectors of the Russian aluminium industry are controlled by organized crime. Canada is also a producer and consumer of aluminium. What happens when they show up here, suggesting mergers and joint ventures? The possible damage to the Canadian economy is both serious and irreparable. (Zaccardelli, May 25, 2001, speech to Federation of Canadian Municipalities)

The identification of EEOC engaging in corruption in the economic realm is natural because it is consistent with the Eastern European/Soviet narrative in two respects, both stemming from the political context of communism. First, widespread corruption in the former Soviet Union is attributed to the communist political system. Thus, corruption is normalized as a cultural behaviour that is transferred to the western (capitalist) system, which is assumed to be the anti-thesis to corrupt communism. The second stream

comes from the demise of the communist system. The desire or pursuit of material wealth following this collapse has been perverted (partially a result of the experience of systemic corruption) leading to criminality focused on profits. As in the two examples above, the connection to organized crime creates a suspicion of the entrepreneurial and investment motives of Eastern Europeans. A possible effect of this is to exclude these racialized/ethnicized groups from participation in the economy, which acts to preserve or protect the existing socio-economic structure.

Aboriginal Organized Crime

Aboriginal organized crime has been an on and off organized crime priority, but has been significant enough to have an acronym, AbOC. Through the discourse the characterization of AbOC has taken three forms: general organized crime, "criminal extremism" and street gangs. The predominant narrative of Aboriginal peoples draws on stereotypes based on images of the "imaginary Indian" (Francis, 1992), which range from the noble warrior to uncivilized savage. Both of these images are reflected in the organized crime discourse. The "warrior" is reflected in the association between organized crime and the defence or protest over disputed lands; however this is never characterized as "noble." At the same time, the "uncivilized savage" narrative is also reflected in this discourse in relation to protest activities, smuggling and gang activity. The key association between these images and criminality is violence.

The historical and contemporary context of Canada's colonial oppression of the First Nations provides a backdrop for the Aboriginal organized crime narrative. In particular, the reservation system and disputed lands play a central role in the narrative. However, Aboriginals are positioned as pathological in not accepting or not being able to cope with

these conditions. The association between First Nations communities and drug and alcohol abuse translates into a stereotype of the "drunk Indian" – explained by individual-level pathology or maladjustment rather than social structural causes. Similarly, the lack of employment opportunities on reserves is tied to the stereotype of laziness. Both of these narratives are reflected in the association of Aboriginal organized crime activities with tobacco and alcohol smuggling in the sense that engagement in this criminal activity reflects a widespread use of these products, and also crime as an "easy" alternative to "legitimate" work. Reserves are frequently implicated as sites of these activities, in particular those that cross the Canada-United States border. Land plays another role as the site of conflict between Aboriginals and the Canadian state. Protests and activist activities around land claims disputes are often positioned as a disturbance to Canadian society thereby positioning Aboriginals as outsiders. The criminalization of these activities and the individuals involved is a predominant feature of the discourse on Aboriginal organized crime. It highlights the conflation between organized crime and terrorism/extremism. The characterization of political activism as "criminal extremism" (as it is labelled in the 1997 CISC report) and its inclusion within reports on organized crime differs from the later nexus between organized crime and terrorism. In the latter case, criminal groups and terrorist (or criminal extremist) groups are separate entities – the problem is framed in terms of cooperation between them. What is similar however, is the positioning of organized crime as a threat to the security of the Canadian nation and its society. In this discourse, First Nations are positioned as "foreign nations" or "domestic dependent nations" (Woodiwiss, 2001: 34) vis-à-vis Canada. Reserves, the physical space of these nations, are also physical spaces of risk to Canadian society

because they are represented as sites of criminal behaviour and activities. The effect of this is to criminalize the space and its inhabitants.

The criminalization of First Nations activism as organized crime was strongest in 1997 and 1998, after which there was a shift in discourse towards a focus on Aboriginal street gangs. Aboriginal organized crime is more often characterized as street gangs rather than organized crime groups. In the RCMP's *Reports on Plans and Priorities* there is a consistent concern with a large and growing Aboriginal youth population, which seems to parallel concerns about increased immigration. Both the Aboriginal youth population and a growing (young) immigrant population are seen as a potential recruitment pool for gangs.

Analysis:

> Land claims and unresolved treaty issues will be at the root of most incidents of legitimate aboriginal unrest. The federal government's perceived lukewarm response to the 1996 Royal Commission on Aboriginal Peoples Report and its proposed amendments to the Indian Act are of continuing concern to the aboriginal community. Organized crime may use this as a pretext for criminal activity. In Manitoba, an aboriginal street gang, the Manitoba Warriors, is involving itself to an increasing degree in political situations like the standoff at the Waterhen Reserve. (CISC, 1997, "Introduction")
>
> Their status in the criminal underworld has been enhanced considerably by their involvement in the standoff at the Waterhen Reserve and in the riot at the Headingley Jail. Aboriginal organized crime may use recent political developments as a pretext to undertake criminal activity in the guise of political action. (CISC, 1997, "Executive Summary")
>
> The standoff at the Waterhen reserve in Manitoba in May was the only major aboriginal incident in 1996. (...) Various aboriginal leaders have warned that if the recommendations [of the Royal Commission report] are not heeded, violence on the scale of Gustafsen Lake, Ipperwash and Oka could once again occur. (CISC, 1997, "Aboriginal-based organized crime").
>
> Aboriginal-based organized crime groups may use these political developments as an excuse to undertake criminal acts in the guise of political action. (CISC, 1997, "Aboriginal-based organized crime")

The discourse raises suspicions about the legitimacy of political actions in a similar way that legitimate business operations or immigration and refugee claims are rendered suspect in the case of the racialized/ethnicized Asian, Eastern European and Italian communities. These statements criminalize Aboriginal communities as it conflates the criminal and Aboriginal communities in their mutual acceptance of the gangs. There is a blurring between organized criminality and political action. Support for the actions at Waterhen and Headingly – examples of disorder which conflict with the Canadian values of "peace, order and good government" – is universalized to the "aboriginal community," therefore positioning it against Canadian society.

> Machine guns, automatic and semi-automatic weapons were seized by the RCMP on the Kahnawake Reserve, south of Montreal, in September 1997. The seized weapons were part of a black market operation that sold firearms, explosives, drugs, cigarettes and alcohol. Relations between this Mohawk community and police were strained, but there was no retaliation for the seizure. (CISC, 1998, "Aboriginal-based extremism and criminal activity")

As with political actions, the "community" is criminalized here through the failure to distinguish those involved in the black market operation – the community as a whole is implicated as engaging in these activities. As well, the reserve is implicated as a locus for criminal activity. There is a characterization of the Mohawk community as irrational because of the implied animosity towards law enforcement for the seizure of weapons. This is conveyed through the statement that relations were "strained" and also through the implicit assumption that there would be retaliation. It positions the community as Other for not sharing the same values as the rational Self who would welcome such an enforcement action against criminal activity. There is a sense of violence conveyed in this statement through the list of weapons but also in the reference to retaliation. Without further explanation as to the nature of this possible retaliation, it is left open to the

readers' interpretation. Read in the context of the section heading of "extremism," violence could be read as the expected form of retaliation. This expectation for violence is echoed in another passage from the same report:

> Organized crime and criminal extremist activity in aboriginal communities did not exceed previous years' levels in 1997. Anticipated civil disobedience and other disruptive activities on a large scale did not materialize. This, despite the outcomes of the Gustafsen Lake and Ipperwash trials, the Queen's visit and a federal election, all of which took place between April and July. (CISC, 1998, "Aboriginal-based extremism and criminal activity").

Here the expectation for violence in the form of civil disobedience is clearly stated through the word "anticipated." It feeds the stereotype of First Nations as prone to engage in disobedience as the primary form of protest activity. This is conveyed though the specification of four different events. By linking the assumption of disruption to these events, it is implied that Aboriginal communities are positioned in opposition to them. Each of the events represents the Canadian state: trials represent the criminal justice system, the Queen is the head of state and the federal election represents values of democracy and the political system. Aboriginal communities are located outside of these institutions through the assumption of disobedience. The first sentence implies that both crime and extremism are constant features of Aboriginal communities.

> Aboriginal street gangs will continue to expand. Their appeal is to dispossessed aboriginal youths in cities across Canada. (CISC, 1996, "Aboriginal organized crime")

> The primary gangs nationally are the INDIAN POSSE, REDD ALERT, WARRIORS and NATIVE SYNDICATE (...) Aboriginal-based gangs are assessed by law enforcement as a low-level organized criminal threat. (CISC, 2003, "Aboriginal-based organized crime": 5)

> Aboriginal-based street gang recruitment typically focuses on Aboriginal youth, creating the next generation of gang members. Violence between the Aboriginal-based street gangs is expected to continue, posing a threat to public safety in some communities. (CISC, 2004, "Executive summary": 2)

The other major part of the discourse throughout this period is a concern about street gang activity. As with AOC, the singling out of Aboriginal youth and Aboriginal street gangs through this prioritization framework has a criminalizing effect. It implies that there is something unique about Aboriginal (or Asian) youth gangs that make them a more serious threat than other gangs that are not identified within these broad ethnic-based groupings. In the 2003 and 2004 CISC reports, "Aboriginal-based organized crime" in which street gangs are discussed, is a separate section from a general "street gangs" topic within monitored issues. In 2003, AbOC was a priority "crime group" and in 2004 it was also a monitored issue. It is particularly interesting that although they are "assessed by law enforcement as a low-level organized crime threat" in 2003, they are still included as a national priority. The reference to "next generation" implies a continuity or tradition of gang activity among the Aboriginal population. There is a similar use in the discourse of Traditional (Italian) organized crime.

Italian or Traditional Organized Crime

The Italian narrative is strongly associated with organized crime, specifically with "the Mafia." Italian organized crime is therefore positioned as the pinnacle or most successful model of organized crime. Ethnic succession scholars such as Bell, Ianni and O'Kane used the Mafia model as the basis on which to compare the prospects of successive immigrant groups. The re-labelling of Italian organized crime to "traditional" (TOC) reflects an implicit acceptance of the alien conspiracy model that makes Mafia synonymous with organized crime and implicates Italians as its source. One of the narratives of Italian ethnicity is the strength or valuing of family relationships. This is directly linked to the narrative of organized crime, most clearly reflected in the

description of organized crime "families." The success or strength of TOC is often attributed to this value, described as a cultural characteristic (see Ianni, 1974). Indeed, familial relationships within some criminal organizations may well be a factor in their "success." However, the generalization of this valuing of family as a cultural feature of Italian ethnicity, leads to criminalization because it has become associated with organized crime. Furthermore, this criminalized cultural value is also reflected in the idea that organized criminality is a "tradition" that is maintained within the Italian community in being passed down through generations. This is the slippery slope of the ethnicity trap where cultural features can become explanations for criminality.

The terminology change from the label of "Italian (based) organized crime" (as it was referred to in CISC reports until 1998) to "traditional organized crime" is reflective of the fluidity of racial/ethnic categorizations. As Gill (2000) notes, this change reflects the degree of establishment of the Italian ethnic group within Canadian society.[77] It demonstrates the movement of Italians from a racialized Other towards inclusion in the dominant group and invisibility. However, ethnicization maintains a degree of exclusion. A common theme in the discourse is the hidden nature of TOC criminal activities and how TOC members are able to blend into legitimate society. The TOC narrative can be contrasted to the other priority categories because it falls in-between the foreignness or recentness of Asian and Eastern European organized crime on one end, and the obscure origins/permanent-ness of outlaw motorcycle gangs and "domestic organized crime." The longer presence of the Italian community in Canada is part of the discourse – although not described as (recent) immigrants they are still marked as outsiders, with

[77] In the discourse of other jurisdictions, TOC is most commonly associated with "transnational organized crime." As the 2006 joint Canada-US threat assessment notes, the US uses either La Cosa Nostra (LCN) or Italian organized crime (IOC) to distinguish between groups based in the US and those based in Italy while Canada uses IOC or TOC to refer to "all ethnic Italian criminal activity" (9).

Italian ethnicity as a primary identity rather than Canadian. The discourse surrounding the 2006 large-scale enforcement operation targeting a Montreal-based criminal organization provides a useful example of ethnicization in positioning organized crime and the Italian community outside the Canadian nation. This event is analyzed in addition to the other texts.

Analysis:

> In Canada, IOC members adhere, to varying degrees, to three factions, namely, the Sicilian Mafia, the 'Ndrangheta and La Cosa Nostra. At this time, the strongest is the Sicilian Mafia. (CISC, 1997, "Italian-based organized crime")
>
> In Canada, Italian-based criminals either belong or are connected to one of three main organizations: the Sicilian mafia, the 'Ndrangheta or the American arm of the Cosa Nostra. The Sicilian mafia, the most influential of the three, has ties to other Sicilian clans in Canada and elsewhere, particularly Venezuela, the United States and Italy. (CISC, 2001, "Traditional organized crime")
>
> (...) groups fall within one of three main types depending on their geographical origins: the Sicilian mafia, the 'Ndrangheta (or Calabrese), and La Cosa Nostra, based in the United States. (...) it is the Sicilian mafia that remains the most influential amongst TOC groups in this country. Since a power shift from the Calabrian mafia in the 1970s, the Sicilian mafia have built their organizations on tight family bonds while increasing their capacity to carry out sophisticated operations that can extend country-wide. (CISC, 2003, "Traditional (Italian-based) organized crime": 15-16)

In this discourse, all criminals of Italian background are organized criminals in some way – Italian criminality *is* organized crime. The brief summary of TOC in Canada in the third example reproduces the alien conspiracy model of organized crime as a network of families. These three "factions," "organizations," or "types" of Italian or Traditional organized crime are described as external in origin. While they are operating or have settled in Canada they are not Canadian. Even the Cosa Nostra is described as the "American arm, implying that its origins or locus lies elsewhere – presumably in Italy. This is contrary to research/evidence that what became termed Cosa Nostra in the US

was a unique phenomenon, removed from Italy/Sicily, with a majority of leaders and members who were American born and/or raised (see Lupsha, 1981). The attribution of the roots of these organized crime archetypes to Italy and the description of "ties to clans" around the world draws on the alien conspiracy understanding of organized crime. The description of these as "factions" or "organizations" in the first two examples implies that these are unitary entities. The change to the term "type" in 2003 reflects a more accurate representation, however without elaboration about what this means it does not challenge the previous misconception that all "Italian organized crime" belongs to one of these three monolithic entities. Because of the characterization of the organizations as foreign, their members by extension are also placed outside the nation. Both Asian and Eastern European organized crime types are also talked about in the same way – as not only originating outside Canada, but also as inherently foreign.

> A restructuring of the "Canadian Mafia" is taking place, and as a result, some settlings of accounts may occur in the near future. (CISC, 1999, "Traditional organized crime")

This reference to the "Canadian Mafia" draws on alien conspiracy, firstly by representing "the Mafia" as a single entity rather than numerous groups. Secondly, the term "restructuring" implies that there *is* a structure to this phenomenon. It parallels the alien conspiracy theory discourse of La Cosa Nostra as an organization of various crime groups ("families"). The labelling of this entity as "Canadian" is interesting because this passage is from the section on "Traditional organized crime." It seems that the "Canadian" label refers to the geographic base of the group while the ethnicity of those involved remains a significant factor.

> Over the past year, a number of important incidents – unsolved murders, arsons, major drug importations – occurred in Canada, which serve as a reminders of the

> continued presence and threat of Italian-based organized crime (IOC). (CISC, 1997, "Italian-based organized crime")
>
> There is less violence within the Sicilian clan, in sharp contrast to groups like the outlaw motorcycle gangs. This shows that this criminal organized has total control over its jurisdiction and its criminal activities. (CISC, 1998, "Italian-based organized crime")
>
> [TOC] remain a real threat in Canada. They have enormous power, given their cooperation with other criminal organizations, and pose a major challenge for authorities. (CISC, 1999, "Traditional organized crime")
>
> TOC will remain at the upper echelon of illicit drug importation and distribution (...) (CISC, 2003, "Traditional (Italian-based) organized crime": 17)

There is a constant theme through the discourse over the period of analysis that describes TOC as the "upper echelon" of organized criminal activities. It explains the invisibility of their activities as evidence of the sophistication or level of power of this "type" of organized crime compared to others. The use of the terms "continued," "remain" and "will remain," emphasize that TOC, as a monolithic entity, is enduring as the pinnacle of organized criminality. In the second example the use of the word "clan" as a synonym for family reinforces the association of organized crime with the Mafia archetype. The comparison with outlaw motorcycle gangs (OMGs) positions the "Sicilian clan" as a more serious threat by drawing on the stereotypical characteristics of organized crime implicated in the ability to exercise "total control" including sophistication, hierarchy, monopoly, strategic use of violence and discipline – all highly weighted *Sleipnir* attributes.

> Traditional (Italian-based) organized crime (TOC) groups maintain their involvement in a multitude of criminal activities including the coordination of large quantity illicit drug importations. Unlike outlaw motorcycle gangs, TOC groups do not wish to create or maintain a high public profile in Canada. They have a long standing presence in Canada and have transformed criminal gains into commercial assets to establish a basis of legitimate credibility within their communities. Their presence in Canada is particularly prominent in Ontario and Québec with varying levels of activity in other provinces. A Montréal-based

> Sicilian crime family continues to expand its influence throughout the Canadian Italian-based criminal community and maintains connections with other organized crime groups to facilitate joint criminal endeavours. (CISC, 2001, "Executive summary")

Again, there is a differentiation between TOC and OMGs in terms of their visibility. TOC's low profile and penetration into the "legitimate world" is described as being more threatening because of its hidden nature. Their credibility lies with "their communities" – which is vague, but the assumption might be that it refers to the ethnic Italian community. This homogenizes the Italian community and problematizes it as being willing to accept criminals among them as "credible." Reference to their "longstanding presence" indicates that TOC has been in Canada for a long time – however, "presence" does not necessarily mean embedded or established giving a sense that they remain outsiders. The description of the "Sicilian crime family" being "based" in Montreal implies that it is a foreign group that operates in Canada as a branch. The term "Canadian Italian-based criminal community" also reflects this – that the criminals are first and foremost Italian but operating in Canada.

> TOC members are known to engage in legitimate commercial businesses which could be completely isolated from any criminal activity. But in some cases, these businesses serve as a front for their criminal activities or as a means to launder criminally-derived profits. TOC members will participate in the regular social and cultural activities of their area and to the members of their community will present a completely respectable and legitimate appearance. (CISC, 2002, "Traditional (Italian-based) organized crime": 17)

> Their highly stable nature, involvement in numerous criminal enterprises, investment in legitimate business with profits from crime, and their adaptability to enter into joint ventures and exploit new opportunities with other organized crime groups help to mask the level of threat they pose to Canada. (CISC, 2003, "Executive summary": 2)

The invisibility of TOC activities and members is a continuous theme through the discourse. In a similar manner to EEOC discourse, legitimate businesses are rendered

suspect because of possible involvement of TOC members. Because of this invisibility, there is a generalized criminalization of businesses run by the ethnicized community. The first example reinforces the invisibility of TOC members as they will engage in "regular social and cultural activities," which is presented as a means of maintaining their low profile. Just as businesses are made problematic, so are social and cultural activities. There is an ambiguity in the word "area" and the reference to "their community." The possessive word "their" implies membership within the community, which is interesting considering the broader discourse that excludes organized crime/criminals from legitimate society. To interpret "their community" as meaning the criminal community is inconsistent with the context of the sentence and seems more likely to refer to the ethnicized Italian community. This has a criminalizing effect because of the lack of distinction.

> Third generation Ontario TOC members are entering adulthood and getting involved in criminal activity. This group appears to be straying from the traditional strict TOC codes of trust, respect, honour, silence and solidarity within the family. Their business dealings have expanded beyond the ethnic group to include representatives of Asian, Columbian and Eastern European criminal organizations as well as Outlaw Motorcycle Gangs. (CISC, 1998, "Traditional organized crime")

Like with the other priority categories, the discourse contributes to the criminalization of racialized/ethnicized youth. However, the TOC discourse is slightly different from those in the context of racialized/ethnicized Asian, Eastern European and Aboriginal youth. For Asian and Aboriginal youth, the primary narrative describes their involvement in street gangs and refers to their marginalization as a factor in this. Eastern European youth are criminalized more in an individualistic manner. For Italian youth, their involvement is in terms of the formal organized crime archetype. They are referred to as "TOC members" yet within the same line, they are described as "getting involved in criminal activity"

meaning that they are not actually involved yet. The reference to "generation" implies continuity or tradition, which implicates ethnicized Italian youth by virtue of having relatives or associates involved in criminal activity. The invisibility of this community (there is no reference to "Italian" in this paragraph) is highlighted by the *visibility* of naming Asian, Columbian and Eastern European groups. The description of the new generation "straying" from "traditional strict TOC codes" is interesting because the listing of these features actually reinforces the archetype rather than dispel it.

Project Colisée. At the end of November 2006, the Combined Forces Special Enforcement Unit (CFSEU) in Quebec carried out a series of arrests in the Montreal area. The code name of the operation was "Project Colisée." The RCMP characterized this operation as "a serious blow to traditional organized crime" (RCMP, "C" division, News release, November 23, 2006). The RCMP discourse surrounding the events provides an example of the problematic ethnicization of organized crime. There are three significant aspects of the event: the code name and a graphic used on the website, the referencing of "Italian organized crime," and the lack of response to the objection of the Italian ambassador.

The code name for the operation, "Project Colisée," is significant because it creates a direct connection between the organized crime activities/group and Italian ethnicity. *Colisée* is the French word for coliseum, a reference to the ancient Roman structure. All RCMP operations are named according to the division's alphabetical designation. Quebec is "C" division. The name of the operation was a deliberate allusion to the Italian connection of the mafia.[78] Not only does this make a particular ethnic

[78] See Scott, M. (2006, November 25) The organized crime fighters, *The Gazette*, A.3

connection, it also draws on the theme of foreignness by alluding to the well-known building in Italy. This was further reinforced through the use of a graphic on the RCMP "C" Division website (see Figure 3).

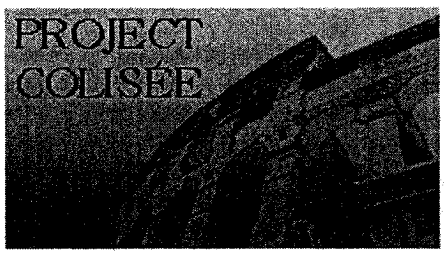

Figure 3: Graphic used on the homepage of the RCMP "C" Division website to highlight press releases on the Project Colisée operation.

In the verbal and print communications issued by the RCMP following the operation, there were numerous descriptions of the crime group targeted as "Italian": "Police dismantle Traditional Italian-based organized crime in Montréal" (November 22, 2006); "Today we announce a major police operation targeting traditional Italian organized crime" (November 22, 2006); "This major international investigation, named Project Colisee, highlighted the group's criminal activity and revealed the many tentacles of Traditional Italian-based Organized Crime" (November 22, 2006b). A statement made by an RCMP member during a media briefing that "We think it is a very serious blow to Italian organized crime" was echoed through print, radio and television media outlets (Cherry, November 23, 2006). Both the code name of the project and the discursive labelling of the group as "Italian" present the group and the individuals involved and apprehended as foreigners. They are not described as being Canadian or residents of Canada, thus the connection to Italy remains strong.

Following these events, Gabriele Sardo, Italian ambassador to Canada, was vocal in opposition to this discourse. In a letter printed in the *Montreal Gazette*, he wrote:

> I know it might be hard to swallow, because organized crime is a pretty repulsive aspect of society, and one that not only proves how bad criminals are but how easily good, ordinary citizens can be persuaded to become their accomplices, but my dear fellow readers, you have to face it: As far as I know, the Montreal mafia is as Canadian as Tim Horton's. We already have our Mafia. We don't need yours (November 25, 2006).

He was also quoted in the *Toronto Star*, stating, "There is no relationship in this case, in the Montreal roundup, with either my country or (the Italian) Mafia." (Powell, November 28, 2006). Sardo wrote a letter requesting that RCMP Commissioner Giuliano Zaccardelli clarify to the general public that "Italian crime has nothing to do with what you're doing in Montreal" (Powell, November 28, 2006). While Zaccardelli did make clarifications to the Italian community press, there was no wider public statement made by the RCMP. In an interview with *Tandem*, an online magazine, Zaccardelli stated: "When we talk about organized crime committed in this country and people that may be associated with, we consider them a Canadian problem. With that I mean they are Canadian organized crime," elaborating, "...it was a mistake to speak of Italian organized crime. Fact is, these people are not Italians. They live in Canada, allegedly committed crimes in Canada, so we are really speaking of Canadian organized crime." The extent of clarification however, was limited to the internal RCMP organization:

> As soon as we had learned and realized that had used an inappropriate term to describe some of the people that were arrested... I issued a memo to everyone reminding them of what is the right description we have to use in identifying the people... and they were reminded that they have to identify them as Canadian criminals, not as criminals of a specific background (Zaccardelli in Persichilli, December 3, 2006).

Aside from this interview, in which there is acknowledgement that the terminology applied was problematic, this was not made more widely known. In the Canadian wider

public realm, Ambassador Sardo's objections were thus largely left hanging, creating the impression of over-reaction. The public knowledge on this operation remains within the initial discourse. This discursive event surrounding the enforcement operation is an example of how law enforcement discourse – even through the application of broad labels – reinforces commonsense knowledge about those who are involved in organized crime as not being Canadian. Because the Italian ethnic narrative is so tightly related to organized crime, opposition as enunciated by Ambassador Sardo was treated as baseless or an over-reaction, as reflected by the lack of interest or agreement from authorities or the mainstream press outlets.

Outlaw Motorcycle Gangs

The term used – outlaw motorcycle gangs – to identify this "type" of organized crime is different from the other "types" in that it does not reference race or ethnicity. This reflects the invisibility of whiteness. The descriptor of "outlaw" acts to distinguish these individuals from their (non)racial/ethnic group. They are "bad apples" and do not represent the entire group. In a study of street gangs in Montreal, Symons (1999) found that the police categorized groups composed mainly of minority youth according to ethnic labels (e.g. Latino), but those composed primarily of majority-group youth (referred to by the police as Québécois) were defined by activity (e.g. Extreme Right). In this case, "extreme right" serves a similar purpose to "outlaw" in marking these individuals as non-representative of their racial/ethnic group. In contrast, the use of broad racial/ethnic (or "cultural-geographic") categories as descriptors implicates entire racialized/ethnicized communities. Furthermore, the term "outlaw motorcycle gang" (OMG) refers to a specific criminal subculture that includes particular ways of organizing

(CID Interview, July 10, 2007). In comparison, terms such as "Asian (-based) organized crime" do not refer to these types of features but rather the ascribed ethnic or geographic origins of those involved in groups included in the category. Arguably OMGs have been the greatest priority for law enforcement throughout the period of analysis. In the CISC annual reports until 2005 when priorities were identified, OMGs consistently received the most space within the publications.[79] However, until the 2003 report, the OMG section within national priorities came after the ethnically identified categories. As discussed above in the TOC analysis, OMGs are often compared to TOC in terms of their competency. This reinforces TOC, in an archetypal model, as the pinnacle of organized crime because it is used as a measure for other groups. OMGs are differentiated however, based generally on a greater propensity for violence and being more visible. Their visibility is based on symbols, clothing or motorcycles rather than ethnicity.

> The Hells Angels are an extraordinarily powerful and ambitious organization, constantly seeking opportunities to expand their repertoire of criminal activity. (CISC, 1996, "Outlaw motorcycle gangs")
>
> Outlaw motorcycle gangs, particularly the HELLS ANGELS, continue to expand both in terms of criminal activities and membership. The armed conflict between the HELLS ANGELS and the ROCK MACHINE in Quebec continues and more violence is expected... The HELLS ANGELS continue to be involved in the importation and distribution of drugs, the illegal trafficking of firearms and explosives, extortion, fraud, prostitution and money laundering. (CISC, 2000, "Executive summary")
>
> In order to insulate the gang, the HELLS ANGELS typically order their lower-level criminal associates, like the ZIG ZAG CREW and the aboriginal-based gang the MANITOBA WARRIORS, to perform acts of intimidation and violence. (CISC, 2002, "Outlaw motorcycle gangs": 20)

[79] Except for 1999 when Asian organized crime received more coverage and in 2004 where coverage was fairly evenly distribute among the five priorities of AbOC, AOC, EEOC, TOC and OMG. This was assessed through a visual estimate of the number of pages dedicated to each priority in each of the reports.

In addition to the specificity of the OMG label, there is a clearer distinction that there are many different groups included within this category, whereas the cultural-geographic groupings convey a monolithic entity. Most obviously, this is because the label refers to a plural form of gangs, but also within the texts the names of specific gangs are provided. It is also clear that just because they are grouped together, they do not necessarily work together – conflict between gangs is often highlighted, as in the second example. In the third example, there is a specification of the Manitoba Warriors as an "aboriginal-based gang" whereas neither the Hells Angels nor the Zig Zag Crew is racially/ethnically identified. The visibility of the Manitoba Warriors is highlighted against the ethnic invisibility of the Hells Angels and Zig Zag Crew.

Domestic, Independent, Canadian Organized Crime

In comparison to the five priority groupings discussed above, there is much less detail in the discourse relating to groups that do not fit these categories.[80] There is frequent reference to "domestic" or "independent" (or "unaffiliated") organized crime groups that are never ethnically identified, which underlines the visibility of the priority groups whether it is through phenotypical features or the patches of OMG members. Some groups are labelled "Canadian," and the mixing of these various terms serves to create a category of independent, domestic, Canadian criminal groups. The effect of juxtaposing these against the ethnically-identified priority types dialectally constructs those priority groups as working in cooperation with each other within the type and as being foreign and non-Canadian.

[80] The York Regional Police member suggested that these terms as used "as a catchall" for groups that do not fit the priority groupings, including those in which no one ethnicity is dominant (York Regional Police Interview, June 13, 2007).

> Canadian criminals are increasingly transnational in their activities, from smuggling to credit card fraud. Alliances are formed between criminal groups, as the demand and commodities dictate. Asian-based criminal organizations/syndicates with links to Southeast Asia continue to be responsible for an estimated 80 per cent of the large-scale shipments of heroin entering Canada. (CISC, 1996, "Introduction")

In this example, it is possible to read "Canadian criminals" as including "Asian-based criminal organizations/syndicates," however the specification of the cultural-geographic origins of the latter indicates a differentiation. The description of the Canadian variety as "criminals" versus the Asian "organizations/syndicates" reflects the individualization of "Canadian" crime as anomalous rather than being representative of all Canadians. Reference to organizations and syndicates implies a more serious form of organized criminality. This diminishing of Canadian or domestic organized crime is reflected through the discourse:

> Italian-based organized crime is involved in upper echelon importation and distribution of many types of drugs. Asian-based groups are active in heroin and, increasingly, cocaine trafficking from importation to street level. Outlaw motorcycle gangs play a major role in large-scale distribution of cannabis, cocaine and chemical drugs. Entrepreneurs not aligned with any of the major crime groups are also important suppliers of drugs to the Canadian market. (CISC, 1997, "Illicit drug trade")

> Independent crime groups are not necessarily affiliated to any of the more established crime groups and usually act as facilitators in the movement of contraband. These groups are usually entrepreneurial and will offer their services to any criminal client for a fee. (CISC, 2004, "Organized crime at marine ports, airports, and land border areas": 11-12)

> As well there are independent or unaligned criminal organizations who are also involved in large-scale smuggling operations (...) (CISC, 2005, "Illicit drugs": 37)

These groups are often described as subordinate in relationships with the other ethnically identified groups (and OMGs) that dominate certain markets. They are described as "entrepreneurial," which gives a sense of being an individualistic activity

and removes it from any cultural or behavioural proclivities.[81] The inclusion of these groups within the monitored issues section, which tends to be divided according to concepts such as methods or markets, reflects the observation that groups that are not included within the priority categories are dealt with through market-focused enforcement units that tend to be more reactive.[82] Unlike the cultural-geographic priorities, neither discourse relating to OMGs nor domestic/independent/Canadian groups refer to a problem of youth recruitment or a generational involvement in organized crime.

Summary of Discourse Analysis

Along with the general representation of organized crime as actor-based, oppositional to Canadian society, a threat to the economy, invisible, foreign and international in scope, it is also represented as an ethnic phenomenon. This occurs primarily through a prioritization framework that is based on broad ethnically identified "types." The consistent identification of these types as priorities year after year reinforces them as the usual suspects when it comes to the organized crime problem in Canada. The discursive narratives used to talk about these priorities between 1996 and 2006 share certain similarities that create a direct connection with the general construction of the organized crime problem. First, there is a homogenization of various ethnicities, organizational structures and markets within a broad racialized/ethnicized category. In contrast, the OMG category refers to a specific organizational structure rather than race, ethnicity or a "cultural-geographic" identifier. Domestic, independent and Canadian

[81] One interpretation would be that the capitalist cultural values of Canada are criminogenic thus leading to this behaviour, however because this is a dominant cultural value (the norm) this is likely not the case.
[82] See discussion in previous chapter in the context of the organization of front line units as affecting information collection.

groups are not categorized together and the ethnic identity of their members is invisible. Second, there is a consistent ambiguity in distinguishing between those who are involved in organized criminality and ethnicized individuals (communities) that are not. Thirdly, ethnicized youth are criminalized through the inclusion of "criminal youth" and street gangs within priority categories. This attributes a higher degree of seriousness or threat to the youth falling into these categories. They are singled out while the threat posed by other youth and gangs are diminished because they are not included as organized crime *priorities*. Fourth, there is a distinction between ethnicized individuals and "Canadians," as the primary identity ascribed to the groups (and their members) that are included as priorities is an ethnicized one regardless of their place of birth or residence. The use of terms like domestic, independent, unaffiliated and Canadian to describe other groups reinforces this distinction. Fifth, *Sleipnir* attributes are reflected in the discourse of the priority groupings – themes like corruption, violence, infiltration, expertise, sophistication and subversion (the top six attributes) were common in identifying the characteristics of these groupings warranting their prioritization. The overarching theme of the *Sleipnir* model that positions organized crime outside of "legitimate society" is paralleled by discourse on ethnicized "types" that differentiates and excludes them from Canadian society.

While sharing these broad similarities, there are also differences among the narratives for each of the organized crime types. These stem from the broader narratives applied to the particular racialized/ethnicized identity. AOC is characterized as inherently foreign, reflecting the Asian narrative of perpetual foreignness and disloyalty. EEOC is described primarily in terms of entrepreneurial criminal activity, linked to the historical context of communism in the former Soviet Union. AbOC is closely linked to political

protest activity, positioning it as a threat or enemy within the Canadian nation. The TOC narrative is based on the Mafia archetype and the positioning of TOC as the epitome of organized crime. Like EEOC, TOC and its members are described as being "invisible," which contrasts with the AOC and AbOC discourses in which such an observation is not made. Because an ethnicized organized crime narrative emerges from the convergence of commonsense narratives or knowledge about a) organized crime, and b) the specific racial/ethnic group, it is plausible to advance it as "truth." This "truth" in turn rationalizes the frame for further intelligence and enforcement processes that reinforce existing conceptions both within law enforcement and in the wider public discourse.

The change in the 2005 CISC report significantly changed the discourse because the structure of the report changed.[83] Simply by eliminating the cultural-geographic prioritization framework for these reports, the racialized/ethnicized nature of the discourse was minimized. The focus and emphasis of the discourse turned towards criminal activities rather than the groups. Ethnic identifiers are still evident however, which is problematic because they are used in a vague manner in that it is unclear whether they refer to actual foreign-based organizations or to the perceived ethnicity of the groups' members. The 2006 report for example, refers to the involvement of "Asian, Italian, or independent criminal groups as well as several Hells Angels chapters" in the cocaine trade (15). There is also reference to "Canadian-based criminal groups" (17) which adds to this ambiguity as in this context, Asian and Italian groups appear to be foreign-based. As discussed in the previous chapter, cultural-geographic categorizations continue to be used in the Canadian law enforcement community on both the

[83] Because the CISC annual reports made up the bulk of the materials of this analysis, this change had a significant impact on the discourse reflected in the texts analyzed.

intelligence and operational sides, which can explain the persistence of racialized and ethnicized discourses of organized crime.

The purpose of the discourse analysis presented in this chapter was to examine the knowledge base within law enforcement. When communicated to the public (thus entering public discourse) it reinforces commonsense knowledge about organized crime. A major characteristic of this knowledge is an association with ethnicity. The first part of this analysis examined major themes in the construction of organized crime as a phenomenon. Although not directly implicating ethnicity, these narratives provide a framework for understanding organized crime in that way. The second part of the analysis examined specific narratives in the representation of the organized crime problem in terms of a cultural-geographic prioritization framework. Racial/ethnic narratives of the priority categories are infused with the themes of the organized crime narrative and are mutually reinforcing through a simultaneous criminalization/ ethnicization process. The discourse contributes to a broader ethnicization process by which ethnicized individuals and groups are marginalized within the multiculturalism discourse of Canadian society.

Chapter Six: Discussion and Conclusions

Discussion: Racialized/Ethnicized Discourse and Practices

The reproduction of the organized crime problem through law enforcement discourse is affected by processes of racialization and ethnicization because of the historical context of the emergence of the concept (i.e. the long association with ethnic groups). One of the themes in the construction of the organized crime problem is the general identification of it as an "ethnic" one. Consistent with the ILP rationale that a particular segment of the population is responsible for most of a jurisdiction's crime problems, this discourse identifies and describes organized crime's usual suspects. These narratives serve to criminalize racialized/ethnicized groups and maintain existing social inequalities based on racial and ethnic categories. These organized crime narratives are consistent with broader racial/ethnic narratives that are assumed of these groups. Their reproduction in discourse reinforces and maintains the existing social structure as racialized/ethnicized groups are cast as the Other and outsiders within Canadian society. It maintains social boundaries that highlight the fundamental contradiction in multiculturalism discourse between "colour-blindness" and inclusiveness.

Following Fairclough (1993), van Dijk (1993a) and other practitioners of critical discourse analysis, discourse is conceptualized as being both constitutive of and constituted by society and other discourses that circulate within it. Thus, racism, ethnocentrism and xenophobia provide an overarching frame within which ethnic narratives and stereotypes exist as knowledge about ethnicized groups. As discussed in chapter two, they have been consistent features in the construction of organized crime as an ethnic problem. It is clear that an ethnicized knowledge of organized crime influences the structuring and organization of the intelligence process, including

assessments of threat. A consequence of this is that racialized/ethnicized concepts are reproduced in intelligence products, leading to the targeting of particular groups, which then reinforces that knowledge as truth. This knowledge is also disseminated to the public through various forms such as public reports where it becomes part of (or reinforces) public discourse and problematic ethnic narratives. The perception of certain ethnicized groups as prone to crime contributes to the maintenance of racism, ethnocentrism and xenophobia. As Gill (2000) argues, this is a knowledge/power relationship whereby law enforcement exercises power in the production of knowledge (or "truth" in Foucault's (1980) conceptualization) of those responsible for organized crime. Through their use of discretion and targeting, law enforcement reinforces this knowledge. ILP reflects an increasingly secretive relationship vis-à-vis the public as the definition of community has shifted to the level of organizations and agencies (Deukmedjian, 2006). The practices and processes around the production of this knowledge about risks and threats is less visible and more the preserve of law enforcement as experts. As Ericson and Haggerty (1997) argue, "risk discourse cultivates insecurities" that "forces people to accept expert knowledge of risk" (86). By drawing on the language of objectivity and rationality, the targeting of groups based on the ethnicized prioritization framework is presented and accepted as "truth." The popular rhetoric of crime control serves to minimize challenges or opposition to these practices and the discourse that emerges from them.

In the analysis of the intelligence process and the production of discourse, Gill's (2000) analogy of geologic strata through which police deal with crime is useful. Particularly in the context of ILP, Gill (2000) suggests that all criminal activities known to police are filtered through several levels of policing (area, force, national, transnational)

resulting in a significant amount of crime being filtered "out" and a small amount reaching the apex as national (or international) priorities (54-56). The identification of the organized crime problem or priorities in RCMP and CISC discourse – which by virtue of the organizations' status receives widespread dissemination in the public and law enforcement realms – represents the apex of a filtering process. As discussed in chapter four, local priorities and problems are reported to the national level via provincial RCMP detachments or CISC bureaus. Prioritization decisions are made at each level based on an intelligence cycle, affecting what gets filtered "up." Because the discourse still reflects an ethnicized archetypal understanding of organized crime to some degree, it could be inferred that this understanding continues to be a predominant filtering lens.

The consistency of this discourse in materials produced for both internal/law enforcement and public audiences indicates that it is pervasive and well entrenched. The analysis of the intelligence process operationalized by the RCMP and CISC (as well as member agencies) reveals that there are key features that sustain a racialized/ethnicized understanding of organized crime. Most problematic is the prioritization framework used both discursively to talk about targets and structurally in the organization of intelligence and enforcement units. As Ericson and Haggerty (1997) argue, the institutionalization of ethnic-specific units is in itself a form of criminalization by putting a disproportionate amount of attention on particular ethnicized groups. As targeting is the beginning of the intelligence process, the decisions made at the outset affect the outcome of the process. While prioritization decisions should target activities that are the "most socially damaging," the reality is that stereotypes of certain groups as criminogenic have a strong hand in directing the targeting gaze (Gill, 2000: 131). What remains unresolved from this research is the degree to which ILP represents new processes and practices

rather than, as interviews seem to suggest, a formalization and institutionalization of existing practices through discourses of value-for-money and quasi-scientific methods. Intelligence analysis is a central feature of the ILP model and analytical tools such as *Sleipnir* and SEWS provide structure and rationality for threat assessments. However, the ethnicized commonsense model of organized crime that is represented in the discourse is evident in both the frames for these techniques and in their outcomes. Assessments of risk or threat are informed in part by subjective inferences based on the perceived ethnicity of targets. By influencing the intelligence process at each stage of the cycle, criminalized racial and ethnic narratives permeate the knowledge about organized crime. In addition to the production of intelligence products *as* knowledge, the operational activities informed by this knowledge can result in the apprehension of members of those racialized/ethnicized groups fulfilling and strengthening the "truth" of those initial assumptions. The policing of organized crime through the ILP model therefore demonstrates how the police engage in "identity work" as the population is categorized according to a racialized/ethnicized "knowledge structure" about who is risky (Ericson & Haggerty, 1997: 291). If ILP is conceptualized as a means (or "technology") of managing risk in society, the analyses of the intelligence process and the discourse demonstrate how ILP can institutionalize practices informed by racial and ethnic narratives. The policing of organized crime – through definition of the concept and the discursive and operational identification of the usual suspects – is thusly a means of governing racialized and ethnicized populations *through* crime (Simon, 1997) by (re)producing ethnic narratives.

These stereotypes and narratives are part of the ethnicization process because they attribute to ethnicized individuals or groups particular immutable characteristics,

which are generalized to all members of the group, denying the fluidity and diversity of values and beliefs (Bannerji, 2000; Li, 1988). The broad-based prioritization groupings reflect a similar process by homogenizing various forms of criminal organization and individuals of various ethnicities, nationalities, statuses, cultural groups, and so forth, into broad categories that are described as "ethnic" but also reflect elements of racialization. The very practice of categorization is an exercise of power by inscribing an (ethnic) identity upon another. This is an act of ethnicization as, by grouping people within these categories, they are also assumed to share common characteristics and therefore to behave in certain ways. Through the process of ethnicization, meaning is given to "socio-cultural signifiers" (Miles & Brown, 2003: 99) – the essentialized cultural features representing a particular ethnic identity. The narratives of ethnically identified priority groups imbue these signifiers with meanings that are consistent with the commonsense organized crime construct. This is therefore a simultaneous criminalization process. The strength of themes constructing organized crime as outside of Canadian society and foreign serve to reinforce the connection with ethnicity, which as Miles and Brown (2003) argue, identifies ethnicized individuals as members of other nation states. As Rose (2000) observes, identity is a site of governance in which *exclusion* means that those bodies are subject to "strategies of control" (330).

If racialized/ethnicized understandings of organized crime are the discursive norm, the potential for discriminatory policing strategies and operations is far greater than if such concepts are not used. The dominance and persistence of certain knowledges (i.e. of organized crime as a racialized/ethnicized phenomenon) over others therefore provides insight into the power relations in society. As a dominant social institution, law enforcement's "sense of order and the order they seek to reproduce are

that of the status quo" (Ericson, 1982: 7). Their practices therefore contribute to maintaining existing social structures, which are based on racialized and ethnicized class relations.

Conclusions

This thesis was spurred by a seemingly drastic shift in the 2005 CISC annual report on organized crime to a framework based on criminal markets rather than the cultural-geographic groupings or typologies that preceded this change. The question of what role ethnic identifiers play in the policing of organized crime in Canada led to an inquiry focused on the discourse of law enforcement agencies and the organizational context *for* and *of* that discourse. The analysis of discourse and of the intelligence process used by the RCMP and CISC leads to several conclusions. First, the concept of "organized crime" is represented in a way that reflects a commonsense understanding of the concept, reflected in the following six themes:

a. The phenomenon is conceptualized primarily in terms of the actors involved rather than processes or markets.
b. There is a dichotomization of "organized crime" against Canadian society.
c. The economy is positioned as the primary target or victim.
d. Organized crime is described as being hidden and therefore dangerous.
e. Organized crime is described as foreign in origin and character.
f. There is an emphasis on the international connections of criminal groups.

This conceptualization bases the perception of threat on an archetypal model of organized crime that reproduces alien conspiracy theory and ethnic succession, which is reflected in the attributes and definitions of the *Sleipnir* threat assessment technique used in the intelligence process. Second, there is an overarching theme that positions organized crime as external and therefore excluded from "legitimate society." This is linked directly to a seventh theme that characterizes organized crime as an *ethnic*

phenomenon. Third, the use of ethnic identifiers in describing organized crime priorities is infused with narratives that reflect a dual criminalization and ethnicization process by which ethnic narratives are associated with organized crime, and organized crime comes to be associated with ethnicized populations. These narratives become self-reinforcing because they are embedded as commonsense knowledge. Fourth, each stage of the intelligence process has features that can be informed by these narratives, and this leads to a) the reproduction of a commonsense understanding of organized crime and b) a disproportionate focus on particular ethnicized (criminal) groups as "the usual suspects." Finally, there appears to be a very gradual shift towards a different understanding of organized crime that moves beyond a racialized/ethnicized archetypal model. This is reflected in the observations of interview participants, recent public materials such as CISC reports since 2005 and early discussions about new organizational frameworks and assessment tools.

What remains unanswered in light of the embeddedness of the dominant ethnicized organized crime construct is whether it is possible to fully move beyond it. Despite recognition (as reflected in the CISC 2005 annual report) that it is problematic, the racialized and ethnicized concept of organized crime continues to circulate in law enforcement discourse, which is produced as knowledge through the intelligence process. This has resulted in a reinforcement of particular priorities with each cycle and the entrenchment of ethnically identified categories within the discourse. As revealed by the interview participants, it is apparent that there is a disjuncture between the rhetoric of change and translating it into changes to their process and practices. According to the York Regional Police member, "I don't think there has been an actual switch. CISC might be reporting it differently, but operationally there hasn't been a switch. There's been a lot

of talk about switches, but there really isn't" (June 13, 2007). Recent developments such as the RCMP CID and CISC decisions to stop identifying national priorities based on the ethnic/cultural-geographic prioritization framework suggest a potential to change these assumptions. However, a key challenge is presented by the ensconced nature of the ethnicized framework: "it's pretty long standing and it is pervasive (...) again it comes to mindset and familiarity with describing phenomenon a certain way. And those might be a little more difficult to change..." (CISC Interview, "A", July 9, 2007). The maintenance of certain processes and practices therefore makes it difficult for a new discourse and conceptual framework – such as the market orientation that CISC is working with – to emerge. Contributing to the challenge is a factor that lies beyond the law enforcement institution – the problem of racism as ideology and the embeddeness of racial/ethnic narratives in commonsense knowledge abut racialized/ethnicized groups. The centrality of multiculturalism and colour-blind discourse to Canadian identity means that ethnicization is a constant feature in Canadian society. These factors contribute to the enduring nature of criminalized ethnic narratives. A significant change to the discourse of organized crime to move beyond an ethnic connection is at least partly contingent on these narratives.

Implications

By working within a critical framework and engaging in critical discourse analysis, the goal of this research was to reveal the role of discourse in shaping and maintaining power relations (van Dijk, 1993a; Fairclough, 1993). Making this relationship visible through CDA is a means of challenging hegemonic understandings. In recognizing that there is never a "right" interpretation in (critical) discourse analysis (Wodak, 1999), the

goal of this research was to provide a critical interpretation of the organized crime discourse in Canada with particular attention to the role of ethnic identifiers. This discourse cannot be examined in isolation without being situated in a historical and social context. My critical review of the emergence of organized crime's "ethnic connection" in North America and the framework of multiculturalism in Canada provide this broader context. Furthermore, the analysis of the intelligence process and the specific features of it is an integral part of understanding the manifestation of discourse within and through social practices and institutional processes. From this analysis emerges a perspective that contributes towards understanding the persistence of racism, ethnocentrism and xenophobia in Canadian society as a much deeper and complex issue that goes beyond overt individual racism or "racial profiling" by police officers. Clearly, the responses of the interview participants reflected an internal tension in attempting to remedy the weaknesses of their practices/process within the existing and well-entrenched understanding of organized crime and the cultural-geographic framework. Contributing to this may be the evident tension between the intelligence/analytical and operational/enforcement sides as to the role of intelligence in policing. This was most clearly demonstrated by contradictory claims from each side that they were first to recognize the limitations of an ethnic-based framework. Following the critical paradigm wherein the ultimate goal of research is social change, the insights provided by this thesis can be applied in the ongoing development or revaluation of policing practices – including the production of discourse.

This analysis points to the importance of moving away from the organized crime archetype as an organizational model because it is so closely linked to ethnicity. There has been recognition by law enforcement that ethnically homogenous hierarchical

organizations are not the predominant form of organized criminality and this is starting to be reflected in both discourse and organizational practices. However, a continued focus on "criminal" groups (whether as hierarchies or networks) as the object of the intelligence process continues to reinforce the positioning of organized crime outside of "legitimate" society. The possible effect of this is a neglect of harmful activities committed by groups of individuals who are viewed as members or "insiders" of legitimate institutions. The CISC central bureau has adopted a working definition of organized crime that includes "any so-called 'white-collar' criminal groups" meeting the criminal code definition (CISC, 2007a: 12). While this inclusion of white-collar criminal activity reflects a broadening of scope, the focus remains on the characteristics of the group and the identity of its members to determine threat and potential harm rather than the actual activity.

By drawing on critical race theory, this analysis sought to elucidate the role of discourse in shaping and being shaped by racialized/ethnicized social relations. I have shown how ethnic narratives are criminalized and implicate certain groups as being more likely to be involved in organized criminality. This is a dual ethnicization/ criminalization process by which both the concept of organized crime and the identity of ethnicized groups are constituted. Circulation of these narratives within the law enforcement discourse has influenced both intelligence and enforcement practices with the most obvious consequence being the entrenchment of broad ethnically identified categories as a typology or prioritization framework. The impact of this goes beyond the realm of law enforcement as the dissemination of this knowledge within the public sphere serves to reinforce stereotypes that marginalize ethnicized groups.

Because organized crime has been identified as a more serious form of criminality, concessions have been granted to law enforcement in the form of expanded powers. The implication of this increased power is that individuals who may not have actually committed a criminal act may be deprived of their freedom and dignity in light of ILP's orientation towards proactive, preventative enforcement. Furthermore it raises the possibility of differential treatment of individuals who may have committed very similar criminal activities causing similar harms (the easiest example would be financial-type criminal activity that could be measured in terms of dollar amounts) depending on whether or not they are identified *as* organized criminals. If organized crime continues to be conceptualized in a racialized/ethnicized frame, these potential consequences will have a disproportionate impact on racialized/ethnicized communities, further excluding Them from Canadian society.

This research contributes to understanding the intelligence-led policing model, which is a relatively recent development in Canadian law enforcement. The analysis provides insight into how features of the process itself reproduce and are structured around a problematic discourse of organized crime. There is a question that emerges from this research as to whether ILP is anything more than a formal packaging of a professional model of policing that preceded the community policing rhetoric. As participants noted, intelligence has always been a part of policing, especially in the context of organized crime. While it is difficult to draw definitive conclusions from limited data, it seems that what is "new" about ILP is the institutionalization and formalization of processes and practices. If this is the case, the newness of ILP and its gradual implementation means that these insights can be considered as it takes shape to avoid institutionalizing the problematic aspects identified here. CISC's development of a

Canadian Criminal Intelligence Model aimed at bringing consistency of practice throughout the country could be an opportunity to address the problems that have already been identified internally and from outside the law enforcement community.

Future Research

There are several questions that emerge and remain unanswered in this thesis, providing seeds for further work. The specific links between discourse and practice could be examined in a much more extensive analysis of how discourse and threat assessments translate into actual localized operational practices. This would be based on a larger number of interviews with front-line officers, representative of police organizations at different levels across Canada. Such an inquiry also provides a chance to examine the state of ILP in these various organizations, and in Canada as a whole. The relatively recent emergence of ILP in Canada affords the opportunity to study its implementation, and to address another question that emerges from this thesis as to whether ILP is actually a "new" policing model.

In the Canadian context, research following the development, introduction and application of recent intelligence projects such as the Canadian Criminal Intelligence Model, the revised *Sleipnir* technique, harm prioritization measure, and the impact of the SEWS methodology and its products would be crucial in assessing whether the ILP model institutionalizes a process by which racialized/ethnicized groups are disproportionately targeted. The recentness of CISC's framework shift to markets made it difficult to engage in a comparative analysis of discourse around this change because of the limited amount of materials available since 2005. From the interviews, it seems that the period around 2005 was significant as a number of organizations considered

(and some implemented) a move away from ethnic-based prioritization. The cursory comparative analysis in this research indicates that there does appear to be a change in the conceptualization of organized crime following this period. Of course, much of this can be attributed to the decreased use of the standard cultural-geographic categories. With time, a more comprehensive comparative analysis of both the discourse and intelligence practices and processes will be possible and have greater validity. A specific analysis of the attributes and definitions within the future version of *Sleipnir* and the approach it takes to defining threat would reveal whether and how the conceptualization of organized crime has evolved within the realm of experts. It was noted that evaluation of the SEWS was difficult in light of its novelty and the lack of unclassified *Sentinel* products. If the opportunity emerges in the future, such an analysis would be useful in identifying whether the concerns raised in this analysis are justified.

In monitoring the concerns raised by this thesis research, it would be worthwhile to engage in a comparative study with other jurisdictions, in particular those where ILP has been formally in use for a longer period. A similar critical analysis can be applied to law enforcement discourses and intelligence processes and practices in other nations that have (and those who have not) adopted an ILP framework. The goal of such an inquiry would be to examine how organized crime is conceptualized and how this impacts or influences the strategies used in these countries in policing organized crime. It has been observed, for example, that the alien conspiracy theory was largely rejected by European nations during its emergence in North America in the middle of the twentieth century (see e.g. von Lampe, 2005). This implies that a different prioritization framework would be utilized. This type of research could provide alternate insights and models for Canada. As an example, public reports on organized crime in the UK,

Germany and Greece, similar to those produced by CISC, specify that domestic nationals compose the largest proportion of individuals involved in organized crime in each country – a clear contrast to the ambiguity in Canadian discourse. The Australian Federal Police (AFP) has adopted a framework that is based on criminal markets – their threat assessment and prioritization are thus shaped around markets rather than groups. This was the reason that the AFP did not adopt the *Sleipnir* technique (RCMP Interview, July 10, 2007). In the UK, the recently established Serious and Organized Crime Agency (SOCA) has harm reduction as part of its mandate. These are examples of other organizational practices and processes that may or may not be informed by the archetypal model of organized crime. It would therefore be interesting to see what the dominant discourse of organized crime is in these jurisdictions and what role ethnic identifiers play in their intelligence processes and the discourse in general. Cross-national research would also provide insights into how broader social discourses about immigration and diversity are reflected in organized crime discourse as compared to Canadian multiculturalism and colour-blindness.

One of the missing components to this research is the role of the public as an audience for law enforcement knowledge. Although I have addressed the law enforcement community as producer and recipient of intelligence as knowledge, the public's role in shaping discourse was not discussed in detail. I have made the argument that law enforcement discourse, as derived from a claim to expertise, will influence or reproduce the circulation of a racialized/ethnicized commonsense understanding of organized crime in society. There have been few studies or public opinion polls conducted in Canada regarding how the public views organized crime. It would be interesting to see whether the discursive shift embodied in the CISC prioritization

framework change (and the production of public documents by other organizations such as that released in July 2007 by the Ontario Association of Chiefs of Police) has or will have, an impact on public perceptions. The interview participants all expressed a degree of frustration that the public's perception of organized crime tends to be within the archetypal model that is favoured by entertainment and news media. An inquiry into public perceptions would provide a more complete insight into whether there is a "cultural shift" in understanding organized crime in both the law enforcement and public realms.

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