

**Racial Profiling in Toronto: Discourses of
Domination, Mediation, and Opposition**

By

Dr. Frances Henry

and

Ms. Carol Tator

Published By

Canadian Race Relations Foundation

September 2005

**Racial Profiling in Toronto:
Discourses of Domination, Mediation, and Opposition**

Table of Contents

Table of Contents	i
Chapter One: Introduction.....	1
Chapter Two: Racial Profiling – International Perspectives	9
Introduction.....	10
Police Racial Profiling in the United States.....	10
The Culture of Policing.....	13
Chapter Three: Theoretical Perspectives Informing the Study	19
Introduction.....	20
Racism and its Relationship to Discourse: The ‘New Racism’	21
Chapter Four: The Dynamics of Discourse and Discursive Formations.....	25
Introduction – Foucault’s Notion of Discourse	26
The Nature of Elite or Dominant Discourse	27
The Construct of ‘Whiteness’	29
The Construct of Blackness and Racial Profiling	30
Racism and Racial Profiling in the Media	33
Chapter Five: The Discourses Of Domination – Racialized Discourse in the Media: The Voices of the Right-Wing Media	37
Introduction.....	38
The Discourse of ‘Talking About Race’	38
Case 1: Blatchford, C. (2002a, October 29). Sometimes Race is Simply a Fact. <i>National Post</i> , pp. A01 and A08.....	38
Case 2: Blatchford, C. (2002c, November 20). Media Turning Blind Eye to Race: Some Outlets Loath to Tell Public Suspects in Beating had Black Skin. <i>National Post</i> , pp. A01 and A10.....	41
Case 3: Thorsell, W. (2002, November 18). When We Fear to Speak our Minds on Black and White. <i>The Globe and Mail</i> , p. A19.....	43
Discussion.....	47
The Discourse of Jamaicanization	47
Case 1: Worthington, P. (2002, October 31). Profiling Essential to Fighting Crime. <i>Toronto Sun</i> , p. 36.....	47
Case 2: Wentz, M. (2002, October 29). Death, Guns and the Last Taboo. <i>The Globe and Mail</i> , p. A19.....	48

Case 3: Blatchford, C. (2002b, November 1). Activist Blames Police for Violence. <i>National Post</i> , pp. A01 and A06.....	50
Case 4: Godfrey, T. (2002, November 24). Jamaica’s Bloodbath May Spread to T.O. Cops Say. <i>Toronto Sun</i> , p. 3.....	51
Case 5: Cheney, P. (2002, November 2). Blacks Dance to Deadly Beat in Toronto’s Clubs. <i>The Globe and Mail</i> , p. A01 and A11.....	52
Case 6: Makin, K. (2002, October 28). How Colour-blind is Justice? <i>The Globe and Mail</i> , p. B14.....	54
Summary of Media Topics and Themes	54
Chapter Six: The Discourse of Domination by White Elite Authorities	57
Introduction.....	58
The Discourse of Denial: We are not racist; we do not engage in racial profiling.....	58
The Discourse of Attacking Human Rights	65
The Discourse of Rationalization.....	67
The Discourse of Reverse Discrimination	69
The Discourse of Law and Justice	71
The Discourse of Political Correctness.....	72
The Discourse of “Othering,” or the Jamaicanization of the Issue.....	73
Summary of Dominant Discourses of Public Authorities.....	76
Chapter Seven: Discourses of Mediation.....	77
Community Mediation	78
Police Mediation	79
Federal Mediation	80
Provincial Mediation.....	81
Summary of Mediation Discourses.....	83
Chapter Eight: Oppositional/Resistant Discourses	87
Introduction.....	88
Racial Profiling/Racism is Pervasive in Policing	89
Racial Profiling Leads to the Criminalization of the Entire Black Community	92
The Discourse of ‘Action is Required Now!’	95
Recent Developments	98
Chapter Nine: Study Findings.....	103
Chapter Ten: Conclusions.....	109
Reference List	115

Chapter One: Introduction

On October 19, 2002, *The Toronto Star* began its series of stories on racial profiling¹. The articles were based on a two-year probe of race and crime statistics gathered from a Toronto police database that documents arrests and charges laid. The database details more than 480,000 incidents in which an individual was arrested or ticketed for an offence, and nearly 800,000 criminal and other charges laid by police from late 1996 to early 2002. The data was accessed through the Freedom of Information Act after police denied *The Star* access. A statistician from York University examined the methodology and analysis. The analysis of the crime data revealed significant disparities in the ways in which Blacks and Whites are treated in law enforcement practices. More specifically, the data showed: (1) a disproportionate number of Black motorists are ticketed for violations that only surface following a traffic stop; (2) Black people, charged with simple drug possession, are taken to police stations more often than Whites facing the same charge; and (3) once at the station, accused Blacks are held overnight for a bail hearing at twice the rate of Whites.

The publication of *The Star* series on race and policing has provoked what can be described as a ‘discursive event,’ or ‘discursive crisis.’ These terms have no singular point of origin. However, many scholars have used this framework to analyze the processes of racialization and criminalization and the constitution of power relationships in the context of public discourse (Hall, 1978; Hier and Greenberg, 2002). Fairclough and Wodak (1997) suggest that any discursive event can be seen as a piece of text, an instance of discursive practice, and a form of social practice.

¹ Racial Profiling can be defined as: “The phenomenon whereby certain criminal activity is attributed to an identified group in society on the basis of colour, resulting in the targeting of individual members of that group. In this context, race is illegitimately used as a proxy for the criminality or general criminal propensity of an entire racial group” (African-Canadian Legal Clinic, cited in R. v. Brown).

Hall, Critcher, Jefferson, Clarke, and Roberts (1978) believe that periods of crisis are constructive in terms of providing an opportunity to analyze *ad hoc* formulas that have served to reinforce existing systems of hierarchy; these are rendered unworkable, and new forces begin emerging that threaten traditional positions of power and their social hegemony. The discursive crisis, which has continued over a period of a year, exposes a set of conditions that have a profound impact upon the broader society, and more specifically, the state of minority/majority relations.

A ‘discursive event’ can be understood as an occurrence that, as it progresses, reveals structural and attitudinal contradictions within the very values and norms of societal institutions. While the dominant political, economic, and social structures, and the individuals who staff these structures and institutions, struggle to maintain the status quo, forces of opposition inevitably arise to challenge them. A discursive crisis can act as a catalyst that uncovers the deep conflict between dominant and largely conservative/static political, cultural, and social systems, and those who suffer from their disabling and marginalizing effects. As the process continues, forces of resistance emerge, demanding changes to the existing social order, and a series of jurisdictional, ideological, philosophical, and political polemics develop. The crisis may have a short duration. However, often, as is the case in the subject of this research paper (racial profiling), the situation has very deep roots and has persisted for decades.

The crisis that *The Toronto Star* series evoked takes the form of a highly charged and conflictual set of public discourses reflected in the everyday ‘text and talk’ of individuals, communities, organizations, and institutions. These discourses circulate within the discursive spaces of White mainstream dominant systems and in the marginalized spaces of marginalized

communities. A discursive ‘crisis,’ such as that which unfolded in Toronto over *The Star*’s series, provides us with an opportunity to understand the importance of “who uses language, how, and when” (van Dijk, 1997, p. 2), and to what purpose.

The authors of this paper contend that the roots of this crisis are embedded in a long legacy of deeply polarized relations between the police and the Black community (Jiwani, 2002)². One of the aims of this discussion paper is to critically analyze some of the dominant ideologies that form the foundation of many of the discourses on race, crime, and policing that have been disseminated by public authorities and the media in the weeks and months following the launching of the series of articles. We refer to these as elite or dominant discourses. We contend that these discourses have enormous power to misrepresent the core issues related to racism in policing and in the broader arenas of society, as well as the specific question of racial profiling.

In determining the framework for this study, it is important to note that our approach is focused on the contestation over racial profiling that has taken place in Toronto, and its impact upon Toronto’s Black population. This is not to suggest that the issue has not been important in other parts of the country. While the term ‘racial profiling’ is a relatively new construct, certainly the issues that flow from this phenomenon, that is, racial bias and discrimination by police, are found in many other parts of Canada. The most obvious example is the racial profiling of First Nations peoples, which is a pervasive Canadian reality, but is most apparent in cities like Winnipeg, Saskatoon, Edmonton, etc. In Vancouver, racial profiling has begun to enter public discourse as it relates, for example, to the Asian Canadian population, especially youth gangs. A

² We use the term ‘Black community’ for ease of communication, realizing full well that there are many segments and elements within this so-called ‘community.’

further example is the growing incidence of the racial profiling of those identified as being of Muslim or Arab backgrounds since 9/11. This discussion paper should be viewed as a case study that provides a critical analysis of the subject as it affects the Black community, but that has broad application to other marginalized peoples.

The first stage of the methodology involved a review of the literature on racialized discourse and discursive analysis, which provides the theoretical framework and a context for our approach to the subject of race, crime, and policing. The premises underlying this theoretical model have also been strongly influenced by a significant body of literature that focuses on the processes of the racialization of crime and the criminalization of Blacks and other minority populations (e.g. Cashmore and McLaughlin, 1991; Fiske, 2000; Hall et al., 1978; Jiwani, 2002; Wortley, 1996). It is important to emphasize here that the nexus between race, class, ethnicity, and gender in relation to the categorization and marginalization of people of colour is well established and indeed useful for studying the tensions between police and minorities. However, for the purposes of this study, the authors limited the focus to primarily Black males, who are the principal target of racial profiling in Toronto.

In the second stage of the research, we examined two hundred and fifty articles downloaded directly from Ontario on-line newspapers. The primary focus was on Toronto-area newspapers. We began with the assumption that the major thrust of the analysis would be on the discourses of public authorities (e.g. policing officials, politicians) and opposing discourses (articulated by those most directly impacted by racial profiling). However, our earlier research and the research of many other scholars pointed to the importance of incorporating into study an

examination of the discursive role of the media and their role in supporting and reinforcing the racialization and criminalizing of the Black community (see Entman and Rojecki, 2000; Fiske, 1994, 1999, 2000; Henry and Tator, 2002; van Dijk, 1988, 1991, 2000). Thus, in addition to *The Star* news features, columns, and editorials, which provided the framework for the discursive event, the discourses of columnists and feature writers from Toronto newspapers are also analyzed.

Critical Discourse Analysis (CDA) is used as tool to deconstruct the central narratives and linguistic and rhetorical strategies found in a selection of columns from the *National Post*, the *Toronto Sun*, and *The Globe and Mail*. Critical discourse analysis of language and text is an important tool for deconstructing the ideologies, meanings, and coded language that lies beneath the surfaces of ‘talk and text.’ This form of analysis sets out to show how the cognitive, social, historical, cultural, and political texts of language use and communication affect the content, meanings, and structures of text or discourse (van Dijk, 1991). Throughout the rest of the paper, a more macro form of analysis is employed to analyze three different forms of discourse that emerged around the contestation over racial profiling: (1) the dominant discourses of police officials and other public authorities; (2) the discourses of mediation; and (3) the discourses of resistance and opposition.

The analysis centres on identifying the discursive themes, narratives, and messages that frame these discourses. The quotes are drawn mainly from articles appearing in *The Toronto Star* over a period of several months, beginning on the day that they published the first article in their series and continuing until April 2003. Texts that were downloaded from transcripts posted on the Internet were also analyzed. For example, speeches made by public authorities, such as Craig

Bromell, President of the Toronto Police Association, and Julian Fantino, Chief of Toronto Police Services, are included. Oppositional discourses, especially the responses of the Black community, were found in editorials and columns in two of the Black community's newspapers, *Share* and *Caribbean Camera*.

Chapter Two: Racial Profiling – International Perspectives

Introduction

Racial profiling is a well-known phenomenon and is widely practiced in other countries, such as the United Kingdom, the United States, and Australia. There is abundant literature on the subject in these countries. In the UK, for example, it has been reported that Black people were eight times, and Asians three times, more likely to be stopped and searched by the police than White people, and they are over-represented in all stages of the criminal justice system (Metropolitan Police Authority, 2003). Black people are four times more likely to be arrested than White or other minority people. The issue is considered to be so important that the British government has established a new unit to examine the underlying reasons for these statistics and to develop a broad based program of action (Metropolitan Police Authority, 2003).

In Australia, police/minority relations, including stops and searches based on racial profiling, have also become an issue for public and state concern. For example, Chan reports that “police have wide discretionary powers to stop, question, search, and detain suspects...Thus, what some members of minority groups might describe as unfair targeting or harassment is well within the powers available to the police for order maintenance” (Chan, 1997, pp. 88-89).

Police Racial Profiling in the United States

Allegations of police racial profiling in the United States have been widespread (Harris, 2002). Currently, twenty states have enacted legislation that requires law enforcement officers to record racial data at all traffic stops; hundreds of local agencies have voluntarily adopted similar policies and training programs. In the state of New Jersey, for example, years of minority complaints of

Racial Profiling – International Perspectives

racial profiling have resulted in the creation of new legislation. State law has made racial profiling by public officials, including police officers, a crime punishable by up to five years of imprisonment and a \$15,000 fine (“Police in New Jersey,” 2003). In Seattle, despite considerable denial by police officials that racial profiling was taking place, the city created an Office of Professional Accountability to provide civilian oversight of the police complaint system. The city’s plan now includes the collection of racial data on all traffic stops, installing digital video cameras in all patrol cars, holding community meetings, and conducting studies in the city on race related issues. The analysis of data collected has become part of an expanded police anti-racist training program. In Dallas, Texas, due to public backlash at perceived police racial discrimination (Hoppe, 2000, cited in “Do Texas Police Racially Profile Blacks?,” 2000), state law now prevents the use of race or ethnicity as a basis for law enforcement action, including stops and arrests.

Social scientists have paid increasing attention to racial profiling. David Harris (2002) presents a comprehensive argument against the effectiveness of racial profiling as a method of law enforcement in the United States. He contends that informal racial profiling is a way of analyzing crime by which filtered experience and pre-existing stereotypes and assumptions get shaped into common-sense (‘street-sense’) beliefs and everyday policing practices. He demonstrates how these unexamined premises and unquestioned individual understandings often function as substitutes for careful analysis. Harris observes that racial profiling is a problem for every citizen, lawyer, and judge who believes in fairness and equal treatment. In his view, as minority populations continue to increase, the social and legal costs of racial profiling for minorities will

Racial Profiling – International Perspectives

result in even further alienation from the police and the law, distrust of the legal system, and fear of contact with the police.

The review of the literature identifies a number of other important premises in relation to the contestation over racial profiling. Perhaps the most significant is the fact that although some form of racial profiling against people of colour (including Blacks, First Nations peoples, Muslims, Arabs, and others) has existed in several countries including the UK, US, Australia, and Canada for decades or longer, it has only very recently emerged as an issue in the national White consciousness. Civil rights groups and minority communities have been in the forefront of demanding changes in legislation. For example, in the United States, organizations such as the American Civil Liberties Union and the National Association for the Advancement of Colored People (NAACP) launched campaigns to raise public consciousness, encourage new legislation, and to file suits against racially biased and discriminatory policing practices and policies. A second premise in the literature is the recognition that racial profiling by police is not an isolated phenomenon, but rather it is intrinsically linked to the systemic racialization processes that historically and currently continue to operate in the criminal justice system (that includes the administration of the law through the courts and correctional system). It is also argued that different manifestations of racial profiling are evident in systems of cultural production such as the print and electronic media as well as education. Racial profiling is also embedded in the policies and practices followed by politicians, bureaucrats, immigration authorities, and so on (Jiwani, 2002 and Visano, 2002).

Racial Profiling – International Perspectives

Related to the scholarship on racial profiling, research that focuses on the subject of the culture of policing was also explored. It is not the intent of this section to detail the overwhelming body of evidence that attests to the existence of racial profiling, but rather, in broad-brush strokes to identify some of the underlying forces operating invisibly within policing. What, for example, are some of the cultural traditions and rituals, values and norms that might support and reinforce racism in the everyday practices of police at all levels of the system?

The Culture of Policing

Shearing and Ericson (1991) start with the premise that police behaviour is guided by a set of shared myths, which include racial stereotypes. They also suggest that the Black community shares a similar set of beliefs and assumptions about the police, gathered through experience, anecdotes, and observation, and hardened into mythology through repetition. The following research findings shed further light on some of the more significant elements that shape the culture of policing.

Some of the findings of earlier Canadian research help to contextualize the culture of policing. In an audit of the Metropolitan Toronto Police Force, Andrews (1992) found that while police had done a reasonable job of ensuring that those recruited to the police do not display an overt racial bias, he observed that this changes after officers have spent time on duty. This means that officers, over time, develop strong beliefs regarding individuals' attributes based on physical features (i.e. appearance, racial background). He reported that these attitudes produce biases in behaviour that lead to unequal treatment of persons of different cultural/racial backgrounds.

Racial Profiling – International Perspectives

What is involved here is not so much the personal beliefs of individual police officers, but rather evidence of a strongly developed culture and value system within the organization. Moreover, it is a culture that produces, supports, and reinforces racial bias and discrimination. In the literature exploring police subculture theory, there is considerable evidence that to a significant extent, individuals learn values and beliefs and adopt norms as a result of their occupational experiences. Ungerleider (1992) studied two Canadian municipal police forces. Based on a sample of two hundred fifty-one officers, he examined the judgements that police officers made about others, and found that twenty-five percent expressed views that could be categorized as reflecting “confusion” and as being “irrationally negative” towards visible minorities. He called the existence of large numbers of Canadian police officers that make irrational judgements about others “disquieting.” What is evident here is not so much a symptom of individual negative attitudes towards others, but can be seen as evidence of a developed culture and value system within the organization. Within this model of socialization theory is the notion that the changes in the behaviour of police officers are related to their job experiences and interactions with fellow officers. Again, drawing from Andrews’ (1992) audit of the Metro Toronto Police Services, the review found there was strong proof that police who were regularly in contact with the public acquired deep-seated emotions and beliefs as to the attributes of individuals, based on factors such as appearance and racial background. Over time, they came to hold perceptions and views of particular groups that were consonant with the prevailing notions of the majority of the force. These views tended to be more conservative and authoritarian.

Racial Profiling – International Perspectives

The power and influence of organizational culture on the individuals who work within that culture is a well-documented reality. Waddington (1999, p. 290) argues that “the racism of police culture is embedded in routine practices such as joking, banter and shared pastimes like off duty drinking, that are not intrinsically racist, but which succeed in excluding ethnic minority officers and reinforcing stereotypes.” York (1994) identifies other elements in police culture, sometimes referred to as “canteen culture,” such as isolation, conservatism, machismo, a sense of mission, a siege mentality, and what is referred to as the “thin blue line” mindset, which distinguishes between ‘us’ and ‘them.’ It can be said that policing culture manifests the cultural pattern and orientation of closed institutions. York suggests that these closed social institutions had their origins in pre-modern social settings such as armies, religious orders, asylums, jails, and hospitals. A further characteristic of policing as a culture is police officers’ attempts to close themselves off from the broader community by deploying special behaviours, rituals, clothing, and semantic markers (specialized language and discourse) to maintain their separateness and their special sense of mission.

Another theoretical model from which to examine the culture of policing suggests that certain aspects of the environment may be unique to the work of police officers (Skolnick, 1994). Among the many roles that the police officer performs, two of the principle variables are danger and authority. It can be argued that these variables contribute to the isolation of the police from the citizens of the community. Another norm that is commonly associated with police culture is the requirement of officers to always be suspicious of their surroundings. Because their work requires them to be occupied continually with potential violence, police officers develop a

Racial Profiling – International Perspectives

shorthand technique to identify certain kinds of people as symbolic assailants, that is, persons who are non-white, or who use gestures and language that the police have come to associate as a prelude to violence (Skolnick, 1994, p. 44). We will take this construct of the symbolic assailant and relate it to the discourses of domination in the following section.

Another dimension of policing culture (probably linked to the element of danger involved with police work) is the high value placed on solidarity. Roberg, Novak, and Cordner (1993) observe that the police share a general feeling that the public does not support them. They often feel isolated and detached, and feel a need to maintain secrecy. The code of silence that is commonly attributed to police culture may lead police to be very protective toward each other. As Cashmore (2001, p. 264) observes:

It is imperative that colleagues, even those who are known to hold racist views, need to be trusted. You're going to need back up at some time and a delay of thirty seconds can mean the difference between life and death . . . Tolerating or even countenancing racism may be an expedient decision on behalf of ethnic minority officers who may feel their safety is compromised if they report a racist colleague.

Similarly, Holdaway (1996) emphasizes the role of the occupational culture in shaping the way in which police work is both seen and performed and in affecting the quality of relations between ethnic minority and White officers. Holdaway argues that while institutional racism is an important framework in analyzing racism in policing, it can act as a cover for the everyday racism that occurs, for example, between ethno-racial police officers and White police officers. Holdaway suggests that racism takes the form of a deliberate and occasionally coordinated attempt to 'test' ethno-racial colleagues. As one officer suggested, if you are acting towards Blacks in a

Racial Profiling – International Perspectives

racist way, you want to know if you can trust whoever is working alongside you (Holdaway, 1996).

Finally, Janet Chan's well-received book (1997) explores police-minority relations in New South Wales in the context of the failure of reform efforts and makes an important contribution to the literature on policing in a multiracial society. One of the key issues identified in her research is the link between the failure of police reform efforts to improve police-community relations and a flawed conception of police culture. Chan outlines a model that recognizes how police activity is influenced by both the structural conditions of police work and the cultural knowledge that guide police practices. Her analysis provides important insights on why certain initiatives fail to make a significant impact on racism in policing. In addition, her discussion of the media's role in generating support for police reform is relevant to the research findings of this report.

Having examined the previous body of literature about racism in police and racial profiling, we will now turn to the theoretical framework informing the present study.

Chapter Three: Theoretical Perspectives Informing the Study

Introduction

The theoretical framework of this paper is intended to help clarify some of the forces at play that have created such a huge chasm between dominant discourses and oppositional discourses surrounding the issues of racial profiling. These include: (1) the discursive response of the police and other public authorities to the findings of *The Star's* series on racial profiling; (2) the mediating discourses of individuals such as The Honourable Lincoln Alexander, former Lieutenant Governor of the Province of Ontario and former Chair of the Canadian Race Relations Foundation, and Keith Norton, Chair of the Ontario Human Rights Commission; and (3) the oppositional discourses emerging from the Black community and other constituencies. The analytical approach employed here is directed towards understanding the different ways in which the three discourses powerfully frame the deeper issues of persistent, systemic, and cultural racism.

The role of discourse in the social construction and preservation of existing systems of inequality and hegemony has become increasingly important in the study of racism. One of the central tenets of democratic liberalism is that every individual, group, and community is guaranteed the right to be full and equal participants in a democratic society. It is a mark of post-modern pluralistic and racially diverse societies all over the world that ethno-racial and First Nations peoples are engaging in acts of discursive resistance in defence of their right to name, challenge, and destabilize dominant discourses, representations, and practices that stigmatize and oppress them. The theoretical core of this paper is embedded in the broader notion that the discursive reproduction of racism by the White dominant elite reinforces the power of the

Theoretical Perspectives Informing the Study

dominant cultural, social, political, and economic institutions, and at the same time, legitimizes systems of inequality.

The discursive approach used in this study demonstrates how this crisis can be used as a vehicle to deconstruct the effects and consequences of the representations supporting the public discourses related to racial profiling. In other words, decoding the meanings that underlie the words, ideas, beliefs, and assumptions of the public authorities involved in this crisis, as well as the perspectives contained in the oppositional discourses, should tell us much about the nature of this contestation.

Racism and its Relationship to Discourse: The ‘New Racism’

There is a growing body of scholarship analyzing the links between ideology, language, and discourse, and discrimination and racism. These studies demonstrate the fact that the everyday discourses that operate in classrooms, courtrooms, print and electronic media, films and videos, Parliament, City Councils, corporate offices, and law enforcement agencies, among other systems, play an important role in producing and reinforcing racism in democratic liberal societies (Goldberg, 1993; Razack, 1998; van Dijk, 1993, 1997; Visano, 2002).

Racism is a deeply complex phenomenon. It is based on a shared system of beliefs that help to organize, maintain, and regulate particular forms of power and dominance. Racist ideology operates at a collective level, rather than simply as a function of individual racialized beliefs. It works at the level of cognition but it is acted out behaviourally through individual or systemic

Theoretical Perspectives Informing the Study

discrimination. Racist ideology provides the processes for excluding and marginalizing people of colour within Canadian society.

Racism as ideology and discourse includes a huge range of coded words, ideas, images, and practices, which taken together, allow individuals, groups, and institutions to socially construct a symbolic or imagined sense of community, a framework for interpreting who is ‘us’ and who is ‘them.’

However, racist ideology, as well as other forms of ideology, is largely invisible to most people because they are deeply embedded in their ‘commonsense,’ everyday lived experience (Essed, 1991; van Dijk, 1998). According to this view, racist thinking is a natural part of the way ‘ordinary’ people view the world. People need neither direct social contact nor specialized information about ethno-racial minority groups to form racialized beliefs. ‘Commonsense’ racism is not based on theory, nor does a unified body of knowledge support it. Instead, it incorporates a storehouse of myths, presumptions, and misinformation that guides the struggle of everyday living for White people, groups, and institutions (Lawrence, 1982). These forms of everyday racism are part of what has been called ‘the new racism,’ which includes aversive (Gaertner and Dovidio, 1986), symbolic (McConahay and Hough, 1976), and inferential racism (Hall, 1981). The ‘new racism’ manifests itself in subtle, insidious, and invisible ways that are different than the earlier, more overt expressions of racist behaviour. Yet, as this study demonstrates, its consequences for minorities are just as severe, serving to limit and constrain their life chances.

We have, in an earlier work, identified ‘democratic racism’ as a particular form of the new racism (Henry, Tator, Mattis, and Rees, 2000). This form constitutes both an ideology that

Theoretical Perspectives Informing the Study

emphasizes racism and a set of discursive practices that regulate behaviour in specific institutional settings. Democratic racism arises when racist beliefs and behaviours remain embedded in ‘democratic’ societies, despite the ideological foundation of democratic liberalism. Democratic racism is an ideology in which two conflicting sets of values are made congruent to each other. Commitments to democratic principles such as justice, fairness, and equity conflict with but also coexist with negative feelings about minority groups and discrimination against them (Goldberg, 1993; Henry and Tator, 2002; Henry et al., 2000). One of the consequences of this conflict is a lack of support for policies and practices that might address and alter the barriers to racial justice and equity. Efforts to combat racist practices such as racial profiling, which require intervention and a change in basic structures, will lack legitimacy and support.

In its ideological and discursive form, the ‘new’ racism, or democratic racism, is deeply embedded in popular culture and popular discourse. It is located within what has been called society’s “frame of reference” (Hebdige, 1993). These frames of reference are largely unconscious, unacknowledged beliefs, assumptions, and feelings that underlie, sustain, and inform perception, thoughts, and actions. Democratic racism as racist discourse pervades families, communities, schools, colleges, and universities, as well as the media that communicate ideas and images and the popular culture that entertains. Thus, people learn racist discourse at the very same sites where every other form of learning and socialization is provided.

Theoretical Perspectives Informing the Study

Chapter Four: The Dynamics of Discourse and Discursive Formations

The Dynamics of Discourse and Discursive Formations

Introduction – Foucault’s Notion of Discourse

Deriving from Foucault’s *Power/Knowledge* (1980), the notion of ‘discourse’ has become central to post-modernist perspectives on culture and society. Foucault is primarily interested in studying patterns of domination and organized rituals of power. His principal concern is not to discover truth (i.e. powerful knowledge), but to understand how truth is formed. Truth as an absolute may not, in fact, exist, but discourses about truth do. In Foucault’s view, statements about the social, political, or moral world are rarely simply true or false, and the language used to describe alleged facts often interferes with the process of categorically defining what is true or false: “The question of whether discourse is true or false is less important than whether it is effective in practice. When it is effective in organizing and regulating relations of power – it is called a ‘regime of truth’” (p. 131).

Foucault sees all knowledge, including historical knowledge, through the prism of discursive formations and techniques. Whether one is analyzing the media or policing, each system can be understood as a series of institutional spaces that mobilize and reproduce the discursive practices that constitute their own objects within their own specific fields of vision. Foucault theorizes a ‘regime of truth’ by which he means the ways in which a certain way of knowing social reality gains enough power to operate as though it were true, thus revealing a ‘truth-effect.’ Foucault has described the human social conditions of complex, pluralistic, industrialized western societies as ones in which the concept of a singular objective truth is disappearing (cited in Fiske, 2000). The notion of objective truth is being replaced with the notion

The Dynamics of Discourse and Discursive Formations

that there are multiple and situated forms of knowledge and truth that can only be understood in the context of social power. Fiske (2000, p. 55-56) cites an example of this situated form of truth:

The assumption by Whites that the Black man is a threat to law and order has truth-effects, or is, in other words, understood as a truth that can be found in everyday discourses in a wide range of institutional sites within society. These sites range from the imagination of individuals and their everyday conversations to institutional sites such as the courtroom, the jury room, and the prison, to sites within the policing system including the imagination and conversations of police officers. Other sites are the media (including the choice of stories deemed newsworthy, and the conventions of reporting and representation), the educational and political systems, and so on. The discursive regularity across dispersed sites is evidence that this way of knowing the Black man is part of the regime of truth.

The Nature of Elite or Dominant Discourse

A dominant discourse is distinguished by its power to interpret major social, political, and economic issues and events according to its own construction. Karim (1993) observes that the dominant discourse of elites serves as a medium for society's discussion of particular issues. From another perspective, Fiske (2000) contends that a particular event cannot be seen as contentious without first being 'constructed' in public discourse. However, the complexities of that discourse reflect the changing nature of structures of power, and are influenced by the constantly evolving and potentially contradictory combinations of assumptions and worldviews of dominant culture's elites.

Discourse thus carries social meanings that are usually politicized in the sense that they carry with them a concept of power that reflects the interests of the power elite. Opinion leaders, including chiefs of police, politicians, senior-level bureaucrats, lawyers and judges, editors, producers, broadcasters and journalists, advertisers, academics, and decision-makers in the private

The Dynamics of Discourse and Discursive Formations

sector, play a critical role in shaping issues and in identifying the boundaries of 'legitimate' discourse. Those who have power can marginalize their opponents by defining them as the 'other,' as 'social or cultural deviants,' 'illegal immigrants,' 'aliens,' 'radicals,' 'terrorists,' 'special interest groups,' or 'spokespeople who do not represent anyone but themselves.'

Social, cultural, economic, and political elites help define the boundaries of 'common sense' discourse by defining their preferred positions as 'self-evident' truths, and by dismissing other perspectives and positions as irrelevant, inappropriate, or without substance (Gandy, 1998; van Dijk, 1993). Oppositional discourses are often dismissed or silenced by the elite's control over the definition of what are credible issues and who are trustworthy and reliable individuals and groups. Thus, the ways in which elites are able to use discourse to frame social problems make it likely that people will understand inequality as the product of individual rather than structural weaknesses (Gandy, 1998). Wodak and Matouschek's (1993, p. 226) definition of elites identifies them in the following ways: "Elites... may be seen to comprise those who in one form or another dominate public discourse... Elites are those who initially formulate and evaluate the various issues regarding minority groups. By virtue of their ability to determine an initial set of public discursive parameters, these elites are thus able to formulate an ethnic consensus."

It has been argued (Herman and Chomsky, 1994; van Dijk, 1991) that elites have virtually exclusive access to, and control over, the mass media and other systems of cultural production. This premise suggests that in relation to the issues that really matter to minorities, the crucial decisions about inclusion and exclusion are made by the elites. It is therefore essentially the elites

The Dynamics of Discourse and Discursive Formations

who formulate many of the everyday ideological beliefs that have become widespread in racist societies.

The Construct of 'Whiteness'

The authority and influence of the White elite is intrinsically linked to the theory of 'Whiteness.' 'Whiteness' is a description, a marker, and a symbol. It incorporates experience and ideology, words and images. In a racialized society, 'Whiteness' pervades the reality of daily experience, and this construct is woven into the invisible fabric of the dominant culture. Dyer (1997) contends that White culture possesses the power to 'colonize' the definition of normal with respect to race, class, gender, heterosexuality, and nationality. For Frankenberg (1993, p. viii), 'Whiteness' "refers to a set of locations that are historically, politically, and culturally produced and moreover, are intrinsically linked to unfolding relations of domination." Gabriel (1998; 2000) identifies a number of elements that form the construction of 'Whiteness' through the systems of representation in the dominant culture (e.g. print and electronic media, advertising, education). These include: (1) the capacity of 'whiteness' not to be named; (2) the means by which phenomena which are the product of social and cultural processes come to appear as simply a force of nature (the way things ought to be); and (3) the ways in which White Anglo-European beliefs, values, traditions, and practices are assumed to be common to all people, a strategy used (often unconsciously) to defend and maintain White power and privilege.

The Dynamics of Discourse and Discursive Formations ***The Construct of Blackness and Racial Profiling***

The first point to emphasize in the contestation over the issue of racial profiling is that racial profiling is no less than a racist ideology put into practice. Racial profiling is a construct of racism, which means that its cognitive dimensions are located in collective patterns of thought, knowledge, and beliefs, as well as in individual attitudes, perceptions, and behaviours. These mental representations often operate invisibly beneath the radar that is usually employed to detect harmful attitudes, behaviours, and practices.

In terms of understanding how the concept of Blackness applies to racial profiling, we turn to several scholars. Stuart Hall and colleagues were among the first to address this issue in *Policing the Crisis* (1978), a study that documents the emergence of a particular 'moral panic' about youth and the mugging phenomenon of the 1970s in the UK. The press and the police wove together several elements including street crime, sexuality, unemployment, 'strange' religions and the foreign ways of primarily Caribbean youths to develop the image of the black mugger, which became a symbol of crime, urbanism, and other undesired social and political changes. The image of the Black mugger as responsible for crime and other social ills became a dominant discourse in the UK. During that era, increasing legislative and punitive measures were put into place to control this racialized crime. Media attention was riveted to the subject. The justification was that there had been a rise in violent crime. Police activity increased as a response, and a number of prominent figures intervened, including the Home Secretary and the Duke of Edinburgh. Substantial numbers of people supported the view that crime, and especially Black mugging,

The Dynamics of Discourse and Discursive Formations

needed to be controlled. The campaign took on racial undertones, so that mugging became synonymous with street crimes committed by black youths.

The notion of ‘police versus Blacks’ became the ‘paradigmatic relation’ to the mugging phenomenon (Hall et al., 1978, p. 51). It tapped a long history, and the media helped explore the social side rather than the legal social control side. The relationship between crime and the marginalization of the racialized ‘other’ became part of the dominant discourse.

More recently, other scholars, such as William Rose (2002), provide some persuasive insights into the question of why racial profiling against Black men takes place. In his work, Rose discusses what he calls the “risk society” or the “return of dangerous classes.” He notes that historically, the use of race and especially Blackness as a “proxy for criminal dangerousness” is deeply engrained in American history. “Black bodies have been supersaturated with meaning... The narrative attached to black men in particular, has been one of criminal danger” (p. 182). While Americans generally say they disapprove of racial profiling, the use of these profiles in policing has become endemic. Policing and other mechanisms of social control in modernizing or post-modern societies therefore must manage criminal activity through “preemptive targeting, containment and exclusion of risky population subgroups.” Thus, racial profiling or police stops and searches that are undertaken of Black drivers not because of traffic violations but because they are ‘Driving While Black’ has become endemic in these societies. Similarly, police searches of Black persons on street corners, in Black neighbourhoods, or in shopping malls, can be undertaken on suspicion of criminal activity even if there is no observable evidence of any violation of law.

The Dynamics of Discourse and Discursive Formations

John Fiske (2000) makes a similarly compelling argument that the social experiences of Black and White people living in American society are significantly different, that the difference is qualitative (that is, the Black experience is 'worse'), and that racially differentiated surveillance is one of its constituent factors. Blacks, and especially Black men must be watched because they demonstrate an ever-present danger to White society.

In the contemporary US city, the image of a Black man 'out of place' is immediately moved from information to knowledge, from the seen to the known. In these conditions being seen is, in itself, oppressive. To be seen to be Black or Brown in all but a few places in the US, is to be known, to be out of place, beyond the norm that someone else has set, and thus to be the subject of white power (Fiske, 2000, p. 60).

Visano (2002) incorporates a parallel framework for analysis in his examination of the processes of racialization and criminalization within the criminal justice system, and more specifically, in policing. He contends that qualitatively different policing of Black and White communities is a reflection of historical and colonial hegemonic systems of racism. Policing approaches that view Blacks as intrinsically criminal and a potential threat to law and order pave the way to increasing forms of racialized practices, including racial profiling. Visano (2002, p. 212) suggests that criminalization can be understood as a “staged process that manipulates sanctions by defining disturbances... as totalizing narratives of trouble that warrant closure, containment, and coercion.” One of the master narratives that the criminal justice system builds on is the construct of the criminal subject as the essentialized and inferior other. When layered with colour, class, and gender, the criminalized ‘other’ reflects a serious threat. The criminal justice system perpetuates pathology of deviance by problematizing race.

The Dynamics of Discourse and Discursive Formations

Before turning to the central issue of this paper, the discursive event created by *The Toronto Star*'s series on racial profiling, it is important to establish the nexus between the media and policing, and to identify how racial profiling takes place in the media.

Racism and Racial Profiling in the Media

The media, because of their position at the intersection of various social, cultural, political, and economic institutions, become powerful forums in which White elite voices compete to establish 'commonsense' dominant beliefs, perceptions, and views of the world. Dominant ideology and its discourse are most crucially reproduced with the help of the media. Many scholars argue that it is in the print and electronic media that everyday racism is given its broadest exposure (Entman and Rojecki, 2000; Hall, 1997; van Dijk, 2000). As is demonstrated below, the mass media plays a significant role in the representations of Whiteness in all of these guises, moving across a spectrum – from more overt forms of racist discourse to the more coded forms of language, which incorporate liberal values and ideals. It is the invisibility or naturalness of constructions and representations of Whiteness combined with the discursive strategies of race denial that pose particular challenges for the discursive analysis of racial profiling in much of public discourse, and particularly in media discourse.

Stuart Hall (1978; 1981; 1997) was one of the first scholars to establish the link between the media and the construction of minorities, and particularly the Black male, as a threat to the social order. He and many other scholars (Entman and Rojecki, 2000; Gandy, 1998; Morrison and Brodsky Lacour, 1997; van Dijk, 2000) have argued that media discourse is the main source of

The Dynamics of Discourse and Discursive Formations

people's knowledge and beliefs in relation to both other elites and ordinary citizens. While they do this in parallel production with other powerful authorities, such as politicians, senior bureaucrats, filmmakers, advertisers, and educators, media practitioners are believed to be among the most important influences in shaping White attitudes and perceptions regarding minorities. News reports, for example, provide the general outline of social, political, and cultural models of societal events. Media's everyday talk and text draw symbolic boundaries around who is to be included in the 'imagined' community and who is relegated to the position of outsider, the dangerous 'Other.' Media representations, social images, descriptions, narratives, and explanations help to frame our understanding of how the world is and why it works as it is said to work (Hall, 1997). Another important function of media discourse is to convey and express dominant group membership and in-group solidarity. Racialized discourse helps to identify and describe the nature of threatening out-groups (van Dijk, 1988). Media often create an event or a spectacle in which a national narrative is established and promoted. Within this story, symbols, signs, and meanings in coded language are provided to the reader.

As Morrison and Brodsky Lacour (1997, p. xxviii) argue, these are national stories or meta-narratives, in which a whole race of people is characterized as "needing correction, incarceration, censoring, silencing." Kellner (1995, p. 51) contends that "media spectacles demonstrate who has power and who is powerless, who is allowed to exercise force and violence and who is not. They dramatize and legitimate the power of the forces that be and show the powerless that they must stay in their place or be destroyed."

The Dynamics of Discourse and Discursive Formations

Drawing also on a significant body of Canadian research (see Fleras and Kunz, 2001; Henry and Tator, 2002; Hier and Greenberg, 2002; Mahtani, 2001), it can be argued that journalists and editors, program producers, directors, newsmakers, and advertisers contribute to the marginalization and racialization of people of colour and other minorities. Racial profiling in print and electronic media is manifested in everyday discursive practices, such as stereotypic portrayals of Blacks, Arabs, Muslims, and First Nations peoples, among other groups. The discourses of the Canadian mass media, whether consciously or unwittingly, present a view of the world that serves to stigmatize whole communities of people based on their ethnicity and/or skin colour. The choice of topics, images, narrative structures, and rhetorical strategies used by media practitioners contribute to a view that racial minorities, immigrants of colour, and First Nations Peoples represent a threat to ‘our’ social order, ‘our’ way of life, and ‘our’ cherished values and core principles. Studies of the media demonstrate that the media, in general, produce a negative view of people of colour. This is not a new phenomenon.

Mosher’s (1998) study of racism in Ontario’s criminal justice system reveals that media have had an instrumental role in racializing crime for more than a hundred years. Mosher found that the racialization of crime, so pervasive today, was also present in media coverage of an earlier period.

One important aspect of the media’s construction of racial profiling is that media stereotyping and misrepresentation cannot be explained by using the ‘a few bad apples’ theory (a discourse invoked by many authorities of the White dominant elite, particularly policing authorities), but rather is intrinsic to the everyday culture, practices, and operations of the industry.

The Dynamics of Discourse and Discursive Formations

These misrepresentations form part of the systemic processes of print and electronic media culture.

It is first evidenced in the choice of topics. News making and programming tend to focus on stories or topics dealing with guns, drugs, violence, problems related to immigration and immigrants, and deviant cultural norms, all of which are perceived to be leading to a breakdown of 'law and order' and the unravelling of the social order. It can be argued that these largely negative images and ideas do not persist because of the conscious malice of journalists, editors, or producers towards people of colour, but rather are the consequence of largely invisible institutional and everyday cultural practices that include codes of normative behaviour, and 'common sense' discourses that circulate between colleagues and are embedded in organizational rules, rituals, and rewards (Cottle, 2000; Fiske, 1994, 1999; Fleras and Kunz, 2001; Henry and Tator, 2002).

The research on the racialization of media representations of Black people demonstrates how often, and the diversity of ways in which Blacks are depicted as the undesirable and dangerous 'Other,' and one of the most pervasive and persuasive rhetorical strategies is the racialization of crime.³

³ See the case study on the racialization of crime in Benjamin, 2002; Chan and Mirchandani, 2002; Doran, 2002; Henry and Tator, 2002; Jiwani, 2002.

**Chapter Five: The Discourses Of Domination – Racialized
Discourse in the Media: The Voices of the Right-Wing Media**

Introduction

In this section of the discussion paper, the authors examine some of the dominant discourses of newspaper columnists in the *Toronto Sun*, *The Globe and Mail*, and the *National Post*, using case studies. Each newspaper took highly critical positions in regard not only to *The Star*'s series, but also to the broader issues arising out of racial profiling debate. Using Critical Discourse Analysis (CDA), several intriguing discourses are deconstructed. The writings of feature writers, such as Christie Blatchford, William Thorsell, Margaret Wentz, and Peter Worthington, are analyzed. One of the first columns to emerge in the debate was a critical discourse on the media itself, which criticized some journalists for erasing race as a descriptor in reportage on crime and criminal activities.

The Discourse of 'Talking About Race'

Case 1: Blatchford, C. (2002a, October 29). Sometimes Race is Simply a Fact. *National Post*, pp. A01 and A08.

This feature begins with a lengthy description of the slaying of several Black men in Toronto and includes evocative and highly emotional language such as “a veritable plethora of bereaved parents...four children left fatherless including a baby girl...brotherless siblings...” (para 1). The article then shifts to Police Chief Julian Fantino's press conference on the killings and notes that police spokespersons did not:

ever volunteer the enormous elephant awkwardly hulking in the corner of the room – that is, the single common denominator the police already had that linked all the victims and all but one of the suspects. It is, alas and alack, skin colour (para. 2-3).

The Discourse of Domination by White Elite Authorities

The use of the metaphoric image of the “enormous elephant” to describe race sends a confusing message to readers. Why would a biological construct such as race be described as an elephant? The message conveyed is that omitting the racial descriptor amounts to a huge issue and the notion of largeness is reinforced by the adverbial phrase “awkwardly hulking,” which further promotes the image of size. It also suggests that the extent of the problem has created an unwieldy, uncomfortable situation.

This is what happens to honest discussion when the unwelcome and unacknowledged presence at the party is the touchy issue of race . . . (para. 6).

Here the columnist makes assumptions and alleges that the discussion was therefore dishonest because the police did not immediately reveal that the victims and most suspects were Black. The writer attempts to use irony by referring to the conference as a “party,” but the effect is to trivialize and mock the issue. Race itself is also described as “touchy,” presumably meaning that it is a sensitive topic, but sensitive or touchy to whom?

Blatchford refers to *The Toronto Star*'s series and the Police Chief's immediate responses of denial but then reverts to the press conference where “The Chief's remarks yesterday were so cautious as to be absurd” (para. 9), which is followed by a summary of the Chief's answers: “violence is the responsibility of everyone. It doesn't matter what colour one is . . .,” and ends with the columnist saying “socio-economic - yadda-yadda-yadda - he might just as well have said it is time for finger-painting” (para. 11).

The use of trivialization, mockery, and ridicule is obvious in these statements. The Chief's explanatory attempts are derided as “yadda-yadda-yadda” and the whole exercise of the press conference is minimized to a child's pastime of finger painting. The lengthy article finally

The Discourse of Domination by White Elite Authorities

concludes with the well-known journalistic strategy of mitigation: "It should go without saying that the vast majority of black Torontonians have nothing to do with guns . . ." (para. 23). But Ms. Blatchford does not leave the reader with this sentiment because her final paragraph addresses the defence of, and need for, racial profiling:

It should also go without saying that parents of all races would far, far rather have their sons stopped by police officers trying to find the people responsible... and momentarily angered or even humiliated... than have officers waste precious time pulling over with equal alacrity tiny Asian women or white middle-aged ones like me or black grandpas with beards. Racial profiling isn't all bad, the Star notwithstanding... (para. 24-25).

The paragraph begins with a major and untested assumption ("parents of all races"), for which the columnist provides no evidence of any kind. The next major assumption is that when Black men are pulled over, all they suffer is momentary anger or even humiliation. Here is a good example of the 'White gaze;' that is, the white columnist perceives, understands, and interprets a situation framed by her own social positioning. The columnist makes an assertion as though it was a proven fact! Moreover, she displays a considerable degree of ignorance about police stops in the phrase "equal alacrity," because it is rather doubtful that an officer would pull over with "equal alacrity" a tiny Asian women when he is looking for a Black male suspect. The last sentence returns to her technique of mockery, trivialization, and minimalization in the reference to the Asian woman and bearded black grandpas. The strategy of personalization is also used when she includes herself.

The Discourse of Domination by White Elite Authorities
Case 2: Blatchford, C. (2002c, November 20). Media Turning Blind Eye to Race: Some Outlets Loath to Tell Public Suspects in Beating had Black Skin. *National Post*, pp. A01 and A10.

In another piece some weeks later, Ms. Blatchford returns to the same subject. She fronts her piece by quoting a police officer who says: “It was one of the most brutal assaults Toronto Police Detective-Sergeant Dave Perry has ever encountered” (para. 1). Since the main point of her article is that the media should disclose race, the opening line sends out a very clear but largely irrelevant message since the brutality of the crime is not her central theme. Yet, she takes the opening sentence of the article to deliver a subtly encoded message that Black people committed this very brutal assault – Black people commit despicable crimes!

Following this opening, she goes on to the central point, contending that some media are deliberately not reporting the race of a perpetrator in a particularly loathsome attack and rape of a woman by three men. She criticizes *The Star* and radio station CFRB 1010, among others, for not reporting that the men were Black, despite the fact that the police had already released this information. She writes:

Yet for Torontonians yesterday morning, their knowledge of whom and what to look for depended entirely upon which local newspaper [neither the *National Post* nor *The Globe and Mail* covered the story in the first instance] they read and which local radio station they dialed up (para. 8).

The assumption is made that readers and listeners would be on the street looking for suspects as though this were an important occurrence in the lives of ordinary people. She assumes that members of the public would be deprived of important facts, which they clearly need to know. She singles out *The Toronto Star*, and using highly emotive and hyperbolic language (e.g. “dread spectre”), notes that the paper:

The Discourse of Domination by White Elite Authorities

which recently raised the dread spectre of race-profiling on the Toronto force with a lengthy and prominently displayed series based on the paper's own analysis of arrest statistics, arguably did a little race-profiling of its own, albeit on the excising side of the equation (para. 9).

Adjectives such as “lengthy” and adverbs such as “prominently displayed” are used to suggest that *The Star* really focused on this issue. The writer then twists the point around by saying that *The Star* also did race profiling on this story by not mentioning, thus “excising,” the racial factor. What this line of argumentation suggests is that omitting race as a descriptor is as much racial profiling as mentioning it is. This is a linguistic strategy of argumentation by reverse where the meaning is exactly the opposite of what is being said.

Mr. Hall said, ‘In a lot of cases, [race is] not relevant’, but allowed that, ‘In this case, I don’t know’ (para. 15).

Here, Blatchford quotes and subtly criticizes *The Star*'s deputy managing editor who makes the case that race is not relevant unless there is a complete description. However, in using the phrase “but allowed that,” Blatchford suggests that Hall is not sure of where either he or his paper stand on the issue. His integrity and that of the paper is subtly challenged. The news supervisor at CFRB 1010 is also quoted as saying his station follows *The Star*'s guidelines.

The writer then defines race profiling using an American definition, and makes her final argument.

I would argue that the information they released about race—here in particular but in all cases—is essentially both as valuable, and as neutral, as the mention of gender. Furthermore, if the police are deemed reliable enough to use the great bulk of the information they release about a case, why do they become unreliable only with regards to race? (para. 24).

Following this argument, race is equated with gender and any other facts relevant to a case, which are all described as not only “valuable” but also “neutral.” Noticing and taking account of

The Discourse of Domination by White Elite Authorities

biological race or ‘difference’ often leads to the inequality that proceeds from racism and discrimination. Surely then, ‘race’ as such is not a neutral descriptor. Moreover, many studies have shown that people of one race have difficulty in describing or assessing people of other races. When ‘race’ is noted as Black, the range of skin colour variation is enormous and such descriptors add little to the facts of a case. The subtle nature of human behaviour and human difference are lost to the commentator.

To my knowledge, no one argues seriously that the use of skin colour in these descriptions—invariably obtained from the victims of crime or the witnesses to them—is gratuitous, irrelevant or malevolent. Do newspapers and radio stations know better? Will they soon be conducting their own investigations of crime? (para. 25).

In her final argument, Blatchford makes the point that the use of skin colour is necessary, and is not taken lightly or with malicious intent. She then trivializes the entire issue by asking rhetorically if the media know better and will they soon be investigating crime?

Case 3: Thorsell, W. (2002, November 18). When We Fear to Speak our Minds on Black and White. *The Globe and Mail*, p. A19.

The past editor and now guest columnist of *The Globe and Mail* also takes issue with the fact that race as a descriptor can no longer be mentioned. His article begins with a description of an advertisement for a private housing estate in Southern California in which a White model is featured along with the disclaimer that she does not “reflect racial preference” (para. 1). Thorsell editorializes on this image by criticizing the disclaimer, which he says is “proof of the problem” (para. 3), and concluding “what an awful place to live” (para. 2). His piece then moves to the Canadian scene, which is praised for its multiculturalism not only with respect to “delightful”

The Discourse of Domination by White Elite Authorities

(para. 5) variations in taste, dress, and ritual but also the “sensibilities” (para. 6) of its communities.

We often express admiration for the particular strengths of certain communities, evident in the success of their children in universities or their eminence in certain economic fields...on these grounds of observation, we are usually safe from charges of racism (para. 6).

Although on the surface, this sentiment sounds quite positive and supportive of these ‘certain’ communities, it nevertheless contains a coded message as to exactly which communities he is referring to. Clearly the reference is to Asian, and specifically Chinese, people, whose success in academic and economic terms is the basis of much stereotypical thinking about Chinese Canadians. (A fleeting reference to “construction” in his piece may also refer to the earlier success of the Italian community in this sector).

Moving carefully and subtly to his main point, Thorsell momentarily digresses to refer to a magazine cover published in the 1980s that showed the “typical contents of a refrigerator in Toronto’s Waspy Rosedale...Cheez Whiz, white bread...caught the brittle nerdishness of the Haute Wasps perfectly” (para. 8). He describes this media piece as “public racial profiling” (para. 9) which was permitted then, “but probably wouldn’t be allowed today, given how intimidated we have become about discussing the darker [!] sides of any distinctive culture” (para. 9).

In the first instance, describing the magazine cover which focused on the “rich and powerful” as racial profiling is inaccurate, misleading, and shows a total lack of understanding about the nature and dynamics of racism. The suggestion that racism, or the specific form employed by policing organizations now called racial profiling, is an issue that also relates to the concerns of the rich and powerful completely misses the point that racism is almost always

The Discourse of Domination by White Elite Authorities

directed at the powerless, and often the poor, in society. Moreover, one must question the use of the adjective “darker” in this context because he is clearly referring to the Black community and some of the criminal activity that is alleged to be taking place within certain elements of it. “Darkness” here plays out on two levels because it implies not only the subject of his discourse—Black people—but is also used to describe their alleged deviant murderous behaviour.

In the next paragraph, the writer introduces the discourse of the racialization of crime, and more specifically the ‘Jamaicanization’ of crime, by drawing attention to a series of articles published by *The Globe and Mail* some twelve years ago on “well-recognized problems in the country” (para. 10). He asks rhetorically whether it’s not logical to assume that immigrants would “bring some of their problems with them...” Acknowledging that the series “generated outrage in many quarters”⁴ (para. 11), he notes that it also brought relief that such matters might now be spoken of freely. Unfortunately, the writer laments, “that effect didn’t last very long” (para. 11). The evidence for this assertion comes from a provocative ‘leap of logic’ in which *The Toronto Star*’s series “alleging racial profiling” appeared a few days before an outbreak of “black on black” youth murders, thereby “utterly confusing the issues for a week before more balanced views dared speak their names...” (para. 12).

In the first instance, the writer casts aspersions on a rival newspaper’s integrity and professionalism by the use of the word “alleging.” Even casual perusal of *The Star*’s series demonstrates that the issue of racial profiling was not “alleged” but, on the contrary, empirically

⁴ Included in the authors’ book (Henry, F., Tator, C., Mattis, W., and Rees, T. (2000). *The Colour of Democracy: Racism in Canadian society*. Toronto: Harcourt Brace).

The Discourse of Domination by White Elite Authorities

demonstrated and validated by experts in the fields of statistical analysis and methodology. The use of the insidious ‘black on black’ terminology to describe these murders is a clear example of the pronoun use of ‘we’ and ‘they’ or ‘us’ and ‘them’ since journalists and other commentators do not normally describe ‘white on white’ criminal behaviour. Thus, the distancing, othering, and marginalization of Black people, and specifically Jamaicans, is established. Moreover, Thorsell believes that these two events were “utterly confusing,” but confusing to whom? It is extremely doubtful that either members of the community being castigated and marginalized or critically thinking persons were confused by the conjunction of these two events.

The writer ends his piece by reiterating his main point that “troubling and dangerous” differences within communities need “illumination and public discussion” (para. 13). Returning to his opening lines, he reverts back to the American advertisement disclaiming racism, as though what happens in the US must inevitably affect or determine what unfolds in this country.

On a related subject, he comments that identifying a community in trouble (this time mentioning specifically the Innu in Labrador) is not evidence of racism, and ends on a note of facetiousness, asking “have you been called a racist recently? Just say no” (para. 14). The dismissive ending of the article appears to suggest that the issues are really not that important – a “no” is all that is required.

Discussion

Both Blatchford and Thorsell tackle the issue of supposed political correctness although neither uses that term. They challenge the sensitivity that has arisen in some sectors of our society about the irrelevance of using racial descriptors. In the ensuing days and weeks, the discourse around racial profiling and Black violence shifts dramatically from the findings and implications of *The Toronto Star*'s series to the subtler and more intrusive discourses of (1) 'blame the victim' (in this case the Black, and more specifically, Jamaican community, who must take responsibility); (2) the racialization, or more specifically, the 'Jamaicanization of crime;' and (3) the general issue of what the media and others call 'black on black crime.'

The Discourse of Jamaicanization

Case 1: Worthington, P. (2002, October 31). Profiling Essential to Fighting Crime. *Toronto Sun*, p. 36.

Peter Worthington was one of the first columnists to feature this issue. He fronts the article by suggesting that while we all wait for the arrest of those who shot and killed "black guys... let's look at the details" (para. 1). The columnist wonders whether these victims are "average black youths that *The Toronto Star* thinks are being unfairly profiled by police" and gives the response "dunno" (para. 3). As each subsequent question is raised, the same "dunno" answers it. For example:

How typical was...better known as Peanuts, shot dead at age 21, the father of a two year old, a six week old and a three week old? Three different mothers of his children? Again, 'dunno'. Peanuts's half brother (different father?) was wounded in the leg for no reason says his mother, describing Peanuts as always smiling. He cared for people, had dreams of big things in life...Smokey was gunned down. Smokey was unemployed...[and] leaves a three

The Discourse of Domination by White Elite Authorities

month old daughter...Two excellent boys according to their father were shot...Kevin leaves three children... (para. 4, 7).

Several techniques are at work here, but the primary one is to call attention to one of the main points he wants to communicate – the negative aspects of Jamaican culture. By the constant and completely irrelevant insertion of the numbers of children these young men have left behind, Worthington is telling the reader that these young men are not straightforward citizens minding their own business and getting shot. They are, in fact, unemployed gang members. (Gangs and their importance in the Jamaican community are referred to later in the article.) This is argumentation by reverse, or saying one thing and conveying an entirely different meaning. He maintains that colour is not the issue here or in most black on black crimes. Culture is the issue – that is, Jamaican culture. This point is further stressed when he singles out other communities of colour and says that:

it is grotesquely unfair for people from Nigeria, Ghana, South Africa, Trinidad, Barbados, etc. to be stopped by police because Jamaicans give them and other blacks a bad name. Who can blame non-Jamaicans for feeling resentful? (para. 12).

In fact, no evidence is provided that “other blacks” feel resentful. Worthington concludes his article by making a strong argument for the necessity of racial profiling. He wonders “if it is profiling to keep a record of which part of society criminals come from” (para. 11) and concludes that profiling is necessary to fight crime and “is normal in daily life” (para. 17).

Case 2: Wentz, M. (2002, October 29). Death, Guns and the Last Taboo. *The Globe and Mail*, p. A19.

In this piece, columnist Margaret Wentz touches on the silence on race talk as one discourse as well as the Jamaicanization of crime. In the first instance, describing the murder of several Black

The Discourse of Domination by White Elite Authorities

youths on what she calls “bloody Monday” (para. 18), and the police press conference held on the most recent of the murders, Wenthe calls attention to the fact that Chief Fantino did not describe the race of the victims nor the suspects. While Fantino did not answer the question, Wenthe does:

The answer is that all nine victims were black. All but one of the suspects is black too. What hung unmentioned in the air is something everyone knows so well it scarcely bears repeating. Violent black on black crime is a serious problem in Toronto... (para. 7).

She notes that the subject “hung unmentioned,” but everyone knows it well but refuses to talk about it. Using her freedom as a journalist, Wenthe assertively describes the racial background of the dead. Acknowledging that our society, including black leaders, are conflicted about the keeping of race statistics on crime, she briefly cites *The Toronto Star’s* findings on police profiling, but her main thesis in this articles is on black on black crime. Again citing *The Star*, she states that the facts “about black crime in Toronto are rather grim” (para. 13) and that Jamaicans are disproportionately represented.

From this line of argumentation, she concludes that “racial profiling has a context.” Using a strategy of ‘mitigation’ she also notes “that does not excuse it...or make it right...But it has a context” (para. 15). The message here is that racial profiling may be wrong but it is not done without provocation. It becomes a necessary police strategy because 9.5% of charges laid for violent crimes are supposedly committed by only 2.4% of Toronto’s population (Jamaican born).

What is not mentioned in these arguments is that non-Jamaicans, that is, White Canadians, and a small percentage of members of other ethnic communities, presumably commit 91.5% of charges laid for violent crimes. White on White crime is therefore not a sufficient provocation for

The Discourse of Domination by White Elite Authorities

allegations of racial profiling, but Black on Black, and more specifically ‘Jamaican on Jamaican,’ is.

Case 3: Blatchford, C. (2002b, November 1). Activist Blames Police for Violence. *National Post*, pp. A01 and A06.

Go figure: Young Black men are literally dying many nights on Toronto’s mean streets, more often than not the victims of other young black men toting guns, but the issue that most concerns the local black leadership—the issue cast as a crisis—is police racial profiling (para. 1).

The above quote begins this particular article by Ms. Blatchford. Here is a situation that she, as a White, empowered Canadian journalist, cannot understand. Viewing the event through the ‘White gaze,’ she cannot see that the external issue of police racial profiling that results in the stop, arrests, and charges laid of thousands of black men and women, often for no reason other than DWB (‘Driving While Black’), can create a crisis for the Black community who sees itself threatened, frightened, and manipulated by authoritative police officers. Other members of the media who were at the press conference also questioned the black on black issue, but were dismissed according to Blatchford: “We’re not here to talk about black on black violence, Ms. Parsons snapped” (para. 7).

Here lexical choice as a linguistic strategy is exercised since the answer could have been described as “replied,” “answered,” or any number of terms other than “snapped,” which implies a belligerent, aggressive stance.

In another attempt at embarrassing or belittling the journalistic endeavours of a competitor, the article recalls Chief Fantino’s earlier attempt to collect and publicize race statistics on crime

The Discourse of Domination by White Elite Authorities

reported to a race relations group attended by a reporter from *The Toronto Star*. Recalling *The Star*'s response to this attempt, Blatchford writes:

no matter who is in the room, the Star smarmed, race-based crime statistics are a bad idea. Fast forward to Oct. 19 when the same newspaper presented its own analysis...in the guise of public-service journalism (para. 14-15).

Again, Ms. Blatchford uses highly charged hyperbolic language in the choice of the word "smarmed." She also uses the technique of implicitness when she says *The Star* conducted its series in the "guise" of public service, thereby implicitly challenging its motives.

Continuing her criticism of the Black leaders at the press conference, she notes that "the reasonable person" would agree that there is a relationship "of some sort" (para. 18) between young Black men being stopped by the police and young Black men committing violent crimes. The Black leaders who choose to criticize the police are therefore not "reasonable people" because for Ms. Blatchford, the crisis revolves around those already dead as opposed to those who "feel victimized" (para. 19). Seeing the issues through the White gaze clearly leads her to a lack of sensitivity for, and understanding of, what victimization means to those who suffer from it.

Case 4: Godfrey, T. (2002, November 24). Jamaica's Bloodbath May Spread to T.O. Cops Say. *Toronto Sun*, p. 3.

As its title suggests, this article plants a fearful notion in the minds of readers. Using evocative nouns like "bloodbath" creates an immediate sense of tension and apprehension. The very first line supports this notion by fronting the bloody gang turf war that will soon be "felt on the streets of Toronto" (para. 1). The sentiment is strengthened by the fact that the writer is apparently quoting a Jamaican official.

The Discourse of Domination by White Elite Authorities
Case 5: Cheney, P. (2002, November 2). Blacks Dance to Deadly Beat in Toronto's Clubs. *The Globe and Mail*, p. A01 and A11.

Cheney's article attempts to describe the club life in various parts of Toronto that caters to a primarily Black clientele and around which many of the murders of young Black men have taken place. A few paragraphs into this lengthy piece, Cheney acknowledges the opinion of Black leaders who claim that the killings are largely due to the disadvantage and prejudice of young Black men who are also victims of a police force that usually fails to protect them. From then on, however, the article moves straightforwardly to cite and quote people who are of the view that the crimes are the result of a dysfunctional community. The 'blame the victim' discourse is very evident. For example, one of the club owners⁵ is quoted as saying that it has nothing to do with dysfunction, but "If people knew what was going on they'd be amazed, it's like there's a war going on" (para. 8).

Again hyperbole and the lexical choice of words, although not those of the journalist, but nevertheless cited by him, are forceful. The tensions or conflicts between victims are described as "war."

After describing some of the murders and the clubs, the article notes that clients come from neighbourhoods that share "dismal demographics" (para. 16), characterized by unemployment, high poverty, and broken homes. Alleging that "society has stayed clear of any discussion of whether race plays a role" (para. 17), Cheney cites the statistics from *The Star's* series to show how Blacks, and specifically Jamaicans, are over-represented. The other set of statistics on police profiling are, however, not presented.

⁵ While his ethnicity is not revealed, his surname suggests a Middle Eastern origin.

The Discourse of Domination by White Elite Authorities

Continuing the discourse of blame the victim and Jamaicanization, and using the familiar journalistic strategy of evidentiality, Cheney quotes a “well-known” White criminal lawyer who has often defended Black clients, as his source of information.

What we’re seeing here is not black crime...it’s Jamaican crime. The guys committing all these shootings aren’t Somalis. They’re not Kenyans. They’re Jamaican. The Jamaican-Canadian community has to start taking responsibility for its young men (para. 20).

In drawing upon these other origins, both the source, as well as the journalist, are presenting themselves as unprejudiced because they are not criticizing all the groups that make up the Black community, but only one section of it.

Cheney makes sure that he uses other sources of evidence by citing Dudley Laws, chair of the Black Action Defence Committee, who is the next expert cited. Laws acknowledges that there is a problem, and he attributes the killings to an “overabundance of guns and drugs and a lack of employment... the music culture is awful now” (para. 26-27). But the article quickly reverts to the lawyer who is quoted as saying “this is a violent culture... Canada has inherited Jamaica’s crime problem” (para. 29). The next expert source to be quoted is a York University professor who very knowledgeably discusses the cultural values and behaviour of African Americans associated with black on black crime, which he says, “has hit epidemic levels in large US cities...” (para. 32). The source of the information is American based and there is no attempt to link his analysis to the situation in Canada, which primarily involves relatively recent immigrants rather than established American traditions. Cheney’s article concludes with another quote from the club owner who is worried about his business, saying “people see our name in the news, and they’re afraid...they think they’re going to get shot” (para. 38).

The Discourse of Domination by White Elite Authorities
Case 6: Makin, K. (2002, October 28). How Colour-blind is Justice? *The Globe and Mail*, p. B14.

This article focuses on a case regarding a Black athlete who was charged by police and whose defence claimed that racial profiling was the reason he was stopped. It discusses *The Star's* series and also makes mention of the report of the Commission on Systemic Racism in the Ontario Criminal Justice System (1995). One of its authors, Judge David Cole, is cited and quoted at length: "This is not about intentions, it is about outcomes...The police go where they believe they will find crime" (para. 11). This is also the view of sociologist Scot Wortley (see Wortley, 1996) and his research on Black youth. The article also discusses the trial Judge Fairgrieve's rejection of the defence argument and its overturn by Appeal Judge Trafford. It is a straightforward piece of journalism that raises important questions. However, once again, it does serve to reinforce the media discourse on the racialization of crime by Blacks and specifically Jamaicans. In fact, the article is fronted by this theme. In his first sentence, Makin says that early in his career in 1982, he was given some "helpful" advice from a friendly colleague about the reality of courtrooms:

You'll notice that most of the people you see lined up outside courtrooms are Black...you're not imagining things. They are Jamaican. Trust me, you won't be liberal by the time you leave this place (para. 2).

The fronted idea therefore reinforces for the reader the notion not only that Blacks are criminals but more specifically that they come from Jamaica.

Summary of Media Topics and Themes

Throughout these articles are a number of recurring topics and themes including conflict, tensions, violence-prone behaviour, shootings, killings, guns, weaponry, and drugs, as well as social

The Discourse of Domination by White Elite Authorities

problems such as poverty, unemployment, and sub-standard housing. Jamaica and Jamaican Canadians are strongly implicated in all of these activities. Although it may appear at a cursory reading that the journalists cited here are attempting to be explanatory and analytic, the articles use strong evocative, hyperbolic, and stereotypic language. It leaves the reader with a strongly negative image of the Black community living in Canada as well as Jamaican culture. The central narrative strategy is based on essentialization and racialization of Black people. The discourses of these columnists draw upon the rhetorical strategies of denigration and inferiorization. Implicit in their arguments is the notion that the essence of being Black incorporates deviant values and norms.

Throughout these media discourses focusing on the Jamaicanization of crime, virtually nothing positive is discussed in the representation of the country. There is no reference to Jamaica's cultural vibrancy in art, music, literature, and cuisine. There is no mention of the reality of strong communities and loving intergenerational relationships that still forms a vital part of life in Jamaica. The fact that it is a relatively stable democratic country following the traditions of Westminster parliamentary government is largely ignored. Here we have an example of the one-sidedness of media reportage in that the emphasis is entirely on the supposedly newsworthy, sensationalist, and negative aspects of Jamaica, while the more affirming, noteworthy, and respectable aspects of this society are omitted and ignored. Equally important is the fact that many of the Black youth they are racializing are likely to have been born in Canada! These same processes of racialization and criminalization of Jamaican Canadians as well as other African Canadians are reflected in the mediated discourses of public authorities in the section that follows.

The Discourse of Domination by White Elite Authorities

**Chapter Six: The Discourse of Domination by White Elite
Authorities**

Introduction

The paper now turns to an analysis of the primary focus of the study – the rhetorical strategies and narrative themes used primarily by policing officials and other public authorities in their response to *The Toronto Star* series on race, crime, and policing. In analyzing the major discourses employed by public officials, a number of meta-narratives that frame their responses were identified. We begin with the most pervasive and powerful discourses, the ‘discourse of denial.’

The Discourse of Denial: We are not racist; we do not engage in racial profiling

In a democratic and liberal society where racism is seen as the aberrant belief and behaviour of isolated and dysfunctional extremists, denials of racism are pervasive in public discourse, including the discourse of journalists, editors, broadcasters, and news directors (see Henry and Tator, 2002). These denials are often articulated in the context of doubt about acts of discrimination. Denial is usually followed by the claim made by those who profess to be liberal that people of colour and other minority groups are hypersensitive about prejudice and discrimination and often see bias where there is none. The assumption here is that because Canada is a society that upholds the values and ideals of a liberal democracy, it cannot be racist, nor are the major institutions racist and certainly not the media, which plays a central role in preserving democratic principles. Central to this discourse is the need for positive self-presentation (‘I am not a racist;’ ‘This is not a racist organization;’ ‘This is not a racist society’). These denials are, of course, based on a very limited understanding of how racism is manifested in contemporary

The Discourse of Domination by White Elite Authorities

society. For the most part, racism is still understood by most people in its overt and ‘redneck’ expressions of racial hatred. Racists are those who use strongly pejorative words and labels, physically attack people of colour and their property, or are aligned with extremist political movements. The denial of racism is part of a defensive strategy that actually enhances in-group preservation through positive self-representation (van Dijk, 1991). Racism and racist discourses in everyday and institutional life of a more sophisticated, elusive, and linguistically ‘coded’ type are poorly understood. Yet, these forms of racism are the most pervasive in a society such as ours. The discourse of denial of racism becomes so routine at the individual, collective, and institutional levels of society that making the charge of racism and raising the possibility of its influence on social outcomes becomes a serious contravention of mainstream values and norms. Ironically, from this perspective, it can be regarded as a more serious infraction than displaying overtly racist attitudes and behaviours.

In the present event, the discourse of denial was most evident in the reaction of those most closely affiliated with policing structures. It was, in fact, the hasty, angry, ‘knee jerk’ reaction of Police Chief Julian Fantino, whose comments are constantly contextualized in the rhetoric of denial. Over a period of almost a year, Fantino almost never moves from this position. In responding to the initial article appearing in the launching of *The Toronto Star* series, he is quoted in that paper as saying:

We do not do racial profiling. We do not deal with people on the basis of their ethnicity, their race or any other factor. We’re not perfect people but you’re barking up the wrong tree. There’s no racism... it seems that, according to some people, no matter what honest efforts people make, there are always those who are intent on causing trouble. Obviously this [story] is going to do exactly that... (“There is no Racism,” 2002, para. 1, 4-5).

The Discourse of Domination by White Elite Authorities

A few days later, the President of the Ontario Association of Chiefs of Police, Tom Kaye, firmly supports Fantino's position. He is quoted as saying:

We don't see this as being a widespread issue across the province . . . It's certainly not something that we're that concerned about because we don't believe it exists . . . It's our position that [racial profiling] doesn't exist. We're not doing that (Perkel, 2002, para. 2-3 and 8).

The Toronto Police Association not only supported Chief Fantino's discourse of denial, but also went several steps further. Craig Bromell, its President, is quoted as saying:

No racial profiling has ever been conducted by the Toronto Police Service and we question the Toronto Star's interpretation of its statistical information . . . (Porter, 2002, para. 2).

Bromell not only questioned the methodology and statistical analysis undertaken by the newspaper, but also asked that citizens boycott the paper by cancelling their subscriptions.

The Toronto Police Services Board, the regulatory agency that supervises the police, was the next police related agency to use the discourse of denial. Its chairperson, Norm Gardner, described the newspaper's findings as

reckless... some of the people involved, who are trying to keep on bringing this stuff up... they make a living out of social unrest ("Analysis Raises Board Hackles," 2002, para. 15-16).

Gardner is also cited as saying that he is confident the police don't use racial profiling, and the Board's vice-chair, Gloria Luby, agreed with Gardner, adding that statistics can be used to prove anything and that "police discrimination has not been an issue" ("Analysis Raises Board Hackles," 2002, para. 17).

As the discourse moves to the political level, the Mayor of the city of Toronto, Mel Lastman, continues the discourse of denial by saying:

The Discourse of Domination by White Elite Authorities

The police only arrest ‘bad guys’... I don’t believe the Toronto police engage in racial profiling in any way, shape or form. Quite the opposite, they’re very sensitive to our different communities (“Analysis Raises Board Hackles,” 2002, para. 8-9).

As the discursive event continued, several sub-themes of this discourse emerged. One of the most striking was what can be called the ‘discourse of competing experts.’ In his ongoing battle to deny the findings of *The Toronto Star*’s research, Chief Fantino engaged an expert whose field is also methodology and quantitative analysis (*The Star*’s analysis was conducted by its own staff, but the methodology, analysis, and general results were reviewed by Professor Michael Friendly at York University, whose expertise lies in the field of statistical methodology). Chief Fantino’s expert, Professor Edward Harvey of OISE/UT, was asked to undertake a review of *The Star*’s study methods and analysis. Although Professor Harvey’s detailed report is not yet available, a version of it was presented to a meeting of the Police Services Board on February 20, 2003. Noted lawyer Alan Gold accompanied Harvey and also made a presentation. *The Toronto Star*’s publisher John Honderich responded to their criticisms in a detailed statement on March 1, 2003. It is also noteworthy that the two presentations were made at a meeting of the board to which Black community members had been invited to make presentations. They were apparently kept waiting for a considerable period of time while the two experts were placed ahead of them on the agenda. In fact, as *The Toronto Star* columnist Jim Coyle said:

To have black community leaders in attendance at a police services board meeting expecting a chance to make submissions on race relations, then to hold them hostage for two hours unannounced presentation denying one of their most publicized concerns, is a large act of rudeness and a big step backwards (2003a, para. 15).

The two presentations made to the Board differed markedly in their substance, content, and language. Professor Harvey’s executive summary provides a reasoned and sober discussion of his

The Discourse of Domination by White Elite Authorities

methods and findings, whereas Mr. Gold's uses highly inflammatory language. Terms such as "junk science" are used to describe *The Star's* research (Gold and Harvey, 2003, para. 3), and allegations such as "illogical or unreasonable conclusions" (para. 11), "scientifically unsound and an unfair selection of all the available data" (para. 19), and other such phrases permeate his paper. He argues that the conclusions are "simply false based on the data they had...and the Star's mistakes...are fundamental, basic and simply embarrassing...Their whole project...will enter the junk science hall of fame..." (para. 20). He further claims that systemic racism pervading the TPS is not an issue and therefore "The Star's completely unjustified, irresponsible and bogus slurs against the TPS must be put down once and for all" (para. 22). It appears fairly evident that Mr. Gold, who was retained by the Toronto Police in this matter to defend his clients' position, has taken Professor Harvey's criticisms and applied powerfully hyperbolic language to them. There is also a considerable amount of personalization in his approach, as he believes *The Star* has taken a subjective approach to the data. However, his own presentation is also guilty of subjectivity. Mr. Gold's presentation, therefore, is another powerful example of the denial of racism or racial profiling in the Toronto Police.

Professor Harvey, on the other hand, has taken a far more objective and reasoned approach to his analysis of the situation. Space does not allow us to discuss all of his critiques, but a few can be cited. Fundamental to his study is the view that the Toronto Police database, which was not collected for research purposes, contains so many flaws that its use as a research instrument is limited (Harvey, 2003). However, no other database using race statistics exists in Toronto and the use of data collected for other purposes has a long and distinguished history in social science

The Discourse of Domination by White Elite Authorities

research. Therefore, Harvey seems to imply that this is not an inappropriate research strategy. Such databases must, however, be “cleaned up” before they can be useful for research purposes, and one of the differences between his study and the one conducted by *The Star* is that they used different ‘clean-up’ techniques. Harvey also states that comparing Black and White offenders to their numbers in the population is an “overly simple” use of demographic baselines (p. 3). While again this criticism has merit, Harvey then proceeds to base his detailed analysis on only half of the police divisions where the “proportion of the Division’s population that is Black is 7 percent or greater” (p. 3), arguing that the other Divisions’ numbers are too small to conduct statistical analysis. In so doing, he neglects the critical importance of

Blacks in predominantly white residential areas [who] could be subject to unusual police scrutiny. Areas such as the nightclub district or around the Eaton Centre have a mainly white population but many Black visitors. Excluding those areas from analysis would have a huge impact in the data (Criminologist Scot Wortley, quoted in “The Star’s Response to the Critics,” 2003, para. 7).

In hiring their own expert to deny race profiling, Chief Fantino and the Toronto Police are using a timeworn academic practice of attacking methodology. It is very well known that any and every methodology in the social sciences is open to criticism and even outright attack. There are many methodological schools in these disciplines and the easiest and quickest strategy is to attack the methodology and statistical analysis of a study. The academic journals are replete with examples of such efforts. However, time and resources that could be put to more constructive use in combating whatever inequities exist within police services (and other institutions in society) are used essentially to no purpose other than to continue the denial response. Once again, we see

The Discourse of Domination by White Elite Authorities

dominant and elite forces exerting their hegemonic influence in an attempt to influence the flow of events and to silence opposition.

The discourse of the ‘battle of experts’ also reveals another important element in the debate. Members of the public, journalists, and other public officials are not familiar with the ideological and theoretical divisions that exist within the social sciences. As in any institution, there are sharp differences in opinion and ideological commitment among members of these disciplines. These differences will be reflected in their perspectives on social phenomena and their methods of analysis, but are particularly evident in their approach to applied projects. Scholars ideologically committed to social change, especially in regard to ensuring equity for disadvantaged groups in society, are often more sensitive to the need to conduct research without adhering fully to the rigid requirements of formal quantitative methodology. They recognize that complex social behaviour does not always conform to these requirements. These differences in research perspectives may well account for some of the differences found between the two experts involved in the present case. The critical bottom line, however, is that results obtained through adherence to a more rigid set of criteria do not necessarily negate those informed by other approaches. Social science research does not lend itself to a polarized ‘either-or’ viewpoint.

In a similar vein, and again, in the context of continuing the mechanism of denial, the discourse also attacked the plans of the Ontario Human Rights Commission to collect its own database from persons who believe they have been the object of racial profiling and other forms of racism.

The Discourse of Domination by White Elite Authorities ***The Discourse of Attacking Human Rights***

A few months following the launching of *The Star's* series, the Ontario Human Rights Commission initiated an inquiry into racial profiling in policing and other institutions by asking people who believe they have been targeted by this practice to email, telephone, or write to the Commission describing their experiences. Formal hearings took place in the year. The Commission received more than eight hundred replies. This initiative was quickly attacked by a variety of public officials, including the Premier, Ernie Eves, the Minister of Public Security and Safety, Bob Runciman, and others. Again, the major discourse was one of denial.

Premier Ernie Eves described it as a “broad sweeping inquiry” that does not hold the complainants accountable nor does it give “the person on the [other] side of the equation that chance to defend themselves” He argued that the project “is not in my opinion a fair or equitable way to administer justice” (Benzie, 2003, para. 8). This initiative was announced as a data-gathering or fact-finding inquiry, not an attempt to administer justice. It does not follow the format of the Commission’s complaint process that does allow for the other side to ‘defend’ itself. The Premier appears to be applying the wrong set of criteria to the Commission’s review.

Minister Runciman is quoted as saying, “The potential is there to do damage. No one has proven that it [racial profiling] exists” (Benzie, 2003, para. 11). He also maintained that this inquiry is bad for police morale. Similarly, Tom Kaye, head of the Ontario Association of Chiefs of Police, stated that it was “‘open season’ on police officers” (Ontario Association of Chiefs of Police, 2003b, p. 1). These statements, which focus on the unfairness of the Commission but which again assert the denial of racial profiling, were made in response to what appears to be a

The Discourse of Domination by White Elite Authorities

genuine attempt to collect information on the extent of the problem of racism. The criticisms led the Chief Commissioner, Keith Norton, to write to the members of government, defending his inquiry:

The focus of the Commission's inquiry is to look into the effects of profiling and to measure the human impact this practice has on individuals, families, communities and society as a whole... I also want to make it very clear that the Commission is not conducting an investigation of individual allegations of racial profiling (Ontario Human Rights Commission, 2003a, para. 2 and para. 5).

Thus, the mechanism of denial of racism was still in active use well after the initial crisis occurred. The principle of fairness, which appears to be the motivating force underlying the Commission's consultation, is discursively reconstructed as an attack on fundamental human rights. The actual consequences of racism are dismissed, deflected, and denied in the margins of the discourse of the White elite, including Premier Ernie Eves, the Honourable Minister of Public Security, Bob Runciman, the President of Toronto Police Association, Craig Bromell, and the Chief of Toronto Police Services, Julian Fantino. Even among the police and despite Chief Fantino's continued 'town hall' meetings in various communities, the discourse of denial was still predominant.

It is interesting to note what happens when a member of the White public authority structure attempts to challenge the discourse of denial. In late February 2003, Deputy Chief Larry Hill of the Ottawa Police Department spoke at a National Forum hosted by the Honourable Jean Augustine, Minister of State for Multiculturalism. He stated in his address that racial profiling exists within the Ottawa force. Elaborating later, he maintained that systemic forms of racism exist both in society at large, and in policing.

The Discourse of Domination by White Elite Authorities

Our members are not racist... but we are no different than any other organization... do stereotypes exist? Yes. Do things happen because we stereotype people? Yes. So if we're going to call that racial profiling, then yes, certainly it occurs in our police force as well as other police services (Sorensen, 2003, para. 8-9).

However, these straightforward remarks were disputed by Ottawa Police Chief Vince Bevan, who released a statement saying that

... Remarks made about the Ottawa police, made at the conference this morning by Deputy Chief Hill, were interpreted by some as an assertion that the Ottawa Police Service and its members routinely practice racial profiling in their work. This is not the case (Harper, 2003, para. 12-13).

The Chief of the Ottawa Police Service also prohibited the Deputy Chief from granting any further interviews on the subject.

The Discourse of Rationalization

In their defence of the status quo, support agencies of the police, without supplying any corroborative evidence, contended that existing relations between the Police and Black communities has never been better. Craig Bromell, urging for a boycott of *The Toronto Star*, said:

We do not have any type of racial profiling. Never have. There was a real trust out there between the black community and the police. That is destroyed now. It is unfair to the police officers, and it's unfair to the black community. We've got to correct this (Sokoloff, 2002, para. 3-4).

He also stated that "No racial profiling has ever been conducted by the Toronto Police Service" (cited in Wortley and Tanner, 2004, para. 2).

A similar sentiment is expressed by the vice chair of the Police Services Board, who expresses the view that

The Discourse of Domination by White Elite Authorities

My feeling is that we've been getting along very well. Police discrimination has not been an issue. So why should it suddenly become one? Because the Star did this research? ("Analysis Raises Board Hackles," 2002, para. 18).

The Toronto Police Association responded by accusing *The Star* of reverse discrimination (see below for further discussion of 'reverse discrimination'), arguing that "this is the work of the Toronto Star to once again discredit the police in our community" (Labour Council Toronto and York Region, 2002, para. 3).

Mayor Lastman rationalizes and justifies the present situation as well by commenting that the "Toronto officers undergo diversity training courses" and that "the broader policing community has recognized the force to be a leader in civil rights" ("Analysis Raises Board Hackles," 2002, para. 10).

Chief Fantino uses the discourse of justification or rationalization, noting in his first response to *The Star* that

The Star has done this... at a time when I feel that the relationship with all of our communities is a good one... ("There is no Racism," 2002, para. 4).

Even the Toronto Police Service's 2002 Annual Report denies the existence of racial profiling, indicating that "we do not engage in racial profiling, or condone such practices" (Toronto Police Service, 2002, p. 2).

What is striking about the ways in which this discourse manifests itself is that within these levels of officialdom, authorities make unfounded assumptions without offering any form of evidence that demonstrates that things are quite as good as they claim. In the face of the massive discontent that is immediately presented by Black individuals and organizations in every part of

The Discourse of Domination by White Elite Authorities

the community, the extent of misinformation and inaccurate reading of the community is indeed extraordinary.

Another form of rationalization or justificatory argument for racial profiling that is reflected in the discourses of public officials is the constant labelling of Blacks as criminals. There are constant references to ‘black on black crime,’ or the alleged pervasiveness of ‘Black crime.’ It is important to point out that is no comparable language in the public discourses of the media, policing, political, and bureaucratic authorities, or even in academic literature to describe the far greater phenomenon of ‘White crime’ (Russell, 1998).

The Discourse of Reverse Discrimination

Another common rhetorical strategy is to employ semantic role reversal so that the perpetrators of prejudiced commentary or acts are portrayed as the innocent victims of a new form of oppression and exclusion. It is then argued that it is the minorities who are engaging in reverse discrimination. In the commentaries of Chief Fantino and other police officials, there is a strong message that because of the influence of *The Star*’s series, the police have now become the victims and are the targets of reverse discrimination. *The Star*’s series has resulted in prejudice and discrimination against them. The result of this crisis is that their important work in society has been denigrated, and they even fear for their own safety. In a speech he made to his Association summarizing his comments at the Summit organized by the Canadian Race Relations Foundation President, Lincoln Alexander, Craig Bromell stated:

I told them that police have become the target of hatred and we are concerned for our member’s safety... We told them there are self-appointed people taking advantage of the

The Discourse of Domination by White Elite Authorities

situation and doing nothing but political grandstanding... We viewed this as an opportunity for certain people who would do anything to convict a cop. This will not happen. Do not paint us in a corner or we will come out fighting... (Bromell, 2002, para. 9-10, 13).

Chief Fantino frequently laments that his force is being unfairly treated. In a forthright statement, he notes, "It seems if there is anybody that is stereotyped in this community it's the police" (Mackie, 2003a, para. 10).

Following this Summit meeting, Bromell also charged that the police were becoming the victims. His statement is almost paranoid in its intensity: "We feel we were sold out by certain people in the room on this issue" (Verma, 2002, para. 13).

As this discursive event moves forward, Chief Fantino and the police force began to initiate some strategies to improve relations with minority communities. But even as meetings and dialogue take place, he complains about unnamed groups that "are deliberately undermining Toronto police" including, apparently, some officers on the force itself (Mackie, 2003a, para. 1). His remarks are quoted in a *Star* article:

I believe that some people are intent on demoralizing and destroying the spirit of our people... there are those who have special agendas. They wouldn't like the police no matter what. Yes we do have our problems. Mostly, he said, he is concerned with police being smeared (Mackie, 2003a, para. 2, 3 and 8).

As part of a strategy to contain and control the opposition in the Black community, Chief Fantino made the decision to hold a series of town hall type meetings in areas of the city largely inhabited by Black and other ethnic groups. At one such meeting (January 7, 2003), a fifteen-year-old girl, first up at the microphone set up for questioners, asked: "Why should you expect us to respect you when you don't respect us black kids?" Instead of answering the question, the Chief angrily replied, "I don't agree with it. It's totally uncalled for. I don't think it dignifies an

The Discourse of Domination by White Elite Authorities

answer.” The chief was strongly criticized, not only within the community, but also in the media and by other commentators. Later in that week, the Chief blamed the media for biased coverage of the meeting and maintained that the many positive things that were happening at his meetings were not covered by the media:

For the main part, all you see is one incident, one situation, one person making a statement, which has then become the focus of the big to-do... I think the media should be ashamed of itself for having done that... some of the media never reported one favourable comment of many that were made there by the citizens who were there, the thank yous that our people got. All we got is a whole lot of the usual attack the police, criticize the police, denigrate what the police do, the racist police and on it goes (Wilkes, 2003, para. 5 and 8).

And, in a final lament, he says, “At least treat us fairly. Our people are decent, hard-working folks who are trying very hard” (Wilkes, 2003, para. 17).

The Discourse of Law and Justice

As the discursive event continued to play out, a new player – the Justice system – entered into the discourse. On January 17, 2003, *The Star* reported that a Crown attorney, in speaking to the appeal of a lower court’s decision against a speeding charge of Dee Brown, a former member of the Raptors basketball team, made comments about racial profiling. Brown was not charged for the alleged reason that he was stopped for speeding, and this omission pointed to racial profiling according to Brown’s lawyer. An Ontario Superior Court judge agreed, overturning his drunk driving conviction. In the course of the Crown’s appeal of that decision, the Crown attorney stated, "I am not disputing that the phenomenon [racial profiling] exists...This is a problem that warrants corrective action" (Makin, 2004, para. 7).

The Discourse of Domination by White Elite Authorities

This statement promoted a strong reaction from the Justice system, with several people trying immediately to distance themselves and the system from his statements. David Young, Attorney General of the province of Ontario, is quoted as saying, “Stewart’s comment didn’t reflect the position of the Ontario government” (Tyler, 2003a, para. 7).

The police organizations also responded to the Crown attorney’s admission of racial profiling. The Ontario Association of Chiefs of Police wrote a strong letter to Premier Ernie Eves in which they demanded action be taken against the Crown attorney. What is evident in this rather long extract from the OACP website (2003a) is that the Association is not only criticizing the attorney, but is also expressing its own sense of victimization as the objects of reverse discrimination:

These unsubstantiated allegations are extremely provocative and disturbing in their intent. We feel that Mr. Stewart’s unfounded statements are a blatant attempt to shake public confidence in the professional principles of our police officers... our concerns lie in the damage his remarks had had on various aspects of public/police relations, wreaking havoc on the ability of police to perform their day to day tasks and obligations... The OACP has spoken publicly denying the existence of this type of systemic prejudice... For the aforementioned reasons, the OACP sees no alternative but to demand that immediate and appropriate action be taken in this matter and the Attorney General contend with Mr. Stewart in a manner that would publicly reflect the province’s support and confidence in the dedicated police officers that serve to protect Ontarians.

It would appear that both government officials and policing organizations are attempting to silence, and indeed, erase, the words of a progressive thinking Crown attorney.

The Discourse of Political Correctness

This discourse has become a common rhetorical strategy used by the media as an expression of their resistance to forms of social change. Bromell uses this discourse frequently and in a number

The Discourse of Domination by White Elite Authorities

of ways. Thus, demands of marginalized communities, and their particular focus on ending racial profiling and other racialized practices, are discredited as an overdose of political correctness. Political correctness is a rhetorical strategy designed to stifle or silence non-dominant voices and perspectives in public discourse. It is a discourse that has served to polarize positions with respect to issues of representation, multiculturalism, and equity.

Again, Craig Bromell's comments make the point. In responding to a television commentator who said that some people don't call it 'politically correct,' but rather, 'respecting citizens and respecting minorities,' Bromell answers:

Then if that's what you're saying, then we'll get the call and we'll drive on. We won't talk to that group. Let's see what happens...

That's it? Yeah, we'll see what happens, let's see who's coming to us in two or three months screaming for us to start doing our job again (McCabe-Lokos, 2002, para. 5 and 7).

Bromell compares the city of Cincinnati with Toronto, stating that officers there gave up after violence erupted in that city:

We're going to sit in our cars and wait until we get the radio call. Crime went up 600%. They became, they became your politically correct officers that you're talking about (McCabe-Lokos, 2002, para. 10)...

We're not going to sit back and have people make changes because of the political correctness. That is not how it's done and it's not going to happen with our members (cited in Verma, 2002, para. 20).

The Discourse of "Othering," or the Jamaicanization of the Issue

For the most part, the discourses that emerged from the racial profiling discursive event centre around the activities and comments made by officials and others directly or indirectly affected by the discourse. However, as time progressed, the discourse shifted to justify racial profiling using

The Discourse of Domination by White Elite Authorities

the assumption that such a practice is directly related to escalating rates of so-called 'Black crime.' Following a number of shootings, Chief Fantino vowed to crack down on street violence and blamed the leaders in the Black community for time spent "bashing the police and not enough time spent addressing and trying to solve the problems in terms of what's happening with young people and the violence in our community" (Verma, 2003, para. 20). Minister Bob Runciman picked up on this theme and suggested that some members of Toronto's Black community have a "vested interest in promoting violence" (Mackie, 2003b, para. 1), adding that "I think some people make a living off some of this" (para. 3). He also attacked defence lawyers and suggested that judges who hand out lenient sentences are soft on crime. He criticized doctors and hospital administrators who do not routinely report visits to emergency awards by people with gunshot or knife wounds. In response to his Minister's remarks and the anger of the community, Premier Eves "refused to apologize for the remarks or to upbraid Mr. Runciman for his comments about Toronto's black community" (Mackie, 2003c, para. 7). The Premier stated, "I don't believe he was slighting anybody" (para. 8).

In a further example of discourses that serve to racialize and 'other' the Black community, the Jamaicanization of crime becomes another central focus of the dominant discourse. This discourse parallels that of the media in fostering the Jamaicanization of crime as described above.

Jamaican Canadians were singled out in the original *Star* series as being responsible for a disproportionate number of charges relative to their population. However, over and beyond the discussion of findings, even *The Toronto Star* continued the 'othering' of Jamaicans by sending Scott Simmie, one of the reporters assigned to *The Star's* racial profiling series, to Jamaica to

The Discourse of Domination by White Elite Authorities

report on the poverty, despair, and crimes of violence that are so pervasive. Simmie's article describes an urban wasteland, and refers, for example, to the "white noise in pockets of the impoverished ghettos that demarcate the capital" (Simmie, 2002, para. 9). The very long article is devoted entirely to providing the reader with a picture of a country that is nothing more than a giant ghetto controlled by Mafia-like "Dons." Although Simmie interviewed police and other officials in Jamaica, they provide him with the same negative picture of the country.

Thus, it is perhaps ironic that the same newspaper that spearheaded the event in the first place is also guilty of continuing a negative discourse that pervades the media.

The *Toronto Sun* also wrote a piece on Jamaica that is analyzed in the media section above. Both pieces, and probably others like them, lead up to Chief Fantino's visit to Jamaica. The *Sun* states that the chief accepted an invitation from that country's security minister "to visit the island on a fact finding mission 'to better understand the dynamics' of its horrifying murder rate, one of the world's highest" (Godfrey, 2002, para. 2). The Chief's visit to Jamaica took place during the week of February 10, 2003, and is described in daily media reports in both the Toronto print and electronic media. The articles and feature items on both radio and television present a series of vivid and highly dramatic descriptions of poverty, degradation, slum life, ghettoization, armed military, and a strong police presence in high-risk areas in Kingston. The emphasis throughout is on violence, guns, shootings, murder, and the like. The security surrounding embassies and other official areas are also noted. Chief Fantino is quoted as praising the attempts of Jamaican officials and police to maintain some degree of social control in a country that is overrun by violence. Overall, Jamaica is presented as the murder capital of the world.

The Discourse of Domination by White Elite Authorities

It is possible to comment on the accuracy of these reports or what they contain. The point that must be noted, however, is that Canada deports criminals to many countries in the world of which Jamaica is only one. Criminals who are charged by police, convicted by courts, and ultimately deported if they are not citizens, come from Russia and other parts of Europe. Anglo-Canadians commit the majority of criminal acts that go through the justice system. In view of the mixed nature of the forces of social control in Canadian society, it is indeed noteworthy that one country has been singled out for so much attention!

Summary of Dominant Discourses of Public Authorities

The central discourses of the policing and political elite are framed around a number of themes and narratives that are characteristic of dominant discourse (see Henry and Tator, 2002). The language of each of the individuals cited above is characterized by denial, deflection, and denigration. These rhetorical strategies are part of a common argumentative practice employed by the power elite to discredit and silence protests against racism and other forms of social inequality and injustice.

Chapter Seven: Discourses of Mediation

Community Mediation

As the discursive event proceeded, voices of mediation were immediately raised. One of the first was that of the Canadian Race Relations Foundation's chair and former lieutenant governor of Ontario, Lincoln Alexander. Saying that the findings of the series "not only disturb me but a lot of people" ("Denial of Problems an Affront to Minorities," 2002, para. 5), Alexander called for a 'summit' to include the various levels of officials involved in the issue. The invitations to join the summit discussions were quickly accepted by the Premier Ernie Eves, Mayor Mel Lastman, Public Safety Minister Bob Runciman, Chief Fantino, and others. Other stakeholders included Norm Gardner, chair of the Police Services Board, and Police Association Chief Craig Bromell. Community activist Bromley Armstrong, the Honourable Jean Augustine, and the president of the Association of Black Law Enforcers represented the Black community. At the first meeting of the group, it was agreed that racial profiling cannot be tolerated. On the other hand, in a show of defiance, Craig Bromell refused to agree to this resolution and, in fact, left the meeting.

On February 25, 2003, Lincoln Alexander conducted a second summit and expressed satisfaction with the outcome of the meeting. He stated, "On the question of racial profiling, while we need to be concerned with the morale of police officers, most of whom do their jobs ethically, honourably and professionally, we have to remain concerned with the community's reality, especially youth" (Canadian Race Relations Foundation, 2003, para. 4).

Another community initiative aimed at mediating the crisis was organized by ProMedia International, a media clearing house and consulting firm, under the direction of its president, former CBC anchor, Hamlin Grange. This meeting was held in November 2002 and included

Discourses of Mediation

members of the police services board, the Police chief (but only as an observer), members of the Black community, and political officials. The meeting was aimed at dialogue and discussion and produced a report offering several recommendations, including a plan for police to monitor traffic stops⁶.

Police Mediation

In the meantime, Chief Fantino, while still denying that racial profiling takes place, announced a variety of plans and strategies to develop better relations with the Black community. Holding a press conference on October 25, 2002, Fantino stated that:

regardless of the inaccuracy of the Star's conclusions, I consider these issues as being very serious. We must now address the perceptions that have been created, and I certainly intend to address these issues in an open and forthright manner (Shephard and Quinn, 2002, para. 17-18).

He revealed that he had asked retired Judge Charles Dubin to conduct an in-depth study of race relations practices in the Toronto Police Service. The planned investigation was widely applauded by provincial and municipal politicians, including the Premier (members of the Black community, the Jamaican Canadian Association, the African Canadian Legal Clinic, and most of the thirty or more organizations that had formed the "Black Coalition" criticized the need for yet another investigation; see below). Two weeks later, however, Dubin announced his resignation from the investigation saying that the internal review of the Toronto Police initiated by Chief Fantino made his investigation superfluous. However, the outright rejection of his inquiry by the Black community organizations probably also influenced his decision.

⁶ For the complete report, see Grange, 2003.

Discourses of Mediation

Chief Fantino announced plans for his own internal review and listed several important recommendations that he and his organization had already identified. These included meetings, increasing recruitment efforts, instituting a policy of ‘zero tolerance’ for racially biased policing, and others (Toronto Police Service, 2003). The Chief also began holding a series of ‘town hall’ type meetings in various sectors of the city, including those particularly inhabited by Blacks, such as Jane/Finch, Scarborough, and others. Some of these meetings are reported as being successful and as having attracted significant numbers of participants. An open and frank dialogue is reported to have taken place. However, in some of the meetings, participants expressed deep concern over the racial profiling of members of the Black community. In one instance, which is described above, Chief Fantino replied angrily to a young questioner and received a substantial amount of criticism both from the community and media organizations.⁷

In another police initiative aimed at mediation, the Chief accepted an invitation to visit Jamaica in early February (as discussed above). Although it would appear that his trip, and the invitation from Jamaican officials, was well intentioned, one of its effects was the continued racialization of the Jamaican community, both in Toronto and in Jamaica.

Federal Mediation

As Federal Minister of State for Multiculturalism, the Honourable Jean Augustine announced and began developing plans to convene a ‘national forum’ on the issue of racial profiling, inviting

⁷ In March 2003, residents and community workers in the Jane and Finch neighbourhood hosted an event in response in one of the town hall meetings believing that the forum did not capture the experience of the Black community around the issue of racial profiling. Two hundred people, many of them teens, attended this event.

Discourses of Mediation

community, political, and academic participation. With the cooperation of the RCMP, the event was held in late February 2003, and focused on “recognizing and embracing diversity, civilian oversight, and policing with a national security agenda at the forefront” (Augustine, 2003, para. 24). The following recommendations arose out of the conference: (1) all law enforcement agencies should implement a zero-tolerance policy on racism and racial profiling; (2) employment equity should be rigorously enforced; (3) all police services members should undergo anti-racism and inter-cultural training; (4) there should be rigorous data collection to record racial profiling, as well as incidents of hate crime; (5) an independent civilian oversight mechanism supported by communities and law enforcement partnerships should be implemented; and (6) critical evaluation of initiatives, outcomes and oversight mechanisms in Canadian community policing should be ensured (para. 27-32). Interestingly, Augustine noted the following barriers to eradicating police racial profiling: “institutional barriers; international pressures on Canada's national security practices; poor communications between police services and the communities they serve; and... financial pressures” (para. 34).

Provincial Mediation

As discussed above, the Ontario Human Rights Commission (OHRC) announced that it was also planning to address the issue. The Commission sought major input from members of the population who have experienced racial profiling. In the first instance, they are invited to ‘tell their stories’ by email, phone calls, and letters, to be followed by province-wide hearings scheduled to begin later in March, 2003. A special feature of their study is that they have defined

racial profiling as a social practice that extends far beyond policing. The Commission's study defines race profiling 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 reasonable suspicion to single out an individual for greater scrutiny or different treatment... (Ontario Human Rights Commission, 2003b, para. 1).

The study sought not only to explore racial profiling as it relates to the police, but also to address racial stereotyping as it takes place in the workplace, influences housing issues, or even affects "simply finding a taxi" (Duncanson, 2003, para. 12). Following the March consultation, Ontario Human Rights Commissioner stated that he would continue meeting with members of the Black community and various community groups for feedback before putting out recommendations in the report. He commented that:

We're only looking at the impact of profiling and what it does, assuming it occurs, when it occurs, and what does it do to individuals... The better understanding of the impact of profiling would be helpful to policy and for governments to engage in developing programs with different ministries (Keung, 2003, para. 26-27).

In May 2003, the Commission decided to broaden the scope of the study. It began holding a special consultation with members of Toronto's Chinese and Southeast Asian communities. Avvy Go, Executive Director of the Metro Toronto Chinese and Southeast Asian Legal Clinic, underscored the reason that the Asian populations of the city did not participate in the initial inquiry was because they were afraid of airing their views publicly. Also, many felt excluded because of language barriers. The final report of the OHRC's findings was released in October, 2003, providing a comprehensive discussion of the nature of racial profiling, its inefficacy as a practice, its effects on individuals, communities, and the nation, and recommendations for future

Discourses of Mediation

action (Ontario Human Rights Commission, 2003b). Noted recommendations include the need for “all organizations and institutions entrusted with responsibility for public safety, security and protection [to] take steps to monitor for and prevent the social phenomenon of racial profiling, and develop or modify their policies, practices, training and public relations activities in this regard” and “organizations or institutions that have, or are alleged to have, a problem with racial profiling should review recommendations set out in earlier studies, should report on those that have been implemented and establish a timetable for executing those recommendations that remain outstanding” (p. 68-69).

Summary of Mediation Discourses

This overview of attempts at mediation reveals that as a negative discursive event takes place, the dynamics of mediation quickly come into play in order to mitigate or reduce its crisis dimensions. It is fairly well known that affected or aggrieved communities are quick to respond to crises by, at least in the first instance, voicing their displeasure and criticism. But what is of particular interest in this situation is that the target – the Toronto Police – was quick to respond with suggestions and strategies of mediation. Whether their strategies are useful, successful, or acceptable to the aggrieved community is, for the moment, not at issue (generally, they were viewed with great scepticism). For purposes of analysis, however, their response to the event signals at least a symbolic commitment to reduce the crisis.

As well, voices in the media are beginning to take steps to reduce the crisis, rather than continue the denial debate. Even the more ideologically conservative *The Globe and Mail* chides

Discourses of Mediation

Bob Runciman, Provincial Minister of Public Safety, for his ambiguous stand on the issue of racial profiling. In a column by Murray Campbell (2003), Minister Runciman is cited after the first summit meeting in November 2002 as saying that there is racism and racial profiling in some of Ontario's police forces. More recently, however, he has said that the case for racial profiling has not been made. "No one has proven that it exists and certainly police officers have indicated it does not exist" (Campbell, 2003, para. 3). One of his aides explained the contradiction by noting that the minister accepted that there might be some officers whose behaviour is inappropriate, but that he denies that there is systemic racism in police ranks. The journalist cites several sources, including the Crown prosecutor who maintained in a court proceeding that racial profiling exists, the evidence already presented to the Ontario Human Rights Commission inquiry, as well as the Commission on Systemic Racism in the Ontario Criminal Justice System, and comments that the issue is "extraordinarily sensitive" (para. 20). He ends his article by writing:

The nuance of words used in the debate are terribly important. Mr. Runciman would do well to take the first opportunity to define his terms so we know where he and his government stand (para. 21).

In a similar vein, an editorial in *The Toronto Star*, published just before the second meeting of Lincoln Alexander's summit, raises a rhetorical question: "More debate over numbers or meaningful steps to ensure tolerant, fair minded policing in this city?" ("Time to Focus on the Real Issues," 2003, para. 1). It specifically calls upon the provincial government in the person of Minister Runciman to announce what steps it intends on taking with respect to the overhaul of the Police complaints process. It also asks the police to take positive action "to tackle this serious

Discourses of Mediation

community concern. Toronto residents expect leadership and action to resolve it, not more blanket denials” (para. 14).

Chapter Eight: Oppositional/Resistant Discourses

Introduction

Having analyzed some of dominant discourses that characterized the immediate responses by public authorities to the central finding of *The Star*, which confirmed the presence of racial profiling in the Toronto Police Services, and considered some of the discourses of mediation, the report now turns to an analysis of the oppositional discourses. An oppositional discourse can be understood as a mechanism that calls attention to the voices at play, including those that are largely silenced by dominant institutional discourses. In this case, these expressions of rhetorical resistance came from many different constituencies, including White columnists and editors (mainly from *The Toronto Star*), lawyers, researchers, community activists, and advocates. But perhaps the most powerful voice was the outpouring of responses from the Black community itself. From every corner of the community, editors, columnists, readers, educators, ministers, lawyers, leaders of several community-based organizations, and victims of racial profiling, including a significant representation of youth, spoke out on the issue. The African Canadian Legal Clinic played an important role in articulating powerful discourses of opposition, as did the African Canadian Community Coalition Against Racial Profiling. Many members of the Black community, including notables such as the Honourable Lincoln Alexander and *Star* columnist, Royson James, spoke about their own painful and humiliating experiences with racial profiling. Numerous individuals contended that the issues of racism in policing could not really be understood in isolation from the deeper framework of systemic and cultural racism.

There are a few major themes within these oppositional discourses. The most pervasive narrative theme is that racial profiling exists and has a significant impact on the lives and life

Oppositional/Resistant Discourses

chances of Black citizens. The second discursive theme is a strongly articulated discourse of resistance to the construction of the Black community as criminals. The third narrative is the need for action and a call to implement the recommendations from countless task forces and commissions over the last three decades.

Racial Profiling/Racism is Pervasive in Policing

The Star's series and the immediate denial, denunciation, and dismissal of the issue of racial profiling by policing officials and other public officials evoked an outpouring of responses from Black youth, parents, ministers, educators, educators, business people, authors, and others from every walk of life. Their stories and words were marked with pain, fear, frustration, and anger. *Star* columnist Royson James (2002a) was one of the first to share his personal experiences in a column that appeared two days after *The Star* released its findings. He writes:

... only some of us parents know the palpable, paralysing fear that the car will be stopped by Toronto, Peel, Durham or York police, searched, have its passengers harassed and humiliated - simply because the driver is our black son (para. 3).

... Ask your black colleague and he or she will share DWB stories. That's Driving While Black. They have the scars, most emotional but some physical as well to prove it... They know the stereotype of the angry young black male; that a significant number of police officers feel blacks are criminal beasts deserving attention from law enforcers; that some elements of society harbour such racist sentiments; that blacks don't have the same freedom to make mistakes like everyone else because the consequences could be harsher, the punishment more severe... (para. 9)

The unequal treatment, often dismissed as mere 'perception' is made clear, incontrovertible, and unassailable, with the new data [from *The Star's* study]... The sentiment of these ostriches [e.g., the mayor, Chief of Police, etc.] is summed up thusly: 'How dare *The Star* print statistics that might suggest our cops are racist? What do they think Toronto is, Louisiana? Blacks get what's coming to them. If they stay out of trouble, the cops will stay out of their faces' (para. 41, 45).

Oppositional/Resistant Discourses

In an editorial in *Share* (“Racist Profiling,” 2002), the editor challenges the repeated denials by the Chief of the Toronto Police Services, and argues that racial profiling/racism exists.

Fantino’s . . . stubborn denials—in spite of the evidence to the contrary helped to show why the solutions to problems such as this have been elusive (para. 2).

In an opinion piece in *Share*, historian Sheldon Taylor asks,

Can we depend on an anti-Black police force and its usual like-minded defenders to deal honestly with our issues and concerns?... As early as the 1930s The Star featured the impact of individual and systemic racism on Toronto Blacks. Still in the year 2002 we are repeatedly picked on, stereotyped, racially profiled, victimized, and abused. We don’t want to hear anymore that racism hurts. We want the hurt taken away (2002, para. 4 and para. 10).

Share Columnist Ron Fanfair observes:

In criticizing the Star’s findings, Fantino claimed that police treat all citizens equally and angrily hit out at Star reporters calling their articles ‘trash’. This forceful knee-jerk reaction from the police chief has shocked the community activists who felt they were making headway with Fantino on police-community relations (2002, para. 4 and para. 5).

Dave Mitchell, president of the Association of Black Law Enforcers, suggests that he was baffled that “Fantino can openly say there is no racism in his force. That is dangerous” (Fanfair, 2002, para. 9). He continues, “Instead of going out on that limb he should be trying to find out what the force needs to fix the problem . . .” (para. 10).

In the same article, Valerie Steele, President of the Jamaican Canadian Association says: “His comments made me feel sick. When he comes out and denies the issue, he’s actually saying that we are liars” (para. 7 and 8).

In another *Share* article, educator Clem Marshall argues that the publication of the statistics that proved beyond any reasonable doubt that White police prey on Black drivers should have evoked a very different response from public authorities including the mayor and other public

Oppositional/Resistant Discourses

officials: “Our community, like any wronged community, had a right to sympathy and apologies in response” (2002b, para. 1). He goes on to state:

The official betrayal of Black trust is the blood brother of Canada’s brand of racism – willful blindness. With willful blindness, the police chief, the chair of the police commission and other public figures chose to back away from admitting ‘profiling’ while wagging their fingers at ‘Black on black violence’ instead (para. 2).

One of the most surprising discourses that challenge the denial of racial profiling by police came from James Stewart, a senior Crown prosecutor in the Ministry of the Attorney-General, who comments: "I am not disputing that the phenomenon [racial profiling] exists... This is a problem that warrants corrective action" (cited in Makin, 2004, para. 7).

Julian Falconer, lawyer for the Urban Alliance on Race Relations, argues that by citing the findings of a 1995 Commission into Racism in the Ontario Criminal Justice System, James Stewart became the first [White] authority figure to recognize the legitimacy of the report. The Ontario government had hurriedly shelved the report of the Commission shortly after its release. Falconer goes on to suggest that the Crown prosecutor’s concession that racial profiling is the problem and demands that a solution be found, and that this

... is a monumental development in the effort by racial minorities across the country to have racial profiling recognized... The days are now gone where abject denials drive the debate (Makin, 2003, para. 8-9).

Stephen McCammon, Associate Counsel with the Canadian Civil Liberties Association, tells the Police Services Board, “If the police have developed a vaccine to inoculate their members against racial biases, they should share it with the rest of the world and collect their Nobel Prize” (cited in Aikins, 2002, para. 4).

Oppositional/Resistant Discourses

Marie Chen, lawyer with the African Canadian Legal Clinic, observes:

Racial profiling is particularly insidious in Canada because, unlike in the US, authorities here refuse to acknowledge it. Police will deny that they have a policy of profiling. But when they talk to police officers, they'll tell you they know its happening. There is little recourse for victims of profiling ("Police Target Black Drivers," 2002, para. 43).

Toni Williams, Law Professor at Osgoode Law School, speaking at a conference on Racism in the Canadian Criminal Justice System, contends:

In my view, it is a terrible shame that 10 years and one month after the Commission [on Systemic Racism in the Criminal Justice System] started, we are still discussing the question of systemic racism and what needs to be done to fix it... (Toye, 2002, para. 2).

She described her disheartened feelings that "Systemic racism has been made to sound like a new phenomenon and not an issue that has been around for 150 years" (para. 4).

Racial Profiling Leads to the Criminalization of the Entire Black Community

In the dominant discourses of the media, policing authorities, and many other public officials, one of the driving narratives is the justification used to mitigate racial profiling. The argument put forward is that members of the Black community are somehow responsible for the 'out of control' crime situation in Toronto. The oppositional discourses cited below challenge this view. Many individuals contend that the allegedly high crime rates in the Black community can never be understood without a willingness to deal with the root causes of this phenomenon. Moreover, the supposed rise in crimes committed by Blacks must be distinguished from the issue of racial profiling. Racial profiling targets not only Black criminals, but also deeply impacts on the lives of Black law-abiding Canadian citizens of every age and description.

Racial Profiling in Toronto: Discourses of Domination, Mediation, and Opposition

Oppositional/Resistant Discourses

Star columnist Royson James observes that there are numerous causes for the high levels of crime among a small element in the largely immigrant community, including

lack of power and self-esteem; discrimination; social and economic deprivation that breeds contempt and anger; poverty; lower educational achievements; the destruction of family institutions that tend to pick up the slack when social safety nets become frayed; patterns of immigration that sees parents separated from their children in order to gain access to Canada (James, 2002b, para. 8).

In an article in *Share*, Clem Marshall argues that one must understand the history behind the crime statistics:

We need to remember the past for us to judge events that put race on the front page today. There is an invisible world that shapes the one where we young bruthas hurting each other and breaking the law. Many of our sons are like babies whose parents were exposed to the radiation or toxic waste (2002a, para. 6).

As Audrey Macklin, a professor of law at the University of Toronto, contends:

Drawing up a profile of a suspect in a particular crime is one matter. Systematically pulling over a disproportionate number of Black drivers... is quite another (2002, para. 5).

There is a strong response to another of the persistent themes in the dominant elite discourse, that is, the call for the Black community to take responsibility for Black crime. However, many people in the Black community, and others, question the meaning of this statement. What should the Black community do? An editorial in *Share* ("Not Our Fault," 2002) directly speaks to this issue, observing:

Do they want us to collectively apologize for the criminals? Or are they calling on us to go out and find them and bring them to justice? They can't mean that we should go and talk to them and urge them to behave. We don't even know who they are... By the way, who is taking responsibility for the alleged serial murderer in British Columbia, the pig farmer, who has been so far charged with the murders of 15 women out there? and the many other crimes committed by White and other people in this city? (para. 4-5 and 7).

Oppositional/Resistant Discourses

Royson James, columnist with *The Star*, suggests that one never hears the term “white on white crime.” Yet the Black community is expected to not only accept responsibility for crimes committed by members of the community, but also to find the solution to this problem. In his view:

Black crime may be on the rise; but so is the black middle class. A BMW in the hands of a black man is not now, if it ever was, a sign of a stolen car. To assume so, and to police blacks that way, is to inflame an already poor relationship (James, 2002b, para. 20).

... the Black community, if you ever find it or define it, is a much more conservative and ‘law and order’ conglomerate than the general community... What is corrosive is the inordinate attention paid to the tiny segment of black people who are involved in crime (James, 2003, para. 4, 6).

Several editorials in *Share* critically address the issue of the role and responsibility of the Black community as it relates to the spate of murders involving Black perpetrators and victims, and other acts of criminality. An editorial in *Share* emphasizes that *The Star*’s series is

not about who committed more crimes but of [“about”?] how police officers viewed—and as a result, created—Black citizens. When Blacks are stopped questioned and possibly searched for no other apparent reason than their skin colour, this is racist. It is called racial profiling (“Racist Profiling,” 2002, para. 4).

A later editorial in *Share* emphasizes that,

Black people have been profiled long before the recent spate of crimes and long before there were any significant problems in the community, not because they might have been Jamaicans but because they were Black... The vast majority of Jamaicans are law-abiding citizens and loyal to a fault. They already hurt over the crimes in our community (“Shame on the Sun,” 2002, para. 15 and para. 17).

Criminologist Scot Wortley at the University of Toronto has studied the issue of racial profiling. In a recent study of 3,400 high school students conducted by Wortley and Tanner, it was

Oppositional/Resistant Discourses

found that Black students are more likely than others to be subjected to random street interrogations. The research data reveals that

Racial differences in police stop and search practices are actually greatest among students with low levels of criminal behaviour... Thus [the surveys] reveal that age and social class do not protect blacks from police stops and searches;... good behaviour also does not shelter blacks from unwanted police attention (2004, para. 11).

MPP Alvin Curling commented that, since *The Star's* series on race and policing, there have been "all sorts of distractions to take our minds off the central issue" (Mascoll, 2003a, para. 15). One of those 'distractions' identified by Curling was the Police Chief's visit to Jamaica. He comments:

What we haven't seen is a genuine attempt to deal with the problem of racial profiling and any real leadership displayed by anyone in the government on getting the issue dealt with (para. 16).

The Discourse of 'Action is Required Now!'

It is appropriate to end this analysis of oppositional discourse and this paper with the discourse that represents a call to action by the Black community. These oppositional discourses are largely framed in the context of resistance to the 'tokenistic' responses that have thus far been offered by policing authorities and others associated with the White power elite. Many of the voices quoted below frame the search for solutions to systemic racism in policing within the context of the findings and recommendations of all the earlier studies

In his discussion of solutions, historian Sheldon Taylor cites one of the first studies on racism in policing, the Morand Commission, in which Mr. Morand contends:

Oppositional/Resistant Discourses

One of the keys to curbing improper police conduct lies with the supervisory personnel... many in the police higher echelon appear to encourage and reward the obnoxious behaviour of their subordinates (2002, para. 12).

Taylor goes on to provide a more specific course of action:

... Premier Eves should ask the Ontario Chief Justice to convene a blue ribbon panel, revisit and update, with input from the community, the recommendations of past investigations into policing practices. Then the Ontario legislature should appoint a commissioner to enforce the newly revised recommendations. Only then will the men and women sworn to 'serve and protect' understand that it's no longer business as usual (para. 14 and para. 15).

In a November 21, 2002 article in *Share*, Thomas Massiah contends that we need no further inquiries. Instead, he urges that the first step should be that

... the Toronto Police acknowledge that racism does exist among its members. They have to take ownership of this fact (2002, para. 7).

In an announcement following the second summit on race and policing chaired by Lincoln Alexander, the Public Security Minister Bob Runciman stated that the government will open a street level office in Toronto for Ontario's Civilian Commission on Police Services (OCCOPS), and appointed Sylvia Hudson to play a role in handling public complaints against police. Critics argued that this was no real solution, but only tinkering with an already flawed system. The weakness of the system has been a subject of oppositional discourse for several years. Murray Chitra, the head of the Commission, conceded that of the over 2,500 complaints received by the Commission in 1999, only five percent resulted in disciplinary action being taken (Chitra, 2000).⁸

⁸ The commission was created in 1997, but has existed in different forms since 1961, first as the Ontario Police Commission and later as the Ontario Civilian Commission. In 1997, the Ontario government amended the Police Services Act to fold the Office of the Police Complaints Commissioner and the Board of Inquiry—both independent bodies staffed by civilians—into the commission. The current structure provides no capacity to investigate, no authority to call or hold a board of inquiry, and no way of monitoring ongoing investigations. Public complaints are channeled directly to local police chiefs, who have the power to dismiss complaints that are deemed "frivolous or vexatious."

Oppositional/Resistant Discourses

City counsellor Olivia Chow, who served with Hudson on the police board, strongly criticized the appointment, arguing that the action was no more than “smoke and mirrors on the eve of an election” (Mascoll, 2003a, para. 3). Chow went on to say that her former colleague had never taken a role in

defending civilian oversight while on the board... It is merely tokenism and does not indicate that Runciman wishes to improve the system (para. 4-5).

Thus, some of the changes announced by provincial and police authorities in response to the discursive crisis precipitated by *The Star*'s series have already been criticized as inadequate and superficial. The appointment of a person closely affiliated with the Police both here and in her native Jamaica is seen as tokenistic and not likely to lead to constructive changes. In fact, Sylvia Hudson, the newly appointed vice-chair of the Ontario Civilian Commission on Police Services, who as yet knows little about the mandate of the Commission, nevertheless maintained that she would not have taken the job "if I thought it was not to do something. I am a person who lives to do a fair job. I am confident that I can make a difference" (Mascoll, 2003b, para. 10).

At the same time, however, she states that she has never “come across racial profiling by the Toronto Police... I can honestly say I have been on the police services board for four years and I have not experienced racial profiling” (para. 1-2).

In an opinion piece in *Share*, Lorne Foster makes the powerful argument that racism in policing cannot be seen as an isolated phenomenon. But rather, he sees it as a byproduct and derivative of a much deeper social malignancy. He comments:

... in order to read the problem of racial profiling appropriately it has to be understood as a topic about power - more expressly, the power of power and the corruption of powerlessness. In this respect, to whatever extent negative attitudes of Toronto law enforcement officers and

Oppositional/Resistant Discourses

high urban Black crime rates exist they are both precipitated by the ‘internalization of a world based on unarticulated codes for rank and status’ (2002, para. 3).

Further Developments

The controversy that the contestation over racial profiling created has not ceased. There have, in fact, been a number of further developments that may serve to significantly influence the course of future action in regard to racial profiling. The most important of these is the Ontario Court of Appeal’s decision in the case of Dee Brown, the basketball player at whose trial of impaired driving defense lawyers attempted to argue that racial profiling was in large part responsible for his having been stopped. Following the conviction of Brown in Provincial Court by a Judge who trivialized and mocked the defense of racial profiling, the case was sent to appeal to the Superior court where the initial decision was over-turned. The Crown subsequently appealed this decision to the Superior Court, which led to a unanimous and momentous decision:

Where the evidence shows that the circumstances relating to a detention correspond to the phenomenon of racial profiling and provide a basis for the court to infer that the police officer is lying about why he or she singled out the accused person for attention, the record is then capable of supporting a finding that the stop was based on racial profiling (*R. v. Brown*, 2003).

Moreover, this decision is also important because the Superior Court went out of its way to criticize the trial judge for being insensitive, inappropriate, and beyond the boundaries of judicial objectivity. At the same time, the judgment supported Crown attorney James Stewart, whose comment that racial profiling exists in the appeal hearing was said to be a “responsible decision.” Many legal experts believe that this ruling finally ends debate on whether or not racial profiling exists.

Oppositional/Resistant Discourses

However, Craig Bromell, President of the Toronto Police Association, who characterized the decision as politically correct “crap,” criticized this decision. He alleged that Blacks could now commit infraction with impunity. In an interview, he is quoted as saying that Black drivers can now commit infractions without fear of any consequences adding, “Go do what you want. If that’s what the system wants, go do what you want. You won; we give up... We are not going to serve our guys up on a silver platter... would you put your career on the line for some crap like this?” (Freeze, 2003, para. 3 and 9). He continued by saying that officers need to protect themselves from false allegations of racial profiling, perhaps by adopting a “no contact, no complaint [policy, which] means officers would not arrest black suspects or police black communities” (para. 6-7).

Julian Falconer, lawyer for the Urban Alliance on Race Relations, has urged that Chief Fantino should launch a disciplinary probe into Bromell’s comments (Coyle, 2003b).

And in his continuing efforts to deny that racial profiling exists in the police, Chief Fantino has urged that Dee Brown be re-tried “because there is absolutely no finding by any court involved that the accused is not guilty” of impaired driving (Lakey, 2003, para. 5). Fantino’s understanding of the various court decisions in this case is that that they consist of a “procedural matter of legal implications resulting from the conduct of the trial itself” (para. 7). He finds no evidence that any officer in his force, nor the one involved in this case, behaved in an unprofessional or racist manner.

Another significant event took place in April 2003 when *The Toronto Star*’s series won the prestigious Michener prize for meritorious public service journalism. In response, the Chair of the

Oppositional/Resistant Discourses

Police Services Board, Norm Gardner, said “the Star's series did not benefit the public, suggesting that it hampered the ability of police to do their job” (Perkins, 2003, para. 3).

Kingston Police Services has become the first law enforcement agency to indicate that they are exploring the possibility of keeping records of every person they stop by listing the colour of their skin. While Kingston’s Police Chief, Bill Closs, insisted his force does not practice racial profiling, he admitted that it was possible that an individual officer could be targeting more visible minorities:

Therefore, from October 2003 until midnight on September 30, 2004, our officers were asked to collect data whenever they interacted with citizens in a noncasual manner. This meant that, when a police officer interrogated, suspected, searched, warned, charged, or completed a police computer check on a person, whether on the street or in a vehicle, race/ethnicity data were to be collected (Closs, 2005).

The Black community, as represented by the African Canadian Community Coalition, was again dissatisfied with their reception at a meeting of the Toronto Police Services Board, held on April 28, 2003. They had been allotted only five minutes to respond to a report written by Professor Edward Harvey, who had been hired by the Chief Fantino to review the original research conducted by *The Toronto Star* that concluded that police do not engage in racial profiling. Spokespersons for the Coalition said they no longer had faith in the Police Services Board to address the issue of racial profiling by the police. They would now turn to the province instead. Zanana Akande, President of the Urban Alliance on Race Relations, asked:

Where should civilians go for a consideration of the real issues?... Should we continue to come and tell you about our sons and our husbands?... Should we continue to ask you, as the civilian oversight body, to consider that at least some of your police are practising something that is unfair and illegal? (Lakey and Duncanson, 2003, para. 4-6).

Chief Fantino’s response was that he was tired of police bashing (para. 8).

Oppositional/Resistant Discourses

In a subsequent development, counsel for the Coalition, Julian Falconer, wrote to the Police Services Board, again protesting its treatment of visible minorities. He made it clear that the Coalition is no longer prepared to work with the Board:

From the Coalition's perspective, the public statements of the police leadership as set out above are symptomatic of the overall disregard for community concerns over racial profiling by police. These ongoing denials make it impossible to meaningfully work with the Chief and the Board on solutions to racial profiling by police. The positions advanced by the police leadership along with the refusal by the Board to accord the Coalition and its experts a reasonable opportunity to be heard render the prospect of working with the Toronto Police Services Board a completely useless exercise (letter shared with the authors).

Chapter Nine: Study Findings

Study Findings

The purpose of this study was to analyze the nature and meaning of the discursive crisis that has been unfolding in Toronto in 2002-2003 over the issues of racial profiling, crime, and policing. The organizing theoretical framework for this study is based on the view that the discursive reproduction of systemic racism by the White dominant elite reinforces the power of mainstream social, cultural, economic, and political institutions, and at the same time, legitimizes systems of inequality. Consistent with this theoretical framework, the analysis focused on some of the dominant discourses in the mainstream press (largely represented in two newspapers, the *National Post* and the *Toronto Sun*). The discursive analysis explored the articulations of a number of powerful authority figures, including Julian Fantino, Toronto's Chief of Police, Craig Bromell, President of the Toronto Police Association, Mayor Mel Lastman, Norm Gardner, Chair of the Polices Services Board, Tom Kaye, the President of the Ontario Association of Chiefs of Police, the Minister of Public Security, Bob Runciman, and the Premier of Ontario, Ernie Eves, among others. Together these men reflect the exercise of power that reinforces the privileged position of White elite authorities.

There is enormous consistency within the narratives of these discourses, including the denial of racism ('racial profiling does not exist in policing'); the discourse of rationalization in support of the status quo ('we have been doing a very good job of creating a more positive relationship between the Black community and the police'); the discourse of reverse racism ('the police have been victimized by the Star's study and the community's response'); the discourse of 'otherness' ('Crime is out of control'; 'Black crime is the reason that the police have to exercise constant vigilance with this community, whose deviant actions threaten the social order'); the

Study Findings

discourse of ‘political correctness’ (‘there is too much political correctness on this issue, which interferes with our ability to do the job’). Linked to these meta-narratives is the theme that alleges that the Black community and other advocates for social justice within policing are doing it for some material or personal gain.

The thematic structure of these narratives focuses on shaping and identifying the boundaries of what the elite consider ‘legitimate’ discourse and works to de-legitimize those who would offer a different worldview. In the context of the denial of racism and the other dominant narratives uncovered in this review, it can be argued that in discrediting these oppositional or alternative perspectives, the elite are able to more effectively defend their positions as those in possession of the self-evident ‘truths.’ The discourses of some editorial writers and columnists, police officials, and politicians exhibit a kind of willful blindness in the face of all the findings and recommendations found in the previous studies and reports of commissions and task forces over the last three decades. The anecdotal evidence provided in countless personal accounts by members of the Black community are denied and dismissed with the same alacrity.

As well, denial of racial profiling and racism provides a vehicle for dismissing the results of *The Toronto Star* study. Denial allows White privileged leaders to seize and maintain control over the determination of what issues are viewed as credible to be put on the public agenda. The White elite also empower themselves to establish who are the legitimate stakeholders, that is, who can be trusted to provide an accurate assessment of the supposed ‘facts.’ Those who resist the discourses of policing officials and politicians are identified and marginalized as ‘self-appointed people’ and ‘political opportunists.’

Study Findings

One of the most powerful rhetorical strategies used by the public authorities to assert their power and authority involved using narratives and language that served to distinguish between ‘us’ and ‘them.’ Their choice of words, ideas, and images results in the further racialization of the Black community as the ‘other.’ This is a polarizing strategy that serves to distinguish between those who are included in the construct of the ‘imagined community’ of Canadians, who are the law-abiding, moral, and honourable citizens. The Black community is then relegated to the category of ‘problem people,’ who function outside the boundaries of ‘our’ community. The community is alleged to show a lack of cooperation with police and is criticized for its failure to take responsibility for the increase in criminal activity in the Black/Jamaican community. Through these mediated discourses, Black citizens collectively lose their status as peaceable and ‘good’ citizens.

The next stage in the racialization process requires that those who raise the possibility that racism exists (*The Toronto Star*, the voices of the community, a Deputy Chief, a Crown attorney), must be discredited, denounced, and silenced. The 2.7 billion dollar libel suit launched on behalf of the Toronto Police Association against *The Toronto Star* is one dramatic example of the attempt by policing authorities to stifle debate on the issue of racism in policing. The lawsuit was dismissed in June, 2003 by Ontario Superior Court Justice Maurice Cullity, who “said it was ‘plain and obvious’ it had no hope of succeeding at trial” (Tyler, 2003b, para. 2). The lawsuit was accompanied by the threat of Craig Bromell, the President of the Association, directed at the Black community when he suggested that the police might not respond to calls from the community if they continue to engage in these kinds of allegations (Freeze, 2003).

Study Findings

Another strategy designed to negate even the possibility that racial profiling might merit individual, organizational, and institutional reflection and action was the hiring of another expert, sociology Professor Edward Harvey, who was asked to analyze *The Star's* statistical analysis. He concluded that he had serious reservations about *The Star's* findings. Police also retained lawyer Allan Gold, who told reporters that *The Star's* findings represented “junk science” (Abbate, 2003).

The narrative themes incorporated into the oppositional discourses of the Black community, as well as numerous other constituencies, focused on the understanding that racial profiling is a manifestation of systemic racism in policing. Many voices spoke about racial profiling as both insidious and a process that has a significant impact on the everyday experiences and life chances of members of the Black community, especially of Black youth. The second discourse, closely related to the above, is that racial profiling racializes and criminalizes an entire community of Canadians who are, in the vast majority, contributing members of society and law-abiding citizens. The third major discourse is the call for action – now. While there is no consensus on what specific strategies are required, there is a common view that the actions of the police must be framed within the context of systemic and structural racism that is evident within policing and within society.

For example, the opening of a storefront operation to take complaints against the police (when the complaints would still be dealt with by the police) will not address the widespread concerns about the loss of an independent civilian review process. The addition of a few new diversity courses for recruit training do not alter the fundamental values and norms of policing culture that are largely set and controlled by senior policing officials. Recruitment of minorities in

Study Findings

a culture in which they will continue to be racialized does not lead to transformation. Many individuals felt that that the time had passed for dialogue and consultation. There is a strong consensus on the need to implement all the recommendations detailed in the numerous reports and studies. It is pertinent to note that the most important report identified in the oppositional discourses was the findings of the Commission on Systemic Racism in the Ontario Criminal Justice System (1995).

The discursive crisis created by *The Star's* study of racial profiling clearly has much deeper roots than the scope of this study suggests. It can be argued that different forms of racial profiling can be found in every sector and system in Canadian society, including justice, politics, media, education, the arts, the corporate sector, systems of governance, and so on. It is entrenched in the realities of a society that is divided by colour as well as by other categories of classification (class, gender, ethnicity, etc.). The continual denial of racism by the Government of Ontario and its commitment to eliminating every anti-racism policy and program within its ministries and agencies over the last seven years have provided a firm ideological foundation for the dominant discourses identified in this review. The social construction of people of colour, especially Blacks, and the corresponding hierarchical evaluations of these differences, afford a fertile ground for the kind of social crisis that is the subject of this paper.

Chapter Ten: Conclusions

Conclusions

Stuart Hall (1974) has suggested that periods of crisis provide critical insights into processes of signification and ideology, and that in these moments of crisis when the *ad hoc* formulas are rendered problematic and new problems and new groups are emerging which threaten to challenge the ruling powers and their social hegemony, we are in a special position to observe and understand the impact and consequences of ideology at work. In the book *Policing the Crisis* (1978), Hall and his colleagues seek to go beyond the surface discourses of the media's coverage and the police's interpretation of the crime problem to explore the deeper structures of meaning and signification informing the events unfolding in the UK. Hall et al. (1978, p. 136) observe that

Public opinion about crime does not form at random. It exhibits a shape and structure. It follows a sequence. It is a social process and not a mystery... the more a crime issues on to the public stage, the more constrained by the available frameworks of understanding and interpretation, the more socially validated feelings, emotion and attitudes are mobilised around it.

Dominant discourses in the media and policing have served to create an event or discursive crisis in which a multiplicity of narratives are established and reproduced. Within the discourses are myths, images, ideas, symbols, and meanings that represent a coded language in which a whole race of people is characterized as needing correction, repression, and silencing.

This analysis of over two hundred and fifty media articles as well as a review of the literature and other documentation leads to the conclusion that the White elite power structures use, in Hall's words: "a very limited repertoire of premises, frameworks and interpretations" (p. 136). Policing authorities and politicians are able to use discourse to frame social issues and problems that make it likely that people will continue to understand racism as isolated to aberrant individuals, rather than a structural phenomenon. As the crisis escalated, while most officials

Conclusions

continued with the rhetoric of denial of racial profiling, a few suggested that there might be a remote possibility that there are a ‘few bad apples’ among the police. However, in no way should this be interpreted as an acknowledgment of racism as institutional or systemic phenomenon.

The influence of these kinds of White elite opinions about racism can be viewed as a defensive strategy that actually enhances in-group preservation through positive self-representation: ‘I am not a racist;’ ‘this is not a racist organization;’ ‘Canada is not a racist society.’ In this context, the denial of racism has become so habitual across institutional sectors (e.g, media, education, justice, agencies of governance) that making the charge of racism and suggesting the possibility that it can influence life chances and social outcomes of minority communities, which *The Toronto Star* did, becomes a serious and dangerous infraction.

This analysis also points to the possibility that discourse not only produces and reinforces racism, but it can also act as a catalyst for social change. Just as the dominant discourses of mainstream elites pre-formulate many of the common-sense everyday racialized assumptions and beliefs, so too can racialized communities resist these discourses. The evidence of this is found in the strength and consistency of the voices of resistance identified above. One of the important findings of this discursive analysis is that oppositional discourses did not only come from those directly victimized by racism. There were members of the Black, White, Muslim, Arab, and other ethno-racial groups, community-based organizations, educators, researchers, lawyers, judges, journalists, editors, and publishers, among others, who also called for systemic changes in policing.

Conclusions

It should be emphasized that *The Toronto Star's* role in this discursive crisis is unprecedented in Canada in terms of the commitment required to placing the issue of racial profiling on the public agenda once again (racial profiling had been a critical issue in the research findings of the Commission on Systemic Racism in the Ontario Criminal Justice System). It also demonstrates the power of the mainstream media who, in this instance, were able to mobilize a discursive crisis and precipitate potential social change in ways that even the Commission, as well as countless other studies, were unable to do. As was the case in the United States and the United Kingdom, while most of the mainstream media continued on with the daily discourses of racialization and criminalization, denial and deflection, there were journalists that gave voice to the issue of racial profiling, starting in the late 1990s. They linked their discourses to those of advocacy groups, such as the National Association for the Advancement of Colored People and the American Civil Liberties Association, among many other constituencies, who had been campaigning for years against racial profiling. These alternative narratives of injustice, acts of humiliation, and denial of basic human rights helped to break the silence. More importantly, they served to mobilize a counterforce to the racialized articulations of powerful public authorities – the White elite.

Thus, the discursive contestation over the issue of racial profiling – the discursive currents and countercurrents – can be seen as a powerful manifestation of a deep conflict between different ideologies. On one hand, there is the shared belief that Canada and its public institutions reflect the values and principles of justice, equality, and fairness. On the other hand, there is a huge body of evidence to suggest that racial bias and discrimination in all of its continually mutating forms is

Conclusions

deeply embedded in the very fabric of Canadian culture. The tension between the ideology of democratic liberalism and the racist ideology present in the collective belief system of the dominant culture is reflected in the discourses analyzed in this paper.

This discursive crisis can also be understood on another level. It can be viewed as symbolic of the coalescing of racialized populations here and elsewhere. There is recognition that social power can take many forms. The 'top-down' forces of dominant power are mobilized for the purposes of maintaining the status quo. But as demonstrated in this discussion paper, power can also flow from the 'bottom-up,' i.e., from the forces of opposition. At the heart of this discursive crisis are individual and collective acts of discursive and political resistance in defense of the right to name, challenge, and destabilize dominant discourses that stigmatize and oppress marginalized peoples. At stake in this ongoing contestation is a challenge to the hegemonic order and a disruption in the status quo.

Reference List

- Abbate, G. (2003, February 21). Paper's Racial-profiling Reports Called Quackery. *The Globe and Mail*, p. A16.
- Aikins, A.M. (2002, November 12). *Toronto Police Don't Engage in Racial Profiling*. Retrieved August 6, 2005, from http://www.rabble.ca/news_full_story.shtml?sh_itm=060b233a775fb179340b1942a40f2163&r=1.
- Analysis Raises Board Hackles. (2002, October 20). *The Toronto Star*, p. A09.
- Andrews, A. (1992). *Review of Race Relations Practices in the Metropolitan Toronto Police Force*. Toronto: Metropolitan Audit Department.
- Augustine, J. (2003, June 5). *Speaking notes for The Honourable Jean Augustine, Secretary of State (Multiculturalism) (Status of Women) on the occasion of the Conference on Aboriginal and Diversity Law Enforcement Respect in Service*. Retrieved August 28, 2005, from http://www.canadianheritage.gc.ca/progs/multi/pubs/speeches/17_e.cfm.
- Benjamin, A. (2002). The Social and Legal Banishment of Anti-Racism: A Black Perspective. In W. Chan and K. Mirchandani, (Eds.), *Crimes of Colour: Racialization and the Criminal Justice System* (pp. 177-190). Peterborough, ON: Broadview Press.
- Benzie, R. (2003, February 22). Human Rights Chief Defends Police Racial Probe. *National Post*, p. A08.
- Blatchford, C. (2002a, October 29). Sometimes Race is Simply a Fact. *National Post*, pp. A01 and A08.

Reference List

- Blatchford, C. (2002b, November 1). Activist Blames Police for Violence. *National Post*, pp. A01 and A06.
- Blatchford, C. (2002c, November 20). Media Turning Blind Eye to Race: Some Outlets Loath to Tell Public Suspects in Beating had Black Skin. *National Post*, pp. A01 and A10.
- Bromell, C. (2002, November 27). No Racial Profiling is Being Done [Message to Toronto Police Association Members]. Reprinted in *The Toronto Star*, p. A04.
- Campbell, M. (2003, February 25). Runciman Must Define his Stand on Racism Issue. *The Globe and Mail*, p. A11.
- Canadian Race Relations Foundation. (2003, February 25). *Lincoln Alexander Encouraged By Summit Outcome* [News Release]. Retrieved August 6, 2005, from <http://www.crr.ca/Load.do?section=4&subSection=6&id=37&type=2>.
- Cashmore, E. (2001, July). The Experiences of Ethnic Minority Police Officers in Britain. *Ethnic and Racial Studies*, 24(4), 642-659.
- Cashmore, E. and McLaughlin, E. (Eds.). (1991). *Out of Order*. London: Routledge.
- Chan, J. (1997). *Changing Police Culture: Policing in a multicultural society*. Cambridge, UK: Cambridge University Press.
- Chan, W and Mirchandani, K. (Eds.). (2002). *Crimes of Colour: Racialization and the Criminal Justice System*. Peterborough, ON: Broadview Press.
- Cheney, P. (2002, November 2). Blacks Dance to Deadly Beat in Toronto's Clubs. *The Globe and Mail*, p. A01.

Reference List

- Chitra, M. (2000). *Ontario Civilian Commission on Police Services: 1999 Annual Report*. Toronto: Queen's Printer of Ontario.
- Closs, W. (2005, March 17). *Bias-free Policing: Kingston Police Data Collect Project Preliminary Report*. Kingston Police Services. Retrieved August 27, 2005, from <http://www.police.kingston.on.ca/Bias%20Free%20Policing.pdf>.
- Commission on Systemic Racism in the Ontario Criminal Justice System. (1995, December). *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System*. Toronto: Queen's Printer for Ontario.
- Cottle, S. (Ed.). (2000). *Ethnic Minorities and the Media: Changing cultural boundaries*. Buckingham, UK and Philadelphia: Open University Press.
- Coyle, J. (2003a, February 22). Fantino Blew a Chance To Restore City's Confidence. *The Toronto Star*, p. A06.
- Coyle, J. (2003b, April 19). Bromell Huffs and Puffs and Blows his Credibility. *The Toronto Star*, p. A25.
- Denial of Problems an Affront to Minorities [Editorial]. (2002, October 22). *The Toronto Star*, p. A26.
- Doran, C. (2002). "Making Sense" of Moral Panics: Excavating the cultural foundations of the "Young, Black Mugger." In W. Chan and K. Mirchandani, (Eds.), *Crimes of Colour: Racialization and the Criminal Justice System* (pp. 157-176). Peterborough, ON: Broadview Press.

Reference List

- Do Texas Police Racially Profile Blacks? (2000, October 16). Retrieved August 6, 2005, from http://www.adversity.net/policefire_6_dallas_profiling.htm.
- Duncanson, J. (2003, February 18). Race Probe Wants Your Stories. *The Toronto Star*, pp. A01 and A21.
- Dyer, R. (1997). *White*. London: Routledge
- Entman, R. and Rojecki, A. (2000). *The Black Image in the White Mind: Media and race in America*. Chicago and London: University of Chicago Press.
- Essed, P. (1991). *Understanding Everyday Racism: An interdisciplinary theory*. London: Sage.
- Fairclough, N. and Wodak, R. (1997). Critical Discourse Analysis. In T.A van Dijk (Ed.), *Discourse Studies – A multidisciplinary introduction: Volume 2 – Discourse as Social Interaction* (pp. 258-284). London: Sage.
- Fanfair, R. (2002, October 24). Fantino's Reaction Disappointing, Blacks Say. *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/10-24-home.html>.
- Fiske, J. (1994). *Media Matters: Everyday culture and political change*. Minneapolis: University of Minnesota Press.
- Fiske, J. (1999). *Television Culture*. London and New York: Routledge
- Fiske, J. (2000). White Watch. In S. Cottle (Ed.) *Ethnic Minorities and the Media* (pp. 50-66). Buckingham: Open University Press.
- Fleras, A. and Kunz, J.L. (2001). *Media and Minorities: Representing diversity in a multicultural Canada*. Toronto: Thompson.

Reference List

- Foster, L. (2002, November 14). Reading and Misreading Racism. *Share*. Retrieved August 8, 2005, from <http://www.sharenews.com/11-14-home.html>.
- Foucault, M. (1980). *Power/Knowledge: Selected interviews and other writings, 1972-1979*. New York: Pantheon.
- Frankenberg, R. (1993). *White Women Race Matters: The social construction of Whiteness*. Minneapolis, MN: University of Minnesota Press.
- Freeze, C. (2003, April 17). Blacks Outside the Law, Bromell Says. *The Globe and Mail*, p. A20.
- Gabriel, J. (1998). *Whitewash: Racialized politics and the media*. London and New York: Routledge.
- Gabriel, J. (2000). Dreaming of a White.... In S. Cottle (Ed.) *Ethnic Minorities and the Media* (pp. 67-82). Buckingham: Open University Press.
- Gaertner, S.L. and Dovidio, J.F. (1986). The Aversive Forms of Racism. In S. L. Gaertner and J. F. Dovidio (Eds.), *Prejudice, Discrimination and Racism* (pp. 61-89). New York: Academic Press.
- Gandy, O. (1998). *Communication and Race: A structural perspective*. London: Arnold.
- Godfrey, T. (2002, November 24). Jamaica's Bloodbath May Spread to T.O. Cops Say. *Toronto Sun*, p. 3.
- Gold, A. and Harvey, E. (2003, February 20). *Executive Summary of Presentation on Behalf of the Toronto Police Service*. Toronto Police Service. Retrieved August 28, 2005, from <http://www.torontopolice.on.ca/publications/2003.02.20-review/presentationsummary.pdf>.

Reference List

- Goldberg, D. (1993). *Racist Culture: Philosophy and the politics of meaning*. Oxford, UK: Blackwell.
- Grange, H. (2003, February 20). Where Do We Go From Here? A community consultation. In Toronto Police Services Board, *Minutes of the Public Meeting of the Toronto Police Services Board* (pp. 6-14). Retrieved August 28, 2005, from <http://www.torontopoliceboard.on.ca/minutes/2003/030220pma%20full.pdf>.
- Hall, S. (1974). Deviance, Politics and the Media. In P. Rock and M. McIntosh (Eds.), *Deviance and Social Control* (pp. 261-305). London: Tavistock.
- Hall, S. (1978). Racism and Reaction. In *Five Views of Multi-Racial Britain*. London: Commission for Racial Equality.
- Hall, S. (1981). The Whites of their Eyes: Racist ideologies and the media. In G. Bridges and R. Brunt (Eds.), *Silver Linings* (pp. 7-23). London: Lawrence and Wishart.
- Hall, S. (1997). *Representation: Cultural representation and signifying practices*. London and Thousand Oaks, CA: Sage.
- Hall, S, Critcher, S., Jefferson, T., Clarke, J., and Roberts, B. (1978). *Policing the Crisis: Mugging, the State and law and order*. London: Macmillan.
- Harper, T. (2003, March 4). Ottawa Police Chief Muzzles his Deputy. *The Toronto Star*, p. A17.
- Harris, D. (2001). *Profiles in Injustice: Why racial profiling cannot work*. New York: The New Press.
- Harvey, E. (2003, February 20). *An Independent Review of The Toronto Star Analysis of Criminal Information Processing System (CIPS) Data Provided by the Toronto Police Service (TPS)*:

Reference List

- Summary Report*. Toronto Police Service. Retrieved August 28, 2005, from <http://www.torontopolice.on.ca/publications/2003.02.20-review/executivesummary.pdf>.
- Hebdige, D. (1993). From Culture to Hegemony. In S. During (Ed.), *The Cultural Studies Reader*. London: Routledge.
- Henry, F. and Tator, C. (2002). *Discourses of Domination: Racial bias in the Canadian English-language press*. Toronto: University of Toronto Press.
- Henry, F., Tator, C., Mattis, W., and Rees, T. (2000). *The Colour of Democracy: Racism in Canadian society*. Toronto: Harcourt Brace.
- Herman, E. and Chomsky, N. (1994). *Manufacturing Consent: The political economy of the mass media*. London: Verso.
- Hier, S. and Greenberg, J. (2002). News Discourse and the Problematization of Chinese Migration to Canada. In F. Henry and C. Tator (Eds.), *Discourses of Domination: Racial bias in the Canadian English language press* (pp. 138-162). Toronto: University of Toronto Press.
- Holdaway, S. (1996). *The Racialisation of British Policing*. New York: Macmillan.
- James, R. (2002a, October 21). Why I Fear for my Sons. *The Toronto Star*, pp. A01 and A08.
- James, R. (2002b, October 28). Old Reactions to Race, Crime Won't Work. *The Toronto Star*, pp. B01 and B07.
- James, R. (2003, January 20). King Day Celebration Embodies the Real 'Black Community.' *The Toronto Star*, pp. B01 and B04.

Reference List

- Jiwani, Y. (2002). The Criminalization of 'Race,' the Racialization of Crime. In W. Chan and K. Mirchandani, (Eds.), *Crimes of Colour: Racialization and the Criminal Justice System* (pp. 67-86). Peterborough, ON: Broadview Press.
- Karim, K. (1993, Spring). Constructions, Deconstructions and Reconstructions: Competing Canadian discourses on ethnocultural terminology. *Canadian Journal of Communications*, 18(2), 197-218.
- Kellner, D. (1995). Cultural Studies, Multiculturalism, and Media Culture. In G. Dines and J. Humez (Eds.), *Race, Gender, and Class in the Media: A Text Reader* (pp. 5-22). Thousand Oaks, CA: Sage.
- Keung, N. (2003, March 21). Delegates Asked for Profiling Stories. *The Toronto Star*, p. A02.
- Labour Council Toronto and York Region. (2002, November 6). "Serving and Protecting" Everyone in Toronto. Retrieved August 25, 2005, from <http://www.labourcouncil.ca/serveprotect.html>.
- Lakey, J. (2003, April 25). Fantino Wants Player Retried. *The Toronto Star*, p. B04.
- Lakey, J. and Duncanson, J. (2003, April 29). Coalition Quits Race-Crime Talks. *The Toronto Star*, pp. A01 and A20.
- Lawrence, E. (1982). *The Empire Strikes Back: Race and racism in the 70's Britain*. Centre for Contemporary Cultural Studies. London: Hutchinson.
- Mackie, R. (2003a, January 23). Fantino Slams Critics of Police. *The Globe and Mail*, p. A22.
- Mackie, R. (2003b, August 7). Anger Greeted Runciman Race Comment. *The Globe and Mail*, p. A01.

Reference List

- Mackie, R. (2003c, August 8). Black Politicians Attack Runciman Comments. *The Globe and Mail*, p. A16.
- Macklin, A. (2002, November 25). Myth of Crime-Prone Immigrant Persists. *The Toronto Star*, p. B02.
- Mahtani, M. (2002). Representing Minorities: Canadian media and minority identities. *Canadian Ethnic Studies*, 33(3), 99-134.
- Makin, K. (2002, October 28). How Colour-blind is Justice? *The Globe and Mail*, p. B14.
- Makin, K. (2003, January 18). Police Engage in Profiling, Chief Counsel Tells Court. *The Globe and Mail*, pp. A01 and A26.
- Makin, K. (2004, March 8). For Judges, Free Speech has its Limitations. *The Globe and Mail*, p. B15.
- Marshall, C. (2002a, October 31). Living with Fallout of Slavery. *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/10-31-index.html>.
- Marshall, C. (2002b, November 14). Self-help Will Stop Self-destruction. *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/11-14-home.html>.
- Mascoll, P. (2003a, February 27). Police Complaints Role Remains Unclear. *The Toronto Star*, p. A21.
- Mascoll, P. (2003b, February 28). Tory Appointee Saw No Racial Profiling. *The Toronto Star*, p. A03.
- Massiah, T. (2002, November 21). The More Things Change. *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/11-21-home.html>.

Reference List

- McCabe-Lokos, N. (2002, November 11). Police Can't Be 'Politically Correct.' *The Toronto Star*, pp. A01 and A23.
- McConahay, J.B., and Hough, J.C. Jr. (1976). Symbolic Racism. *Journal of Social Issues*, 32(2), 23-45.
- Metropolitan Police Authority. (2003, February). *MPA Scrutiny of the MP's Performance and Practice in Stop and Search*. London: Metropolitan Police Authority.
- Morrison, T. and Brodsky Lacour, C. (Eds.). (1997). *Birth of a Nation'hood: Gaze, script, and spectacle in the O.J. Simpson case*. New York: Pantheon Books.
- Mosher, C. (1998). *Discrimination and Denial; Systemic racism in Ontario's legal and criminal justice systems, 1892-1961*. Toronto: University of Toronto Press.
- Not Our Fault. (2002, November 14). *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/11-14-home.html>.
- Ontario Association of Chiefs of Police. (2003a, January). *OACP Reaction to Racial Profiling Comments by James Stewart*. Retrieved from <http://www.oacp.on.ca/content/scripts/search.html?SearchString=stewart>.
- Ontario Association of Chiefs of Police. (2003b, February 25). *Ontario Police Chiefs Take Firm Stand on Accusations of Racial Profiling* [Press Release]. Retrieved August 6, 2005, from http://www.oacp.on.ca/uploads/pdfs/ReleaseFebruary25_03_racialprofiling.pdf.
- Ontario Human Rights Commission. (2003a, February 20). *Statement by Chief Commissioner Keith Norton Regarding the Ontario Human Rights Commission Inquiry into Racial*

- Profiling* [News Release. Retrieved August 6, 2005, from http://www.ohrc.on.ca/en_text/news/e_pr_racial-profiling-statement.shtml.
- Ontario Human Rights Commission. (2003b, October). *Paying the Price: The human cost of racial profiling – Inquiry report*. Retrieved August 6, 2005, from <http://www.ohrc.on.ca/english/consultations/racial-profiling-report.pdf>.
- Perkel, C. (2002, October 30). No Racial Targeting Anywhere in Ontario, Police Chiefs Say. *The Toronto Star*, p. A03.
- Perkins, T. (2003, April 11). Prize Sparks Debate Over Controversial Series. *The Globe and Mail*, p. A02.
- Police in New Jersey Face 5 Years in Jail, \$15,000 Fine for Racial Profiling. (2003, March 15). *The Toronto Star*, p. A20.
- Police Target Black Drivers. (2002, October 20). *The Toronto Star*, pp. A01 and A08-A09.
- Porter, C. (2002, October 22). Police Union Urges Star Boycott. *The Toronto Star*, p. A06.
- R. v. Brown. (2003, April 16). C37818 (Ont. C.A.).
- Racist Profiling. (2002, October 31). *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/10-31-index.html>.
- Razack, S. (1998). R.D.S. v. Her Majesty the Queen: A case about home. *Constitutional Forum*, 9(3), 29-35.
- Roberg, R., Novak, K. and Cordner, G. (1993). *Police and Society*. California: Wadsworth.
- Rose, W. (2002, Winter). Crimes of Colour: Risk, profiling and the contemporary racialization of social control. *International Journal of Politics, Culture and Society*, 16(2), 179-205.

Reference List

- Russell, K. (1998). *The Colour of Crime: Racial hoaxes, White fear, Black protectionism, police harassment, and other macroaggressions*. New York and London: New York University Press.
- Shame on the Sun. (2002, November 28). *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/11-28-home.html>.
- Shearing, C. and Ericson, R. (1991). Culture as Figurative Action. *British Journal of Sociology*, 42, 481-506.
- Shephard, M. and Quinn, J. (2002, October 26). Police Chief Calls for Race Relations Probe. *The Toronto Star*, pp. A01 and A15.
- Simmie, S. (2002, November 24). Understanding Jamaica – Digging up the roots of violence. *The Toronto Star*, pp. A01 and A06.
- Skolnick, J. (1994). *Justice Without Trial: Law enforcement in a democratic society, 3rd edition*. New York: Macmillan.
- Sokoloff, H. (2002, October 23). Toronto Police Union Threatens Lawsuit Over Racial-profiling Articles. *National Post*, p. A11.
- Sorensen, E. (2003, March 2). Ottawa Police, Deputy Chief at Odds Over Racial Profiling. *The Toronto Star*, pp. A01 and A11.
- Taylor, S. (2002, October 31). Useless ‘Summit.’ *Share*. Retrieved August 7, 2005, from <http://www.sharenews.com/10-31-index.html>.
- The Star’s Response to the Critics. (2003, March 1). *The Toronto Star*, p. A27.
- There is no Racism. We do not do Racial Profiling. (2002, October 19). *The Toronto Star*, p. A14.

Reference List

- Thorsell, W. (2002, November 18). When We Fear to Speak our Minds on Black and White. *The Globe and Mail*, p. A19.
- Time to Focus on the Real Issues [Editorial]. (2003, February 22). *The Toronto Star*, p. E6.
- Toronto Police Service. (2002). *2002 Annual Report*. Retrieved August 25, 2005, from <http://www.torontopolice.on.ca/publications/files/reports/2002annualreport.pdf>.
- Toronto Police Service. (2003, January). *Policing a World Within a City: The race relations initiatives of the Toronto Police Service*. Retrieved August 6, 2005, from <http://www.torontopolice.on.ca/publications/files/reports/2003.02.13-policingaworldwithinacity.pdf>.
- Toye, S. (2002, December 4). Conference Addresses Racism in the Criminal Justice System. *news@UofT*. Retrieved August 23, 2005, from <http://news.utoronto.ca/bin3/021204a.asp>.
- Tyler, T. (2003a, April 18). Crown Attorney Won Praise and Scorn for Views on Profiling. *The Toronto Star*, p. A21.
- Tyler, T. (2003b, June 25). Judge Dismisses Suit Against the Star. *The Toronto Star* [Online Edition]. Retrieved August 28, 2005, from http://www.thestar.com/NASApp/cs/ContentServer?pagename=thestar/Layout/Article_Type1&col=1034935301113&c=Article&cid=1056492621026&call_pageid=1034935301156.
- Ungerleider, C. (1992). *Issues in Intercultural Awareness and Race Relations Training in Canada*. Ottawa: Solicitor General of Canada

Reference List

- van Dijk, T. (1988). How They Hit the Headlines: Ethnic minorities in the press. In G. Smitherman-Donaldson and T.A. van Dijk (Eds.), *Discourse and Discrimination* (pp. 221-262). Detroit: Wayne State University Press.
- van Dijk, T. (1991). *Racism and the Press*. London: Routledge.
- van Dijk, T. (1993). *Elite Discourse and Racism*. Newbury Park, CA: Sage.
- van Dijk, T. (Ed.). (1997). *Discourse Studies – A multidisciplinary introduction: Volume 2 – Discourse as Social Interaction*. London: Sage.
- van Dijk, T. (1998). *Ideology: A multidisciplinary approach*. London, Thousand Oaks, CA, New Delhi: Sage.
- van Dijk, T. (2000). New(s) Racism: A Discourse Analytical Approach. In S. Cottle (Ed.) *Ethnic Minorities and the Media* (pp. 33-49). Buckingham: Open University Press.
- Verma, S. (2002, November 27). Bromell Defies Summit; Police Union Leader Disputes Racial Profiling Charges. *The Toronto Star*, p. A01.
- Verma, S. (2003, August 6). 400 Face Arrest in War on Crime. *The Toronto Star*, pp. A01 and A20.
- Visano, L. (2002). The Impact of Whiteness on the Culture of Law: From theory to practice. In W. Chan and K. Mirchandani, (Eds.), *Crimes of Colour: Racialization and the Criminal Justice System* (pp. 209-237). Peterborough, ON: Broadview Press.
- Waddington, P.A. (1999, Spring). Police (Canteen) Sub-Culture. *British Journal of Criminology*, 39(2), 287-302.
- Wente, M. (2002, October 29). Death, Guns and the Last Taboo. *The Globe and Mail*, p. A19.

Reference List

- Wilkes, J. (2003, January 9). Chief Fantino Blasts Media Over Coverage of Meeting. *The Toronto Star*, p. B02.
- Wodak, R. and Matouschek, B. (1993). 'We Are Dealing with People whose Origins One Can Clearly Tell Just by Looking': Critical discourse analysis and the study of neo-racism in contemporary Australia. *Discourse and Society*, 4(2), 225-248.
- Worthington, P. (2002, October 31). Profiling Essential to Fighting Crime. *Toronto Sun*, p. 36.
- Wortley, S. (1996, October). Justice for all? Race and perceptions of bias in the Ontario criminal justice system – A Toronto survey. *Canadian Journal of Criminology*, 439-467.
- Wortley, S. and Tanner, J. (2004). Data, Denials and Confusion: The racial profiling debate in Toronto [summary]. *The Canadian Review of Policing Research*. Retrieved August 20, 2005, from <http://crpr.icaap.org/issues/issue1/wortley-tanner.html>.
- York, D. (1994). *Cross Cultural Training Programs*. Westport, CT: Bergin and Garvey.