

# Sustaining Systemic Racism Through Psychological Gaslighting: Denials of Racial Profiling and Justifications of Carding by Police Utilizing Local News Media

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## Abstract

This article examines Police Services and local media discourses on street checks in Hamilton, Ontario, from June 2015 to April 2016 and their usage as a form of psychological abuse known as gaslighting. Despite the widespread coverage that the Hamilton Police Service received as a result of being linked to systemic racist practices, a year later, the Hamilton Police Service was able to avoid being implicated in deliberately conducting racial profiling through strategic tactics in the discourse they relied upon and presented in the media. Through an analysis of 27 local news media articles on the topic of street checks, it is argued that the Police Services and local media discourse enact gaslighting, a form of psychological abuse that is used to manipulate object(s) in order to deceive and undermine the credibility of the target. The psychological effects of gaslighting on people of color included a sense of alienation, disenfranchisement from the community, and distrust toward the police. Through a case study application, it is suggested that gaslighting is part of a systemic, historical process of racism that has been used by the police and government organizations to both illegally target people of color and deny complicity in racial profiling.

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Everything can be explained to the people, on the single condition that you want them to understand.

Fanon (1963, p. 189)

Issues of police brutality, racial profiling, have been sites of struggle for generations (Hernandez, 1990; Morris, 1986; Staples, 1975; Weitzer & Tuch, 2002). The advancement of attention to how blatant systemic racism, dehumanization, and violence persist within policing practice and societal discourse is often the cyclical burden carried by the racialized people affected by these very systems (Dovemark, 2013; Nelson, 2013; Taylor, 1998; van Dijk, 1992). This research drew upon critical theory and critical race theory (CRT) to conduct a critical discourse analysis (CDA) of local news media discourse on police carding and racial profiling in Hamilton, Ontario, Canada relying on focused methodological techniques of grounded theory to examine how racism is attended to, conceptualized, legitimated, or denied from 2015 to 2016.

In Hamilton, Ontario, racism against Canadians of African descent has always been a pervasive and extremely difficult sociohistorical issue. Early histories from the 1800s have recounted anti-Black racism in Hamilton restricting where Black people could shop, eat, and work. Since 1835, the Stewart Memorial Church (then known as St. Paul's American Methodist Episcopal Church), at John Street North, Hamilton, Ontario, was a refuge for African America slaves crossing the Niagara river via the underground railroad (Gordon, 2016, p. 24). In the 1940s, Reverend John C. Holland, a prominent Black social activist, organized numerous sit-ins in different businesses across Hamilton that did not serve or hire Black Hamiltonians (Gordon, 2016, p. 12). When Stelco steel and other local companies were not hiring Blacks, Holland took several Black men to the locations and convinced the companies to hire them (Gordon, 2016, p. 12). In 1996, the Sesquicentennial Advisory Committee (SAC) organized a celebration for the then upcoming 150th anniversary of the city of Hamilton (Gordon, 2016, p. 24). There were no Black people on the SAC, and initially, this committee did not intend to recognize the significant contributions of Blacks to Hamilton's history (Gordon, 2016, p. 24). When two prominent Black social activists in Hamilton, Evelyn Myrie and Marlene Thomas Osborne of the Hamilton Black History Committee found out about this lack of representation in the SAC, they attended the SAC's next meeting and successfully got the SAC to recognize Black History in Hamilton (Gordon, 2016, p. 24). This recognition came via a celebration of Black Hamiltonian history at the inaugural John Holland Awards (Gordon, 2016, p. 24). Twenty years later, the John Holland Awards is still celebrated every February where both Black history and the accomplishments of young Black leaders in Hamilton are celebrated at a dinner gala. This complex history of anti-Black racism in Hamilton can only be

recounted alongside the antiracist activism of people such as John C. Holland, Evelyn Myrie, and must also be appreciated within a context of ongoing discrimination against indigenous groups in Hamilton.

These matters are unfortunately not only historical. Recently in 2010, during the *R. v. Steele* case, a mistrial was declared in a Hamilton courtroom because 25 people of a jury pool of 75 Hamiltonian jurors stated that they were too biased against Blacks to objectively judge the case where the defendant, Richard Steele, a Black man, was appealing a firearms possession case on the basis that the traffic stop that led to the charge was a case of racial profiling (DiManno, 2009). Although the appeal was overturned, the mistrial demonstrated that anti-Black racism is still a major problem in the city. As a statistics Canada report revealed, in 2013, race and ethnicity accounted for half of reported hate crimes in Canada and the city of Hamilton has the second highest number of reported hate crimes of any city in Canada (Allen, 2015). Recently, activism around carding has occurred through the Black, Brown, Red lives matter movement working in solidarity with the Black lives matter events and protests beginning in Ferguson Missouri (Bennett, 2014). More broadly, movements such as Black lives matter and widespread challenges to police brutality and racial profiling have reinvigorated long-standing historical positions of activism while constantly adding to the conversations and analysis (Este, Sato, & McKenna, 2017; Lindsey, 2015; Love, 2016; Yancy, 2016). These movements, challenges, activism, and analyses have advanced attentions to gender, children, ability, and class as well as how we examine the confluence of history and identity (Este et al., 2017; Lindsey, 2015; Love, 2016; Yancy, 2016).

Carding has become a widely discussed issue in Ontario over the last few years. Carding takes places when a police officer stops a person on the street without warrant or without having had a complaint lodged to gather basic information on him or her. The information the police officer collects from the person is usually height, race, gender, age, and any other personal information the officer thinks is relevant to his or her policing. In total, the card has 65 fields where information is stored and categorized (Bennett, 2015). The information is written down on a small card and then transferred to the police database, where the information is permanently stored. Any person can be stopped, even if they did nothing wrong. This issue initially gained traction in the national media when it was announced in Toronto that its police force suspended the practice in January 2015 after the public expressed outrage about the practice (Winsa & Rankin, 2015). Carding is understood as a practice that depends on racial profiling and is a practice used by the Hamilton Police Services (HPS; Hutchinson, 2015; Sayani-Mulji, 2015). The police use carding to gather information on individuals for the purpose of building intelligence with professed intent to protect the community.

Since 2010, the HPS, in particular, the Addressing Crime Trends in Our Neighborhoods (ACTION) team, has used carding as part of a larger socioeconomic initiative for the city to “clean” up the city’s downtown core and improve its growing business (Sayani-Mulji, 2015). This initiative basically encourages and contributes to the continual gentrification of the core while stigmatizing and criminalizing the large percent of Blacks, Indigenous Americans, and poor people who live there. As a result

of this initiative, from 2010 to 2014, it is reported that of the approximately 9,000 street checks that were conducted during that time, 12% of those street checks were Blacks although Blacks only make up 3.2% of the city's population (Bennett, 2015). In comparison, while White people make up 84% of the city's population, White people made up 75% of the documented street checks conducted from 2010 to 2014, indicating that White people were stopped at a rate of approximately 0.9 times, while Black people were being disproportionately being stopped at a rate of approximately 4.7 times. This indicates that Black people are grossly overrepresented by the Hamilton police database for carding.

Since the summer of 2015, when it was confirmed that the HPS did collect race-based statistics during a street check or a carding, local Hamilton news outlets have extensively covered carding as a major citywide issue that needs to be dealt with. In addition to the widespread coverage of carding in local Hamiltonian news media outlets, the media plays an important role in the generation and the facilitation of a public discussion around carding and how it has broader implications regarding the city's future and the city's past.

This article is guided by the following question: How has the HPS's local news media discourse on carding and racial profiling in Hamilton attended to, conceptualized, legitimated, or denied racism from 2015 to 2016? The resulting analyses suggest that the positions of HPS within local news media discourse on carding resemble a technique of psychological abuse called gaslighting; the term gaslighting is a metaphor for the obfuscation techniques used by HPS through local media to both avoid and undermine racialized and marginalized groups' arguments against carding and deny that there are historical systemic and structural issues with respect to anti-Black racism in Hamilton. Through strategic discursive maneuvers, including techniques of plausible deniability, the HPS was able to avoid being implicated in claims that its organization is structurally racist by resisting talking about or stating any definition of their practice of street checks to the public, thereby eluding any transparent analyses or public inquiry, allowing them to deflect the public outrage toward carding at the arbitrary nature of the practice. As a result, street checks were regulated instead of being fully banned which did not systemically address racial profiling in the HPS. As demonstrated through this study, through a process of gaslighting, the HPS perpetuated a pattern of sociohistorical traumatization and disenfranchisement of the voices of racialized and marginalized groups in the city.

## Methods

This research drew upon critical theory and CRT to conduct a CDA of local news media discourse on carding and racial profiling in Hamilton relying on focused methodological techniques of grounded theory to examine how racism is attended to, conceptualized, legitimated, or denied from 2015 to 2016.

Generally, grounded theory is a qualitative method of research that is grounded in canon but believes that canon should be redefined in order to "fit the realities of qualitative research and the complexities of social phenomena that they seek to

understand” (Corbin & Strauss, 1990, p. 418). Grounded theory is based on two principles: The first principle is change and the second principle is determinism. In regard to change, grounded theory sees phenomena as constantly changing (Corbin & Strauss, 1990, p. 418). In terms of determinism, grounded theory rejects both strict determinism and nondeterminism. Instead, “actors are seen as having, though not always utilizing, the means of controlling their destinies by responses to conditions. They are able to make choices according to perceived options” (Corbin & Strauss, 1990, p. 418). The researcher is tasked with observing this interplay. Unlike other forms of both quantitative and qualitative research methods, the goal of grounded theory is to illuminate a discovery found during the researcher’s analysis (Corbin & Strauss, 1990, p. 418), making grounded theory a more open-ended research process.

This research relied upon grounded theory techniques by analyzing 27 articles from local Hamilton news media outlets, coding for themes and generating a theoretical contribution from the data, acknowledging the focus and influence of CRT (with relevant key concepts identified in the methodology section of this article) and an attention to structural discourses of how racism are perceived, talked about, understood, denied, or legitimated. This approach generated knowledge about how the HPS’s media discourse on carding resembled patterns of the psychological abuse technique known as gaslighting.

Specifically, when using techniques from grounded theory, CDA was used to provide focus to the open coding steps. Open coding is “the interpretative process which data are broken down analytically” (Corbin & Strauss, p. 423). This analytical process was used to guide the analysis of the media articles. According to van Dijk (1993), CDA is a form of discourse analysis that seeks to understand “what structures, strategies or other properties of text, talk, verbal interaction or communicative events” contribute to the exercise of social power by elites that lead to social inequality (pp. 249–250). CDA is motivated by current and important social issues (van Dijk, 1993, p. 252). Critical discourse analysts usually take an explicit social political stance. The success or effectiveness of a CDA study is usually evaluated by its relevance to social change (Dijk, 1993, p. 253).

The CDA of the focused coding of the news media articles was influenced by CRT. CRT is part of critical postmodern theory (Ortiz & Janie, 2010, p. 176). Tierney states that CRT is an “attempt[s] to understand the oppressive aspects of society in order to generate societal and individual transformation” (Ortiz & Janie, 2010, p. 176). CRT does not assume all universal truths and it rejects all master narratives. Instead, CRT is based on the following assumptions: “race is a social construction, race permeates all aspects of social life, and race-based ideology is threaded throughout society” (Ortiz & Janie, 2010, p. 176). CRT seeks to locate the voice of the marginalized, it is committed to justice, and it employs the concept of intersectionality (Ortiz & Janie, 2010, p. 176). CRT is necessary for this project, as its inquiry and attentions are to how race and racism are understood as oppressive aspects of society, how it permeates social life, education, and institutions with a commitment to justice (Crenshaw, 1995; Delgado & Stefancic, 2017; Ladson-Billings & Tate, 1995; Solorzano, Ceja, & Yosso, 2000).

The inquiry began with an examination of different Canadian articles ranging from the *Toronto Star* to the CBC. While these articles provided valuable introductory

information concerning what carding is and how important this topic is in Ontario, it was found that the volume of articles about carding that were covered in the country were far too extensive and complex, given the nuances of local, historical contexts across cities to fit the smaller scope of this project. Therefore, the focus was narrowed to Hamilton, with focus on researching articles about carding that were written by local news media outlets that are based in Hamilton. Both authors also are racialized people with lived experience in Hamilton.

The *Hamilton Spectator's* Full Text archive was used to search for the media articles. In the search bar, "Hamilton," "Carding," and "Street Checks" were used as key terms to make sure the articles looked at examined street checks or carding in the city. The search dates spanned from January 2010, the approximate date the ACTION team started street checks, to June 2015 (the time of the project research and analysis). The search was restricted to all news outlets within the city of Hamilton to focus on local media discourses surrounding the discussion of street checks. These news media outlets are *The Hamilton Spectator*, *Ancaster News*, *Dundas Star News*, *Hamilton Mountain News*, *Stoney Creek News*. The search resulted in 27 articles dating from June 2015 to May 2016.

During the data collection and data analysis phase of the research, articles were analyzed, line by line, attending to the patterns of how the HPS's local news media statements on carding emerged, and how the discussion around carding in general emerged in the local news media outlets. Each article looked at was coded according to how the discussion about carding was being generated. After the initial analysis of the media articles, a pattern emerged as occurring in the HPS's discourse about race: The way they addressed the public about carding resembled a form of psychological abuse referred to as gaslighting. In general, gaslighting occurs when the abuser (the gaslighter) psychologically manipulates the abused (the gaslightee) by altering something in the gaslightee's environment and then denying that such a change took place so that the gaslightee will begin to question his or her judgment (Roberts & Andrews, 2013, p. 70). Over time, this cycle of invalidation will gradually diminish the gaslightee's confidence in his or her judgment to the extent where the gaslighter will establish an authoritarian like dominance over the gaslightee. A more in-depth description of gaslighting components is provided later in the article (beginning on page 31). Drawing from literature on gaslighting, and the possible psychological and political motivations behind this abuse, a historical case study is presented that examines the HPS's gaslighting techniques within the larger historical context of systemic racism and how the police and the Canadian government has historically perpetuated this abuse. Below we outline some key concepts from CRT that were helpful to the analysis.

## Key Concepts

### *Racial Macroaggressions*

Within CRT, the concept of macroaggressions is one that requires a particular appreciation within the analysis presented in this article. Ortiz and Janie describe

macroaggressions as “affronts that are not necessarily directed at a specific person but at a group” (Ortiz & Janie, 2010, p. 180). They state that an example of this type of affront would be racial profiling against African Americans where this form of discrimination is not necessarily “directed at particular African Americans as much as it is directed at ‘Blackness’” (Ortiz & Janie, 2010, p. 180). While elaborating on the notion of macroaggression, they indicate that “institutional arrangements [...] [are] socially constructed mechanisms that regulate and set norms for social interaction” while reflecting the “beliefs and the values of the dominant society and inherently reflect a racial bias” (Ortiz & Janie, 2010, p. 180). This insight reminds us that people’s actions are a part of institutional arrangements (Ortiz & Janie, 2010, p. 180; Solorzano et al., 2000). The concept of macroaggressions is key to this research because it lends support to the understanding that carding or street checks as a form of racial profiling are a type of macroaggressions that represent and perpetuate institutional arrangements in Hamilton that regulate or permit systemic racism.

### *White Privilege and White Supremacy*

Another aspect of CRT that is critical to this research and analysis is the concept of White privilege. Since racism works systemically, on an institutional level, society has developed institutions in ways that assumes the world views of people of color instead of having representation and the recognition of voice that permits genuine insight into how institutions relate to people of color (Ortiz & Janie, 2010, p. 180). These racial assumptions eventually become ingrained and internalized in the infrastructure of society and act as institutional reminders to individuals and groups to the extent that they are seen as facts (Ortiz & Janie, 2010, p. 181). Abrams and Gibson note that when it comes to the dominant group within Western society—that is, White people—there is no contestation to the idea that society is made for them, or by them thus, resulting in White privilege (Ortiz & Janie, 2010, p. 181). In her essay, *White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women’s Studies*, Peggy McIntosh, a feminist scholar and a White female, states that people who are White usually believe that privileges are “conditions of daily experience” that are experienced by everyone, regardless of their race (McIntosh, 1988). McIntosh states that these privileges are actually “unearned power conferred systematically” (McIntosh, 1988). Zeus Leonardo makes an important distinction about the concept of White privilege. He argues that a critical analysis of White privilege must be complimented by an analysis of White supremacy because the two systems go hand in hand (Leonardo, 2004, p. 137). What is important about this distinction is that although these two concepts are related, White privilege is a product of White supremacy (Leonardo, 2004, p. 137). Leonardo states that “In order for white racial hegemony to saturate everyday life, it has to be secured by a process of domination, or those acts, decisions, and policies that white subjects perpetrate on people of color” (Leonardo, 2004, p. 137). Leonardo (2004, p. 138), for example, illustrates the importance of this distinction by using James Scheurich’s image of “being white as akin to walking down the street with money

being put into your pant pocket without your knowledge.” Leonardo subverts this image of White privilege. He states that White supremacy would more like the following description: People of color would have their money taken from their pocket (Leonardo, 2004, p. 138). The people taking the money—that is, a symbol for “material and cultural possessions of people of color—are white” (Leonardo, 2004, p. 138). Leonardo notes that Scheurich’s original image masks the process of domination, especially in regard to who is dominant as a result of this process of domination and instead focuses on the privileges that Whites receive from the process, therefore mistaking the “symptoms for the cause” (Leonardo, 2004, p. 138). Leonardo concisely describes the process of domination. Leonardo states that Whites enjoy privileges through a system of White supremacy. Although this system is complex and multicausal, it generally works in the following way: “set up a system that benefits the group, mystify the system, remove the agents of actions from discourse, and when interrogated about it, stifle the discussion with inane comments about the “reality” of the charges being made (Leonardo, 2004, p. 148). McIntosh, like many other writers on White privilege, is overinvolved in individual perspectives on race and White guilt. By noting that the discourse of White privilege ignores the experiences of the oppressed in a racial hegemony that perpetuates White privilege, Leonardo points out that the discourse of White privilege also caters to the White imagination instead of trying to understand the lived experiences of people of color in North America (Leonardo, 2004, p. 143).

The concept of White supremacy is an important reminder that there is a strong probability that if a White person with no critical knowledge of systemic racism is considering the notion of racism and how it affects their daily life, they may confuse racism as an issue at the personal level instead of the institutional level and therefore, the concept of macroaggressions may escape them completely. This was evident throughout the preliminary analysis of the 27 articles. Not one article gave a thorough or even one sentence definition of what racism is. Instead, racism was only associated with the term “racial bias,” indicating that the reporters, the police officials, and elected officials (who were mostly White) did not interpret carding or street checks in Hamilton as macroaggressions or systemic racism in Hamilton, and likely confused this issue as one that has more to do with the personal “biases” of the police officers that conducted street checks. This was an early discovery in the research that supported the idea that the discourse around race and racism in the media’s coverage of carding or street checks was informed by an individualistic understanding racism.

Below are examples from the analysis of the common ways racism and anything related to racialization or race were raised or discussed: 1. “While there are ‘ample examples’ of racial bias involving carding, police should still have the power to stop people for questioning when warranted” (Brennan & Ferguson, 2015). 2. “Carding, street safety checks and the links to racial bias” (Dreschel, 2015). 3. “Chief De Caire acknowledged there is racism in policing, but stressed his officers do not systematically target minorities in their street stops” (Hayes, 2015).



This representation of racism is overly simplistic. The articles covering carding did not give its readers any basic conception of carding that could be used as a foundation for understanding where and how carding fits within a larger sociohistorical picture of institutional racism in the city and why that has broader implications that affects everyone who lives in the city. Since the articles did not provide or cite any clear definition of racism or its historical relevance in Hamilton, these articles were lacking references to any ongoing systemic context or to any major part of the foundation for antiracist arguments against carding. To put it another way, these articles were both inadvertently and carelessly erasing a history of institutional racism against Blacks, Indigenous peoples, and Other marginalized peoples, as well as their organized struggles and resistance. By erasing this history, these articles effectively erased the foundation upon which all of the critical arguments against carding are built on. Therefore, when these arguments are presented in the local news media outlets, the arguments against carding carry less weight and are often presented as questionable, made to seem fallacious to readers and as though they have no sociohistorical knowledge of tenuous race relations in Hamilton.

In their book, *Racial Formation in the United States*, Omi and Winant identify what is known as “race” as a largely sociohistorical concept that is “an unstable and decentered complex of social meanings constantly being transformed by political struggle” (Omi & Winant, 2008, p. 19). Omi and Winant’s point behind examining race as a decentered and unstable complex is to demonstrate that there is not one single definition to race. Instead, the multiple definitions of race, whether they are based on a social concept such as the one drop rule or a biological concept based on skin the differentiations of intelligence among races, is that the different concepts were not exclusive but are likely intertwined together through history and a convergence of political and cultural projects over time. Joseph (2015b) notes that “an attention to confluence focuses on the common practices and technologies within these systems across temporal periods to reveal relations and operations of power and their common project” (p. 16). This emphasis on confluence (as opposed to an intersectional or an interlocking analysis) is to acknowledge that an idea is never static and can be explored through multiple perspectives that are not mutually exclusive (Joseph, 2015b, p. 17). This point reminds us that race cannot be seen as a fixed idea, and it certainly cannot be seen as an idea that is exclusive to its present time. Rather, one must develop a more complex understanding of race by understanding the economic, political, cultural, social, and historical influences that have shaped different meanings or constitutions of race. The intention behind this examination is not to find out the one “true” meaning of a particular idea of what racism is but rather to get a broader, more complex idea of how racism is formed over time and understand that the complexity and messiness of race is as much a challenge of critical race studies, as it is a revelation that relates to gray area that concepts like racism realistically play out in real-life scenarios. Although there is no singular definition of what racism is, Omi and Winant show that racism can still be broadly defined on an institutional level in regard to how a group is systemically oppressed and how another group benefits from this oppression.

## Overview of Gaslighting

Gaslighting is a form of psychological abuse. According to Roberts and Andrews, gaslighting is a form of psychological abuse that gets aggravated through reinforcement. The abuser will manipulate the victim's mental state or physical environment, and then deflect the change to the victim, making the victim think that they are imagining things. By continually doing this, the abuser will gradually develop a relationship with the victim where the abuser can maintain a highly controlling and abusive position of authority while the victim will continually second guess their judgments (Roberts & Andrews, 2013, p. 70).

The term gaslighting has been said to arise in popular use after the 1944 film, *Gaslight* (Abramson, 2014). During this film, a character, Gregory, manipulates his spouse, Paula, with the aim to have her hospitalized so he can have access to her jewels for the purpose of attaining a substantial fortune (Abramson, 2014). The coinage of the term gaslighting is popular because it references a reoccurring theme in the film: Every time Gregory turns on the attic gaslight to search for jewels there, the other lights in the house start to dim. Once Paula notices this and questions the dimming effect of the gaslights, Gregory dismisses this effect and plays it off by stating that Paula is just imagining things, as this imagination is part of her declining mental health (Abramson, 2014).

There are five main components of the gaslighting process. The first component is the gaslighter. The gaslighter is a person or group who manipulates reality because he or she can benefit from this act (Roberts & Andrews, 2013, p. 78). The second component is the gaslightee. The gaslightee is the person/persons whose reality/lived experiences are manipulated and distorted by the gaslighter (Roberts & Andrews, 2013, p. 78). Usually, the gaslightee represents either figuratively or literally a reward for the gaslighter (Roberts & Andrews, 2013, p. 78). The third component is the object of manipulation. The object of manipulation is usually the persons or objects that the gaslighter manipulates to distort and alter the gaslightee's memory (Roberts & Andrews, 2013, p. 78). The fourth component of gaslighting is the consequence(s) experienced by the gaslightee. The consequence(s) experienced by the gaslightee are detrimental and can impact them financially, socially, mentally, physically, and emotionally (Roberts & Andrews, 2013, p. 78). The fifth component of gaslighting is the reward(s) for the gaslighter. The reward(s) for the gaslighter can be described through two parts: the results of the gaslighter's actions and the advantage that the gaslighter receives over the gaslightee as a result of the gaslighting (Roberts & Andrews, 2013, p. 78). Roberts and Andrews states that the primary goal of gaslighting is "the acquisition of a benefit through the intentional distortion of facts, objects, people, etc. The objects of manipulation are inconsequential casualties of the gaslighting project, and only serve the purposes of hiding the gaslighter's guilt and providing them with some form of advancement or gain acquired from the gaslightee" (Roberts & Andrews, 2013, p. 78). The objects of manipulation are primarily a means to an end (Roberts & Andrews, 2013, p. 79). A subsequent product of gaslighting is invalidation and the lived experience of feeling that one's perceived disconnect with

reality is evidence of their incapacity or lack. This participates in an ongoing project of dehumanization, historically connected to tropes of madness and incivility.

Abramson (2014) notes that during the 1980s, the term gaslighting became popular in therapeutic uses and clinical psychology. Although gaslighting does involve manipulation, Abramson (2014) does note that gaslighting does not have to start out with an end goal in mind. Instead, “those who engage in this form of emotional manipulation are often not consciously trying to drive their targets crazy” (Abramson, 2014). This is an important distinction because it indicates that a person or group of people can enter into an abusive cycle without a “master plan” or clear end in sight. Gass and Nichols notes this as well in their 1988 study on how spouses use gaslighting to conceal and deny their extramarital affairs, when they state that an abuser’s original intention is a “moot point” once they have entered a cycle of lying and trying to deceive their target (Gass & Nichols, 1988). The implications behind noting that gaslighting can be done unintentionally is that a person or a group can enter into abusive behavior without noticing it, suggesting that this predilection to such abusive behavior is often a result of habit or deeply held beliefs and ideologies.

During the process of gaslighting, the reliance on a plausible deniability claim can be used as a form of object manipulation. In particular, plausible deniability claims are used for the manipulation of discourses through deceitful tactics. Walton (1996) describes plausible deniability as a technique of veiled attack (p. 47). The goal of a plausible deniability claim is to use major informal fallacies to actually work as credible tactics of deception in everyday argumentation (Walton, 1996, p. 47). Plausible deniability will usually begin with someone making an *ad hominem* argument. This type of argument will usually make a fallacious suggestion about something; however, the person making the argument will never make an outright assertion, since an assertion requires a burden of proof (Walton, 1996, p. 49). Instead, the argument will either rely on a presumption or an assumption to avoid the burden of proof. Walton describes this strategy of not making a declarative assertion to avoid the burden of proof as “leaving the back door open”: “plausible deniability is preserved by ambiguity, and other deceptive or confusing techniques that enable the arguer to keep the back door open, should one’s argument be directly confronted or challenged” (Walton, 1996, p. 50). For example, if person A makes an insinuating statement to person B, by stating “You can tell the cops about what you know about the mob, but it’s a dangerous city,” then person B could reasonably interpret the suggestion as a threat on his life since the implication is that if he tells the cops about what he knows about the mob, then the “dangerous city” could result in his harm. However, if person B accuses person A of threatening him, then he could always use the backdoor by stating that he was just stating the facts about the city and did not ever directly make a threat. This is just one example of how plausible deniability works, but it is a strong and persuasive technique that is often successful in escaping accountabilities to a burden of proof when a fallacious argument is directly challenged.

It is important to note that gaslighting is an important concept because it gives a label to a particular kind of psychological abuse. Giving a label to a psychologically abusive term such as gaslighting is important because it can assist targets and victims

identify and protect themselves from further or future abuse by the gaslighter. Since one of the major elements to gaslighting is manipulation and the concealment of the intent to manipulate, if the gaslightee(s) is made aware of the gaslighting occurring or that has occurred then the group or the person becomes empowered to be better able to recognize the specific characteristics of what gaslighting looks like via their experience and name it as such. Therefore, when the gaslighter tries to gaslight the gaslightee, instead of making the gaslightee feel “insane” or “unstable” by the virtue of psychological abuse, the gaslightee will have the chance to disrupt the illusion by pointing out how the gaslighter is trying to manipulate the situation. This point reminds us that one of the major keys to pulling off a successful strategy of gaslighting is to make it look like the gaslighting is actually not going on and convincingly make these accusations appear to be a figment of the gaslightee’s imagination.

### *Findings or Analysis of Data*

Shadowing the primary research question, how the discourse in the media around street checks or carding was portrayed as a macroaggression indicating larger institutional or systemic racism in the HPS. Using CDA, the 27 articles were analyzed, annotating them with devoted analytical influence from CRT. The findings are presented in four general themes within the discourse on carding, particularly how the police and the government shaped the discourse and how racialized and marginalized members of the city respond to the discourse in the media: (1) How the discourse around carding or street checks is (re)constructed or constituted. (2) The discourse pertaining to the legality of street checks or carding. (3) Arguments made in support of carding and its regulations. (4) Arguments against carding. While observing these major themes and the marginal journal notes made from each article, it was noticed that the police’s stance on carding kept shifting and changing, making these patterns consistent with gaslighting.

*How the discourse around carding or street checks is (re)constructed or constituted.* Common within the media’s coverage of carding in Hamilton, the HPS’s definition of carding has been constantly shifted and changed. In the earlier media documents, street checks and carding were seen as separate but possibly related practices. Andrew Dreschel of *the Hamilton Spectator* stated that “carding, street safety checks, and [...] links to racial bias” were related (Dreschel, 2015). Yet, although the possible association between carding and street checks was contemplated, the police never stated in the media that carding was the same practice as street checks. Instead, at this time, carding was seen as a controversial police tactic that was practiced by the Toronto police (Brennan & Ferguson, 2016). By the time the street checks in the Hamilton became an important, more widely covered issue by local news media outlets, carding was also being covered nationally by news media outlets as both a controversial police practice that was consistent with the definition of racial profiling and a practice that was a violation of human charter rights (Brennan & Ferguson, 2016). Although carding was condemned in Toronto, it was not exactly clear what

carding was as a police practice. Ontario Premier Kathleen Wynne confirmed the ambiguous understanding of the practice when she stated, “the government needs to consult to nail down ‘definitions around carding’ because ‘we use this word as though everybody understands exactly what it is and what it means’” (Brennan & Ferguson, 2016). Wynne’s statement indicated that one of the larger problems surrounding carding was the fact that both the Toronto and Hamilton police did not give any clear definition of what the practice of carding was. The definition of carding is central to establishing the tone of the media discourse on carding. Without a clear definition of what carding is in the media’s coverage of carding in Hamilton, the police are less accountable and argumentatively have the “back door” left open since no one can hold them to a strict definition of what carding is. This back door allows the police to be ambiguous in the media. Although the media suspects that street checks and carding are in violation of the Canadian Charter of Human Rights and Freedoms (Sections 8, 9, and 15[1] regarding unreasonable search and seizure, arbitrary detention and discrimination based on race, respectively), the lack of a concrete definition of street checks prevents the HPS from being implicated in systemic racism early on in the beginning of the media coverage and the establishment of the discourse on carding.

In addition to the HPS denying that they take any part in carding, the HPS via the media made a concerted effort to distinguish their practice of street checks from the Toronto police service’s practice of carding. Glenn De Caire, the Hamilton police chief at the time and current director of security and parking services at McMaster University stated that “we do not card. We do not participate in random, indiscriminate stopping of persons based on race or any other prohibited ground for the purpose of identifying individuals” (Lennie, 2015c). De Caire’s use of the word “random and indiscriminate” is key because it makes his statement appear to mean that the HPS may stop people based on race; however, these stops are not random and are not without a legitimate reason. Instead, the HPS stated that the reason why they conduct street checks is for the purpose of “building contacts and fostering community relations [...] although community members and legal experts argue that [street checks] amounts to the same thing [as carding]” (Dreschel, 2015). Even if the HPS’s distinction of carding and street checks is based on the fact that the HPS only conducts street checks when they have a legitimate reason, this argument begs the important question of whether this statement is reflection of practice or a technique of gaslighting to foster a favorable view of HPS in the public eye.

The HPS initially denied that they do in fact “card” people and positioned that if the HPS did practice anything that resembled carding then it would be for a legitimate reason. However, as the media coverage around carding progressed, the HPS began to contradict themselves when discussing *who* would be accountable for street checks or carding. When asked to define street checks, Glenn De Caire stated that there are multiple definitions of street checks and “it depends on who does the talking” (Lennie, 2015a). If the nature of street checks is to stop people and collect information from them because of a possible link to an investigation, then there would be a need for them to give a just and probable cause. By general definition, the practice of carding and street checks gives no legitimate reason to stop people and is instead hinged on a

remote possibility that the stopped person may be related to a criminal investigation. In hindsight, it is now appreciated that carding and street checks are the exact same practice and that the HPS was deliberately being ambiguous—that is, leaving the “back door open”—to avoid negative publicity. The discursive maneuvering by HPS with respect to the definitions of carding appears to be innocent of deliberate avoidance or reinstatement of ambiguity.

*The discourse pertaining to the legality of street checks or carding.* The second major theme of the Hamiltonian media’s coverage of carding in Hamilton is the focus on the debate of the legality of street checks or carding in Hamilton. Initially, based on the knowledge that the practices of carding were conducted for no legitimate reason and that carding possibly—this is before it was confirmed—that it collected race-based statistics and possibly stopped people for the reason of race, legal experts believed that carding was illegal for two reasons. Critics have stated that carding violates two fundamental charter rights:

1. The right not to be arbitrarily detained.
2. “The right not to be subjected to unreasonable search and seizure” (Brennan & Ferguson, 2016).

The violation of the first right suggests that carding would be illegal if it led to someone being detained for no reason. This means that carding would have to have no investigative purpose other than randomly detaining someone. The violation of the second right suggests that carding would be illegal if the search or seizure of the person(s) being carding did not have to do with any reason other than the fact that they are being carded. Thus, in both these rights, there is no precise interpretation of how carding would be in violation of these laws; instead, the general relation to carding and its violation of those two charter rights would largely depend on the case law—which would not be as helpful since not only are carding and street checks technically a new practice—but it would also depend on the judge or tribunal that is enforcing these rights (Elliot, 2015).

De Caire mentions that police officers can be exercising different laws when conducting carding “but the usage of the term is dependent on the authority an officer is exercising” (Lennie, 2015a). De Caire’s word choice makes carding appear to be practiced in a number of varying ways. Carding may not be one single form of a police practice but instead a tactic that is deployed when necessary for a variety of legitimate forms of police stops. This dilution of an emphasis on carding as a problematic practice suggests a high level of uncertainty and improbability regarding what carding actually is and how the police use it. De Caire expresses his uncertainty with what carding exactly is when he stated in a September 15, 2015, article in the *Stoney Creek News*: “right now we don’t have the proper definitions, we don’t have common expectations so let’s deal with that” (Werner, 2015).

The Minister of Community Safety and Correctional Services (at the time), Yasir Naqvi, stated that “people stopped for no reason are free to walk away” (Brennan &

Ferguson, 2016), suggesting that if someone is arbitrarily stopped, and given no reason to be detained, then the police officer should be legally obliged to leave them alone. However, Jeff Manishen, a criminal lawyer based in Hamilton, stated that it is not that simple for a person to walk away from a police officer even if the police officer has no reasonable grounds to stop the person. If people walk away, Manishen notes, police officers may misinterpret or mischaracterize these actions as being hostile to the police and unwilling to help them do their job (Dreschel, 2015). In fact, Manishen states that case law is full of incidents where officers would escalate these scenarios by putting the person under investigative detention (Dreschel, 2015). Normally, when the officers face a judge in the court of law and state the reason why the detainee was put under investigative detention, judges tend to be lenient with what reason the officers give (Dreschel, 2015).

In one instance, De Caire mentions that “an officer may ask for a citizen’s identity when issuing a provincial offence notice. Failing to identify oneself to an officer can obstruct an investigation” (Lennie, 2015a). This quote comes from an article released on June 26, 2015, discussing how the HPS board called on De Caire to give a better definition of street checks. In the context of the general public not knowing the full legal ramifications of carding, this statement also cautions people to be more hesitant toward walking away from any type of police stop, therefore, making it more likely for a person to comply with a street check even if there are no reasonable grounds for the stop.

After the HPS released a report stating that they do track race-based statistics when conducting carding, the provincial government held province-wide meetings in different cities. Although the province did not officially hold a meeting in Hamilton, Matthew Green hosted a town hall meeting that discussed carding (OpHardt, 2015). During this meeting, community members were able to voice their dissatisfaction with the practice of carding by HPS. Minister Naqvi was in attendance. After this meeting—along with the meetings in the other cities in Ontario—it was clear that there was a strong public opinion against the practice of carding by police (Werner, 2015). Therefore, Minister Naqvi announced on behalf of the government that the government would be conducting a province-wide review of carding and how to properly regulate it (Werner, 2015). This review eventually led to province-wide regulations on carding that provide clear and consistent guidelines for police officers.

Before the province-wide regulations on carding were released, it was announced on September 25, 2015, in the *Hamilton Community News* that the HPS would be adopting five principles on the regulations of carding in Hamilton. These principles were a temporary measure to regulate carding in the city while the HPS waited for the Provincial government’s regulations to come out. These five principles were taken from the Toronto Police Service, when they also established principles for carding in the city (Lennie, 2015b). The five principles adopted by the HPS were agreed by the Hamilton Police Board at a September 24, 2015, meeting (Lennie, 2015b). The principles were (1) minimize the potential negative effects of contacts in the community; (2) reflect the goal of police legitimacy by ensuring contacts are conducted in the spirit of building trust with the community and are directed toward effective

policing; (3) ensure compliance with the Charter generally and, in particular, Section 9: protection against arbitrary detention and Section 15: right to equal treatment under the law; (4) ensure compliance with the code generally, and in particular, Section 1: freedom from discrimination based on race, place of origin, age, color, ethnic origin, gender identity, or gender expression; and (5) ensure compliance with the Municipal Freedom of Information and Protection of Privacy Act generally, and in particular, with Part 2: protection of individual privacy (Lennie, 2015b). These five principles are presented to the public to basically ensure that the police are abiding by the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code and the Municipal Freedom of Information and Protection of Privacy Act (Lennie, 2015b).

The legal discussion in the media around carding is important because the law—that is, case law and the charter—is really the one major authority that the HPS is accountable to. As seen in this analysis, the legality around carding is very ambiguous; only the two charter rights and the five principles were used to determine if the HPS were breaking the law when they conducted street checks. However, since the definition of street checks was so ambiguous, the HPS left “the back door” open and was able to avoid being held accountable to a reasonable burden of proof. The HPS’s manipulation of the law is part of a larger sociohistorical process of gaslighting where government officials and the police manipulate the law to avoid being held accountable for potentially illegal actions. The sociohistorical aspect of gaslighting will be discussed in the last section of this article.

*Arguments in favor of street checks and its regulation.* After the HPS’s practices of carding or street checks became better understood to the general public through public discussion, a series of arguments in support of carding or street checks were made in the media. The first being the argument that carding or street checks are essential to police work, especially when conducting investigative work. In the media, this argument is depicted as being one that is based off actual police experience. In one article, Michael Csoke (2015), a former officer of the Toronto Police, explained his experience with carding as a police officer:

My first experience of successful “carding” was when I was a young Toronto police officer. I had stopped a car full of known criminals and “carded” their association. About a year later, I received information that my card had linked two individuals together in a homicide. Prior to my card discovery, these two individuals had denied any knowledge of one another to investigators. That, was “carding” at its best, and what it is truly intended for. Linking criminals and criminality together, nothing more. There is no underlying purpose for race gathering as the writer would have the public believe.

Here, Csoke presents carding as a canny, tactical police practice that outwits criminals. The experience he talks about presents carding as an essential tool in a chess like game of cat and mouse between police officers and criminals. When Csoke states that carding is meant for linking criminals and criminality together and nothing more, he is implying that carding is simply an objective tactic that only has to do with police



officers and criminals, denying that anyone who is an innocent bystander and citizen is ever affected by carding. His statement that there is “no underlying purpose for race gathering as the writer would have the public believe” implies that the writer is fabricating the claim that carding is part of a larger sociohistorical process of police discrimination against people of color and poorer people. Csoke further tries to diminish the arguments against carding by deeming it unrealistic. In the same *Spectator* article where he states that carding is not race based, he also states that the proposed regulations for carding are unrealistic:

The writer also suggests that police service boards implement a policy where officers initiate an interaction with a citizen and let them know that they are under no obligation to speak to them, and then issue a receipt to them afterward. I can picture the scenario now. With the recent spat of shootings in this city, as officers attempt to link the shooters together through surveillance and the use of “contact cards,” card which would provide vital information in order to link associations, vehicles, and locations together, but as officers approach a car load of suspects, they have to ask their permission to converse? This writer obviously resides in the penthouse of his ivory tower. (Csoke, 2015)

Here, Csoke attempts to diminish the argument against carding by depicting the HPS as only relying on carding when it comes to criminal investigations and dealing with potential criminals. His statement makes the proposed regulations for carding look like its giving criminals the upper hand when it comes to the cat and mouse chess game that law enforcement and criminals play. Csoke completely ignores the fact that regular, noncriminal, citizens have consistently complained about carding affecting them to the extent of traumatization. Csoke ignores that people of color who have had experiences with carding and other forms of racial profiling have any legitimacy when it comes to talking about carding and the legality behind it. He also puts police work above human rights considerations as though police data collection should be above human rights protections.

Not only have the police and elected representatives denied the voices of people of color and poorer people when it comes to talking about the experiences with carding and racial profiling, they have also denied that racism is a systematic issue in Hamilton despite the evidence showing that carding disproportionately targets Blacks, Indigenous Americans, and poor people. After the race-based statistics were released in July, 2015, Lloyd Ferguson, the chair of the HPS board said, “I feel better now, that it’s not 80% people of color, because that would be a problem” (Leitner, 2015). Ferguson avoids recognition of systemic racism by resetting the threshold of what should be considered disproportionate with his 80% rule. What Ferguson distracts from is that while 3.2% of the city’s population is Black, Blacks made up 12% of those who were carded, indicating that Blacks are being carded at a significant disproportionally high rate (Leitner, 2015). Ferguson seems to be insisting that the voices of Blacks and other marginalized communities can be suppressed and erased simply for the fact that he sees them as marginal. Ferguson underscores his unsympathetic approach to the representation of people of color and other

marginalized groups in Hamilton by stating that “Personally, I like street checks and I’ve heard from my community; they like it too” (Leitner, 2015). Ferguson, the representative of Ward 12 (Ancaster), is speaking on behalf of a predominantly White, affluent neighborhood. In this case, Ferguson demonstrates that a large amount of city councilors and elected representatives in Hamilton—with the lone exception being councilor Matthew Green (the first person of color to be elected to a seat on Hamilton city council)—are denying the racism of carding partly due to their own privileged subjectivities that are disconnected from the lived experiences of those whom carding seems to impact the most.

The racism of carding is not only belittled in the local media analyzed as a small problem, but it is also premised as a problem related to individual biases and (thus isolated) personal problems and not a systematic problem embedded within institutional policies and law. De Caire demonstrates his misuse of the word racism when he states that his officers “do not activate any of their policing authorities based on race” (OpHardt, 2015), indicating that the HPS officers are never trained to stop someone solely based on their race. However, he does “[acknowledge] there is racism in policing, but his officers do not systematically target minorities in their street stops—and that such stops are necessary to gather information and solve crimes” (Hayes, 2015). De Caire clearly does not appear to appreciate what racism is beyond an individual bias. He instead makes a distinction between racism as a personal issue and systemic racism as an institutional issue. Unfortunately, what De Caire does not understand is that the former of these two distinctions is part of the latter (the larger system of racism). To this effect, not only is he presenting a distorted image of what racism actually is, but he seems to deny culpability for his officers’ actions and scapegoat them as the perpetuators of racial bias despite his own police report indicating that the HPS does systemically target people of color with no evidence to support the legitimacy of how these police stops apply to reasonable, evidence-based investigations and crime prevention. It is worth noting that in a 2011 study done by Wortley and Owusu-Bempah (2011), they found that “black racial background appears to be a master status that attracts attention and significantly contributes to police decisions to conduct street interrogations. To the police, young black males represent the usual suspects” (p. 402). This study reminds us that criminality cannot be separated from racialization. Actually, racialization is deeply connected to criminality historically, as notions of criminality were once believed to be hereditary traits bound to immigrants not from a desirable stock of British citizens (Joseph, 2015a). An essential component of racialization—that is, judging someone based of their appearance—is currently a regular form of policing. When De Caire argues that policing is separate from systemic racism, he is discounting two important points. Firstly, part of the stereotype of being Black is also being a potential criminal and vice versa. Secondly, as documented as early as 1915, when immigration services collaborated with the Ontario provincial police to deport people of color without the due process of the law, the police have historically attached race to criminality and used these ideologies of criminality to justify racial profiling (Joseph, 2015a). Lyn Lofland has raised and discussed the establishment of order based on appearance in urban

cities in the 1973 book, *A World of Strangers: Order and Action in Urban Public Space*. Lofland notes that social ordering was historically based on two principles to organize the urban populace. Organizing people based on appearance which is referred to as “appearential ordering” (beginning in preindustrial societies and ordering people by space (spatial ordering—which continued through industrialized cities; Lofland, 1973, p. 29). Lofland’s kind of analyses that suggest using appearance to order people is simply easier for urbanization processes that lack attention to race and racism specifically and the violence of enforcement.

The HPS, via the media, also discursively associates the argument that carding is practical and essential to police work to the idea that this work makes the community safe and if it is discontinued, then it may put the community in danger or at risk. When discussing the importance of street checks and the tension it has caused in the community, De Caire states that “I think it is important that we recognize that there is a fundamental tension between crime prevention and the gathering of criminal intelligence for the purpose of law enforcement and keeping all our communities safe” (Lennie, 2015b). De Caire’s statement suggests that there is tension between crime prevention and the actual processes that go into crime prevention. This statement seems to be deliberately ambiguous and contradictory because if crime prevention and the processes that actually prevent crime are presented as being tenuous in relation to one another—instead of naturally being in conjunction with one another. This clever statement implies that the police are the experts of keeping the city safe and implies that the communities’ discomfort is a necessary cost of the provision of safety. In addition to this belittling and denying or erasing the voices of the marginalized that are oppressed by carding, the HPS has tried to diminish the voices of elected representatives and other public servants who have been critics of carding. The HPS has tried to diminish the voices of elected officials and public servants by implying that their opinions are not substantial and just a game of “politics” that has more to do with the internal culture of politicians trying to gain their own benefit than actually benefit the community they serve.

In a *Spectator* article that covers the province-wide dissent about carding the police association of Ontario was worried that “the value of police check procedures as depicted in the media will become a casualty of politics” (Brennan & Ferguson, 2016). The term “casualty of politics” is ambiguous and dismissive. By claiming that politics may tarnish the true practical value that carding offers to the community, the police association is implying that the negative depiction of carding in the media is being sensationalized or exaggerated and therefore, not an accurate reflection of carding as a practice. Again, this claim does contain a piece of factual information: The media coverage and the negative publicity surrounding carding have certainly played a major role in pressuring both the HPS and the provincial government to do something about carding. However, it also serves to discredit the claims of systemic racism advanced by community members. After the province-wide regulations for carding were released at the beginning of 2016 (scheduled to take effect January 1, 2017), carding was banned throughout the province. In the media, the HPS attempted to distance

themselves from the practice and deny that carding was even an official police practice that was standardized throughout its police force.

Inspector Mike Worster, who leads the community mobilization division that includes the ACTION team, indicated his disdain for carding when the *Spectator* reports that “Though the new regulations specifically prevent police from implementing carding as a performance measure, Worster told the *Spectator* that had never been a policy in Hamilton, and that the new regulations would not impact the efficiency of the ACTION Team” (OpHardt, 2016b). Worster’s insistence that carding has never been a policy implies that carding was never officially implemented by a document stating that carding was a standard practice in the HPS. This discursively shifts to portray carding to be an informal practice and an error committed by some police and diminishes that actual evidence that was released by the HPS indicated that carding was a serious, systemic, regularly practiced problem in the police service.

The arguments made in support of carding follow a distinctive pattern congruent with that of gaslighting. Carding is argued as a practical, essential, objective, and fair practice to protecting the community, although there is not substantial evidence to suggest that carding is effective. This is ironic, because although there are no detailed statistics or research to demonstrate or support the positive effect that carding has had in the Hamilton community, as the Csoke letter demonstrated, a major argument in support of carding is that the arguments against carding are unrealistic and impractical. The arguments for carding seriously undermine the concept of racism to the extent that it is advanced by police via media as only a simplistic, individual-level issue. Whether or not this misuse is deliberate or based on ignorance is difficult to discern. But this aspect of the argument for carding seriously undermines the voices of people of color who have experienced racism through carding.

*Arguments against carding and its regulation.* During the media’s coverage of carding in Hamilton that was analyzed, community members argued for the complete abolishment of carding. Ismael Traore, cofounder of Black, Brown, Red Lives Matter of Hamilton, stated that the town hall meeting held in on September 15, 2015, was a statement to “show all the other communities in Ontario that Hamilton is for the total abolition of carding” (OpHardt, 2015). At the town hall meeting, Brother Staferd X, a Black minister from Toronto, shared sentiments similar to Traore’s when he said that when it comes to carding, “people are tired of injustice and they’re tired of being treated as second-class citizens” (Buist, 2015), indicating the disenfranchisement that victims of carding feel.

One major argument against carding that was depicted in the media was that carding racially criminalizes the downtown core of Hamilton. It was noted by police officials that carding is done in “high priority areas” such as the downtown core (Craven, 2016). In this area, the percentage of Blacks, Indigenous Americans, and Other people of color is higher than the citywide average (Sayani-Mulji, 2015). However, Riaz Sayani-Mulji (2015), a law student at the University of Toronto and a person of color, states that this narrative perpetuates the criminalization of race and follows “the racist myth that high priority areas possess criminality.” Sayani-Mulji’s

point is important because it demonstrates that one of the major narratives that is being told to convince people that carding is beneficial to the community is actually a false narrative that tries to insinuate that carding as an investigative and crime prevention tactic will naturally take place in areas where people of color, LGBTQ people, and other marginalized people reside. An example of how carding operates as a policy that criminalizes people of color came in De Caire's September 21, 2015, letter to Yasir Naqvi when he stated that:

When we send officers to this area in response to the shooting, we are going to be stopping, talking and investigating young black males. We are going to be stopping and talking to as many people as possible because we do not know who might be a suspect, person of interest, victim, witness or a person who may wish to be a confidential informant. We don't know until we gather the information. Anyone who happens to be a "young black male" is going to be stopped, without evidence of wrongdoing, without even a suspicion of wrongdoing; they are to be stopped and questioned and information about them added to a police database solely because they are young Black males. (Goba, 2015)

De Caire made this remark in reference to a shooting that occurred between two Black males right outside the downtown core on May 2015. Ruth Goba, the interim chief commissioner of the Ontario Human Rights Commission at the time, condemned this statement made by De Caire as evidence that this form of carding is a form of racial profiling: "Chief De Caire outlines what he apparently feels is a suitable discretionary approach to collecting information [...] This is a textbook description of racial profiling. It is not discretion in action—it is a racially-motivated round-up" (Goba, 2015). Goba's letter in response to De Caire is a great indicator that if unchecked, the HPS will try to rationalize racial profiling by claiming that race based stops are coincidental because the ones who possess criminality happen to be Black.

The need for a stronger system of checks and balances that will hold the HPS accountable is further underscored after carding was regulated instead of being abolished by the provincial government. Elliot (2015b) of the *Hamilton Spectator* notes how police officers could exploit the loopholes of the regulations: "Let's face it, if police are motivated to doing a stop, coming up with a legitimate investigative reason is easy." Elliot reminds us that preventing the police from conducting arbitrary stops, the major reason why carding was regulated, is easier said than done as officers' perceptions of what is arbitrary and what is not arbitrary can always be altered. The regulation of carding does not ensure the practice will cease. There needs to be a systemic shift in the internal culture of the HPS that will implement "checks and balances to ensure its benefits remain useful, while its potential harm is minimized" (Elliot, 2015b). The need for checks and balances to ensure that the carding regulations are effective indicates that the regulations need to be routinely and systematically enforced.

The arguments against carding and its regulation in Hamilton reveal that the concerns of victims of carding were either ignored or indirectly dealt with by the

provincial government and the HPS. Recalling that gaslighting, as a form of psychological abuse, manipulates an object to the disadvantage of the gaslightee for the benefit of the gaslighter, we can see that although people from marginalized communities clearly reported that they wanted street checks to be fully abolished, the HPS was able to maintain the practice of street checks. Through a series of racial myths involving criminality and low socioeconomic status, the HPS via the media was not only able to discredit the voices of carding victims, but these myths also implied that their victimization may even be their own fault.

## **Discussion: Gaslighting, a Historical Form of Psychological Abuse That Perpetuates Systemic Racism**

Gaslighting, as highlighted in this article, enacts a deeply hurtful, historical form of psychological abuse that perpetuates systemic racism. During the early 1900s in Ontario, it has been uncovered that the Canadian Immigration Department and the Provincial police were profiling people coming across the border from the United States and sending them back for no legitimate reason that was in accordance with the law. In 1915, W. D. Scott (the Superintendent of Immigration at the time) investigated the deportation of 1,135 “hobos, tramps, undesirable aliens” from November 1913 to October 1914 (Joseph, 2015a, p. 137). When conducting that investigation, Scott was concerned about the legitimacy of these deportations (Joseph, 2015a, p. 137). Initially, when he contacted officials from Sarnia, Ottawa, Windsor, Bridgeburg, and Niagara Falls, they stated that they did not have any records of handing people over to the police for deportation (Joseph, 2015a, p. 137). Instead, the superintendent of the provincial police at the time stated to Scott in a letter that the immigration officials were not guilty of negligence (Joseph, 2015a, p. 137). The provincial police superintendent stated that the provincial police and immigration officials were working together to prevent “largely American hoboes, the proportion of Europeans being small . . . on freight trains at night in small boats, and through the bush” (Joseph, 2015a, p. 137). In this letter, the police superintendent makes it appear that the police and the immigration officials were righteous and legally stopping “undesirables” from illegally crossing the border. However, Scott, not satisfied with the ambiguity of this response, later finds out from the superintendent of the provincial police that “Inspector Mains came to the conclusion that it was no use filling the country’s gaols with these men, and putting the Province to the cost of their maintenance. For the protection of the Province, Inspector Mains devised a scheme to rid this element” (Joseph, 2015a, p. 139). In this letter, it is also revealed that the plan involved “finding and handing over undesirables to immigration officials” (Joseph, 2015a, p. 139). Joseph states that the letters documenting W. D. Scott’s communication with the provincial police and immigrations officials reveal to us that (1) The criminal justice system contrived a scheme outside of the provisions of the law to protect the province from undesirables. (2) The lack of documentation and record keeping allowed the police to identify and deport people without inquiry as to how and why they did so. (3) The lack of records and documents erases how and why the practice of racial profiling

practice while allowing the police to continue the illegal deportation of people. (4) The lack of records and documents about this police practice simultaneously erases the “identities, voices, faces, protections [ . . . ] for the wellbeing of those described as hobos, tramps or undesirables” from consideration (Joseph, 2015a, p. 139). (5) “The conversation is confined to possible gaps in border surveillance” as opposed to focusing on how the police and the immigration officials abused their authority under the Immigration Act by using the police to deport people without giving them “justice through due process” (Joseph, 2015a, pp. 137–139).

In terms of gaslighting, Joseph’s analysis indicates that police and the immigration officials used a form of gaslighting to make it appear that their policing practices represented “a fair and just process to any who would inquire” (Joseph, 2015a, p. 141). In this case, the people that were deported and anyone else, including Scott, who were affected by the police and the immigration officials’ false image of legal deportation are the victims of this process and therefore, the gaslightees. The objects of manipulation are the records or the lack of records; as Joseph noted, this object is key for the police and the officials to deny any wrong doing while also maintaining the illusion that their practice is both legal and important to the protection of the province’s safety. The reward for the gaslighter appears to be: “ensuring that Canada remains composed of people most resembling a white, able (in body and mind), English-speaking British Canadian settler/worker” (Joseph, 2015a, pp. 139, 140). The consequence for the gaslightee is twofold: First, by restricting the records that are kept, anyone, like Scott, that is trying to properly enforce the law cannot do so and as a result, the ability to properly enforce the law is impeded; second, by the law not being properly enforced and systematically impeded, marginalized people are systematically profiled and deported without no legitimate legal basis. This historical case as an example that demonstrates that the Ontario police and Canadian government officials have used gaslighting to conceal and reframe historical processes of racial profiling.

Throughout the media discourse of street checks or carding in Hamilton, the gaslighters are the HPS and other elected officials who made arguments in support of carding. The main object of manipulation during this gaslighting process was the police’s position on carding via news media articles. By changing their stance on carding, the police were able to reframe the issue of carding in the city and control the discourse in the media to the extent where the voices of the marginalized were suppressed and ignored. This is seen in the beginning of the media’s coverage of carding or street checks in Hamilton when it was clear that large majority of the community were against carding and wanted the practice to be completely banned, citing its violations of the Canadian Charter of Rights and Freedoms among other reasons against the practice. In response to these initial arguments made on behalf of the racialized and marginalized groups in the city, De Caire explicitly stated that the HPS does not practice carding—they instead practice street checks as a form of investigative police work that is devoted to crime prevention while building community relations within the city. Yet, despite the broad purpose given for what street checks accomplish, neither De Caire—nor did any representative on behalf of the HPS—give an explicit definition of street checks for accountability. In terms of plausible

deniability, the HPS left a backdoor open. The HPS can escape accountability and the requirements of the burden of proof because they avoided stating a clear definition of carding, leaving it up for general interpretation.

While the HPS clearly distinguishes the practice of carding—a police tactic that is notoriously known as a method of racial profiling in Toronto—from what they claim is their practice of street checks they also deny that the HPS conducts police stops on the basis of race. However, when the HPS released the full report on their practice of street checks, it was clear that this practice was nearly identical to what was understood of as a practice of carding based on racial profiling. Once the similarities between the two practices were noted, the HPS changed their stance from not practicing carding to not practicing arbitrary stops or discriminatory stops on the basis of race. This move was critical for the HPS because they were now stating that the practice of carding itself was not necessarily wrong, it was the practice of using carding as a method to stop someone with no legitimate basis that was wrong. Of course, as noted before, this is a logical collapse. The practice of carding is already with no legitimate basis, especially when considering the fact that the report did not give any evidence for how carding has directly contributed to the prevention or reduction of crime. Nevertheless, the HPS was able to reframe the discourse around street checks: Initially, the issue was that this practice was seen as structurally discriminate toward visible minorities, but now this practice was being portrayed as vulnerable to an individual officer's personal bias.

De Caire made sure to note this when he openly stated to the media that he did not have a precise definition of street checks and that an officer's interpretation of street checks was subject to who was doing the talking. After, the Ontario Ministry of Community Safety and Correctional Services decided to regulate street checks as opposed to completely ban it—the measure that opponents to carding initially demanded, the HPS gaslighted racialized and marginalized groups who were completely against the practice of carding by making it appear that the police were always against the arbitrary and discriminatory nature of street checks (even though this stance by the police was not developed until late 2015 as a measure to avoid being implicated as a structurally racist institution). Also notable is how the HPS shaped the discourse surrounding why carding is an issue; the HPS, through this analysis, never directly responded to the arguments against carding. Instead, they indirectly dealt with these arguments by changing their stance to look like they had the same opinion as the community. Of course, the result shows that the most pressing arguments against carding were largely ignored, which demonstrates that the HPS manipulated the media discourse around carding to create the illusion that they were interested in the voices of the marginalized when they were really not.

Former Harvard Law Professor, Derrick Bell Jr., created a theory called interest convergence to explain how important civil rights breakthroughs happen because the minorities' interests were able to align with the government's interests. Bell (1980) notes that during any crucial breakthrough in the America Civil Rights movement, particularly the 1954 *Brown versus the Board of Education of Topeka* case, "the interest of Blacks in achieving racial equality will be accommodated only when it



converges with the interests of Whites” (p. 523). Bell made this statement because he noticed that before this case, similar cases fighting segregation continually lost, although the same arguments were being made against discrimination. Therefore, although the country philosophically believed in freedom for everyone, practically, the government did not apply this philosophy to every demographic in the country, especially if implementing equality to African Americans threatened their political power. Bell (1980) states that his theory was not to diminish the advancements made by the Brown case nor was it to undermine the advancements made by civil rights activists that helped win the case (p. 525). Rather, his goal was to remind people that interest convergence shows that it was unlikely the government would help civil rights activists just off of a moral imperative (Bell, 1980, p. 525). Instead, there must also be a strong practical, socioeconomic imperative to help advance the civil rights movement, especially in the overtly racist environment of the American South.

What is equally important as understanding what happens when interests converge is understanding what happens when interests diverge. An example of interest divergence happened after the Brown Case. After the Brown case, many civil rights activists were ecstatic because the victory marked a possible sign that the government would back their movement. However, immediately after the case was decided, many White people in the south, especially working-class and lower class White people, were insulted by the case’s decision because they perceived it as a threat to their perceived advantages they enjoyed because of segregation (Bell, 1980, p. 526). With this growing sentiment among working-class Whites and in general, Whites in the south, government officials—both elected and not elected—began to view supporting the civil rights movement as a risk to their political power (Bell, 1980, p. 526). Since the government did not want to risk angering their political supporters, they started to slowly withdraw their support for cases that would desegregate the south, specifically in the area of education (Bell, 1980, p. 526). As a result, the courts began to cling to the concept of “local autonomy” as a “vital national tradition” (Bell, 1980, p. 526) when making decisions about desegregation policies. As Bell described, “it was not enough that segregation was the ‘natural and foreseeable’ consequence of [racist] policies. And even when this difficult standard of proof is met, courts must carefully limit the relief granted to the harm actually proved” (Bell, 1980, p. 526). The burden of proof that the courts put on the plaintiffs is reminiscent of the constant expectation that people require from minorities to demonstrate the occurrence physical harm or overtly racist language to prove that racism actually exists. And this is dangerous because it discredits harder to measure but equally important damages of racism done to minorities such as trauma and depression. Not only does the unreasonably high standard of the burden of proof act as a practical tactic to create obstacles for civil rights activists, but it also creates trauma because the demand for material proof of racism diminishes the lived reality of Blacks. The debate about racism no longer becomes safe for Black people. Their reality is questioned, thus questioning their sanity.

An example of the question of minorities’ sanity came in early 2016, when Matthew Green, the first Black city councilor in the city of Hamilton, was arbitrarily stopped by a police while waiting for a bus. In a letter of complaint to the HPS, Green

stated that he was arbitrarily stopped at an underpass near a bus stop, trying to avoid the wind (Van Dogen, 2016). While waiting for the bus, he was stopped by a police officer who began to ask Green invasive question for no reason. Green reflects on the encounter, stating "He repeatedly questioned my credibility, acting in an intimidating manner and continued to harass me even though it was clear I was not a suspect in any crime nor involved in criminal activity" (Van Dogen, 2016). Members of the HPS tried to discredit and use explicit techniques of gaslighting to discredit the picture that Green's account paints of the HPS's relation to racial profiling. Clint Twolan, president of the Hamilton Police Association, questioned Green's account by insinuating that the officers instead did a condition check (Van Dongen, 2016). Twolan states, "if that's the case, rather than being critical, it's my opinion Mr. Green should be thanking the officers for coming and checking on him" (Van Dongen, 2016). Twolan's rhetoric is classic gaslighting: As the gaslighter, he is trying to manipulate Green's own first-hand account of what happened by insinuating that he may have misinterpreted the event. Twolan tries to question Green's memory and subtly assert the belief that police know more about these encounters. By trying to convince Green that he does not know what he is feeling and that he should instead thank the same officer that appeared to racially profile him, Twolan is patronizing Green and trying to undermine his own psychological ability to judge what was a clear example of racial profiling.

A major reason why the HPS used gaslighting techniques in their statements in the media is possibly because it would not be in their best as an institution to acknowledge that it was practicing an overtly racist practice. In order to understand this point, it is imperative to understand the HPS' subculture surrounding allegations of racial profiling. The HPS has a subculture that influences them to interpret racial profiling as a smaller part of criminal profiling. Therefore, if they happen to profile minorities, then they believe that they would be profiling them not because of their racial characteristics but because they matched the description and qualities of a criminal profile. When Satzewich and Shaffir interviewed Hamilton Police Officers for this study, one officer stated that if he was working in the Jane-Finch Area in Toronto, an area that is known for its crime and has a high population of Black people, he would stop people who committed crimes (Satzewich & Shaffir, 2009, p. 209). If the people he stops happens to be Black, then he would not be stopping them for their race as much as he would be stopping them because they were likely to commit a crime (Satzewich & Shaffir, 2009, p. 209). The officer that was interviewed compares this way of thinking about catching criminals to how fisherman go to catch fish: "You go where the first are if you're going to catch fish. If you're going to catch criminals, you end up having to do that" (Satzewich & Shaffir, 2009, p. 209).

One other major deflection technique that the HPS uses to neutralize allegations of racism is to state that they are no longer racist. They achieve this deflection technique by comparing their current, diverse police force to their past, less diverse and tolerant police force to show how far they have come and to justify that racism is not that big of an issue today as it was in the past (Satzewich & Shaffir, 2009, p. 215). Another deflection technique is to state that because Canada is an evolving multicultural

society, things are getting better. The younger, the more diverse, and the more educated the police force gets, the more tolerant and understanding the service gets as a whole. This allows them to take issues of racism more seriously and have a rigorous recruiting process that allows them to screen individuals and “weed out” the “bad apples” that demonstrate behaviors of racism and intolerance (Satzewich & Shaffir, 2009, p. 215).

The justification that racial profiling is incidental and circumstantial to the broader practice of criminal profiling may be partly true. But it is not a justification nor a valid reason for why minorities should be subject to racial profiling. A major point that Satzewich and Shaffir illuminate about the difference between the HPS’s subcultural perspective on racism and a CRT understanding of racism is that “racism is about consequences, independent of motive” (Satzewich & Shaffir, 2009, p. 220). However, the police seem to understand racism through the lens of motive, which allows them to distinguish racial profiling from criminal profiling (Satzewich & Shaffir, 2009, p. 220). From their perspective, racism has not been perpetuated if the officer is not racist. In this case, the officer was just looking for criminals. There are two problems with this approach. First, idea of what a “criminal” looks like is based on a racial stereotype (Wortley & Owusu-Bempah, 2011, p. 402). Therefore, if the police are using the idea of “what a criminal looks like” to find criminals, they are more likely to target minorities because this demographic is more likely to fit the description of what a criminal looks like. Second, in regard to carding, there is no evidence-based study to demonstrate that carding is effective and has led to the reduction of crime. So regardless of motive, the police are using an unproven method of patrolling that has damaged their trust and relationship with not only minorities in the city but the society in general.

It should also be noted that between 2010 and 2014, it is reported that 270,000 street checks were conducted by the ACTION team (Buist, 2015). However, the official report only accounts for 9,000 street checks, which is just 30% of the actual amount of street checks that were done over that 5-year period. Similar to when the provincial police and immigration officials were able to avoid being implicated in the illegal deportation of people back to the United States because of the lack of records documenting how and why these deportations were conducted, the lack of records for carding impedes racialized and marginalized groups’ opposition to street checks while helping the HPS avoid being implicated in a much larger scandal. This gaslighting has psychological and emotionally traumatized, racialized, and marginalized victims of carding by further disenfranchising them from the community while damaging their confidence in HPS’s ability to both listen to and then deal with the community’s concerns about issues of systemic racism. This criminalization is not only frustrating and harmful in the short term, but it is also psychologically and emotionally traumatic.

## **Conclusion**

The issue of carding or street checks is a macroaggression that is indicative of a larger system of racism in Hamilton. Over time, gaslighting emotionally and psychologically

exhausts racialized and marginalized groups of the city when they realize that their voices are not being heard or taken seriously. Evelyn Myrie expressed this feeling when she told Minister Naqvi, at the September 2015 town hall meeting that “we are tired of giving you our voices and then the system fails us” (Buist, 2015). The goal of this study was to show that despite police officials and government officials appearing to listen to the concerns of its marginalized and racialized community members, behind the scenes, these public servants rely upon a form of psychological abuse known as gaslighting to get what would benefit their institution while undercutting and ignoring the voices of the socially marginalized groups of the city. Carding or street checks is a macroaggression and a sociohistorical problem of institutional racism in Hamilton. The media discourse on racism has been simplistic, making racism appear to be an individual problem instead of a sociohistorical problem avoiding any discussion of systemic or structural issues such as White supremacy or White privilege. As the voices of racialized and marginalized members of the city note, street checks or carding is a symptom of a much larger problem in the city that will continue to resurface whether it is not dealt with through a systemic analysis of racism.

While gaslighting is psychologically abusive and does perpetuate sociohistorical structures of racism, gaslighting can only be fully effective when gaslightee is unaware of the process—this is how the gaslighter is able to manipulate the objects and avoid detection. When the veil of gaslighting is removed, the gaslightee can not only learn these deceitful tactics, but the gaslightee can also hold the gaslighter to the burden of proof that the process of gaslighting desperately tries to avoid. Without hindsight, it is easy to see how the HPS controlled the media discourse on carding. With hindsight, this manipulation can be identified. Empowering and resourcing people to name and identify the reenactment of historical form of racialized systemic violence is yet another act of resistance that can engage us all in our own projects of liberation and challenge the dehumanization and violence of White supremacy.

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