

**The New El Chapo?**  
**Understanding the Implications of the Legalization of Marijuana**  
**for the Drug Seller and the Hidden Drug Economy**

By

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## **Abstract**

Canada has used punitive legislation to criminalize the seller of marijuana, while also using media outlets to instill fear in the minds of the general public. As a result, marijuana has been historically framed as a moral and political issue, rather than a health issue. Beginning in the early 1900s, the drug seller has been represented in public discourse as a “raving and raping maniac,” a “rebellious hippie,” and a “super predator.” In more recent times, however, the view of marijuana as an immoral and illegal drug has been turned on its head with the move by Prime Minister Justin Trudeau’s Liberal Government to legalize the recreational use of marijuana. Despite this move, negative public discourse continues to be rampant as the drug seller is viewed as a “profit-driven criminal” operating in a hidden drug economy ruled by organized criminals and speculated to be selling harder drugs to recover lost profits from the legalization of marijuana. This stigmatizing public discourse has not gone unchallenged. Competing discourses have existed historically to counter these claims, including those that emerged from the counterculture movement of the 1960s and the advent of medical marijuana in the early 2000s. Additionally, scholarly literature has challenged public discourse by representing the drug seller and the hidden drug economy in a more humanizing fashion. As public discourse and scholarly literature put forth competing discourses, one becomes curious as to what the implications of the legalization of recreational marijuana are for the drug seller and the hidden drug economy. Drawing on interviews with 12 individuals who sell marijuana in the hidden drug economy, this study contributes to a counter discourse in finding that—contrary to police, media, and government discourse—the drug seller is an ordinary individual trying to overcome the barriers

of precarious work in the neoliberal economy and the legalization of marijuana will not curb the existence of the drug seller or the hidden drug economy.

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To my God-daughter, Talia. One day you will understand why your God-father was always reading and typing. One day you'll understand that the books you were colouring in were actually my textbooks. And most importantly, one day you will understand that all of the schooling I go through is to give you a better future.

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## Introduction

After nearly 100 years of marijuana prohibition, the recreational use of marijuana became legal in Canada on October 17, 2018. Despite this drastic change in Canadian drug policy, however, public discourse based on fear and social othering continues to vilify and stigmatize the drug seller and the hidden drug economy. Since the early 1900s, the representation of the drug seller has changed over time and, arguably, their representation in public discourse has taken a turn for the worse with each passing decade—from the “raping and raving maniac” of the 1920s and 1930s, to the “criminal addict” of the 1940s and 1950s, to the “super predator” of the 1980s, and the “boogeyman” of the 2000s. Most recently, the drug seller has been viewed as a “profit-driven criminal” operating in a hidden drug economy controlled by organized crime syndicates. In addition, with the move to legalize the recreational use of marijuana, the media began speculating that drug sellers would respond by selling harder illicit drugs in the hidden drug economy, such as crack cocaine, crystal methamphetamine, MDMA, and prescription pills (Greenslade, 2018a). According to public discourse, then, the drug seller in the hidden drug economy is a “monster” and “predator” deserving of harsh punishment.

As postmodern theorists have informed us, certain discourses come to dominate society at different points in time. They constitute forms of knowledge and claims to speak the truth, especially in a society that values the notion of “truth” (Smart, 1989: 9). Discourse works through the combination of language, power, and social and institutional practices that come together to produce particular ways of thinking, understanding, being, and doing (Strega, 2005: 218). Michel Foucault describes discourse as a regime of truth:

Each society has its regime of truth, its “general politics” of truth: that is, the types of discourses which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctified; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true. (1980: 131)

Public discourse portraying the drug seller and the hidden drug economy in a stigmatizing fashion has come to be a regime of truth. Following Foucault (1980: 131), “those who are charged with saying what counts as true”—in this case, the police, media, and government—have made the wider society fear the drug seller and the hidden drug economy. Using language such as “super predator” or undesirable labels of “gang member,” “criminal,” and “addict” only serve to further marginalize the drug seller (Alexander, 2012; Desroches, 2005; Boyd 2013). However, it is common for multiple discourses to compete with one another in providing explanations and meanings for particular social issues. Competing discourses, or “orders of discourse,” are a site for the exercise of cultural hegemony where different groups either strive to maintain order and social hierarchies or create new meanings by disrupting these hierarchies (Westerlund, 2011: 768). Michael Westerlund (2011) writes: “Whenever a discourse on a certain subject is prominent, there will be areas where its dominance is almost total, and others where it is questioned by competing discourses, or *counter discourses*” (p. 768). The same line of reasoning can be applied to the seller and the hidden drug economy: where public discourse has educated the wider society on who the drug seller is and what the hidden drug economy consists of since the early 1900s, a counter discourse exists that challenges the claims put forth by public discourse.

Counter discourse regarding the drug seller and the hidden economy has existed throughout the nearly 100 years that marijuana has been prohibited. The 1960s, for instance, saw the emergence of a counterculture movement that promoted the use of the drug, while the early

2000s experienced the legalization of medical marijuana, which contributed to the normalization of its use. Additionally, the scholarly literature has challenged the ways in which public discourse has portrayed the drug seller and the hidden drug economy. Scholars have portrayed drug sellers in a more humanizing light, illustrating that drug sellers are “ordinary” individuals, rather than “monsters” or “predators” (Belackova and Vaccaro, 2013: 294). Marijuana sellers have been found to not only vary in race, age, gender, and class, but they also find themselves selling in a variety of different markets. Moreover, rather than a market characterized by violence, firearms, and gang-violence, the marijuana market is believed to be friendly, non-violent, and filled with aspects of trust (Mohamed & Fritsvold, 2007; Belackova & Vaccaro, 2013).

Nonetheless, a gap in the literature exists regarding the drug seller and the hidden drug economy in the Canadian context. A substantial amount of the academic literature on drug sellers is specific to the American and European contexts (Sandberg and Pedersen 2009; Adler and Adler, 1980, Belackova and Vaccaro, 2013). As such, studies on the drug seller in the Canadian context have the ability to fill this void in the literature. The need to obtain the standpoint of the marijuana seller in Canada becomes even more pressing given the recent move to legalize the recreational use of marijuana—and the ways in which the seller and the hidden drug economy are portrayed in police, government, and media discourse. The present study aims to do just that. Drawing on interviews with 12 individuals who sell marijuana in the hidden drug economy, the aim of the study is to draw on their standpoints to understand the impact that legalization will have on the drug seller and the hidden drug economy. Doing so brought forth a counter discourse on who the drug seller is and what the hidden drug economy entails.

## **The Outline of the Study**

Chapter one examines the various discourses that police, media, and government have used to represent the drug seller and the hidden drug economy. The aim of this chapter is to trace public discourse regarding marijuana, the seller, and the hidden drug economy from its emergence in the early 1900s to Prime Minister Trudeau's announcement to legalize the recreational use of marijuana in 2018. Furthermore, the connections between public discourse and its attempt to diffuse social anxieties regarding the drug seller and the hidden drug economy are examined. These connections shed light on how the history of marijuana has been rife with competing claims. It is within this context that one can better understand how and why the drug seller has presently come to be viewed as an evil and profit-driven drug pedlar operating in a drug market characterized by violence and distrust.

Chapter two outlines the methodology employed in this research. Using a standpoint epistemology, in-depth, semi-structured interviews were conducted with 12 street-level drug sellers in Winnipeg. Participants were asked questions that focused on the dynamics of selling and the marijuana market, risks and concerns when selling, their identity as a drug seller, and the implications of legalization.

Chapter three explores the standpoints of the sellers against the backdrop of the scholarly literature. Relaying their standpoints illustrates that, in contrast to the claims found in public discourse, the drug seller is an ordinary individual who sells marijuana for a multitude of reasons, including the challenge of making ends meet in a neoliberal economy increasing characterized by a precarious labour market.

Chapter four examines the extent to which drug sellers believe that the legalization of marijuana will impact themselves and the hidden drug economy. Specific attention is paid to

why sellers have a mutual distrust of government and corporations taking over the marijuana industry, why they believe the hidden drug economy will continue to thrive in the midst of marijuana being legalized, why they will not dispense harder drugs once marijuana is legalized, and how the online market has impacted their line of work.

## Chapter 1

### Constructing the New El Chapo: A Social History of Marijuana

Drug policy in Canada has historically followed a regime of control and prohibition that condemns the use of certain drugs and subjects the user and seller of those drugs to criminalization and punishment. This regime of control and prohibition has its origins in the Opium Acts of 1908 and 1911, in which the Canadian government criminalized smoking opium and its predominantly Chinese user in order to protect the moral purity and identity of a Christian country. Although opium was criminalized with clear intentions of establishing social (and moral) control in Western Canada, the criminalization of marijuana was made with little to no debate. The decision to criminalize marijuana in the 1920s is often regarded as a “solution without a problem” (Giffen et al., 1991: 182), given that no evidence was established showing that marijuana use was prevalent or threatening to society (Fischer et al., 2003: 267); at that time its use was mainly associated with Mexican migrants and jazz musicians south of the border (Boyd, 1991: 9).

The history of marijuana has been rife with competing claims regarding the drug, the user, and especially the seller and the hidden drug economy. Several discourses have competed with each other over time to not only educate the wider society on what it means to use marijuana, but also how to define the seller and the user of marijuana. Whether it has been the portrayal of marijuana addicts as “sick and sadistic killers” in the 1920s, or the “rebellious hippie” of the 1960s, or the “criminal predator” of the 1980s, or the “boogeyman” in 2015, or the “evil and profit driven drug peddler” in 2018, alternative viewpoints have persisted throughout time to compete with these discourses. The counterculture movement of the 1960s forced a

public discussion on punitive marijuana policies, and users of medical marijuana in the 2000s were allowed to use marijuana and licensed retailers were allowed to sell it, while Prime Minister Stephen Harper's "tough on crime" policies criminalized the illegal seller. Moreover, police, media, and government have had great success in defining the hidden drug economy as being ruled by organized crime groups, casting marijuana as a gateway drug, and portraying the marijuana seller as a monster set on poisoning the youth of the nation.

The move to legalize recreational marijuana after nearly 100 years of prohibition has provided yet another instance of competing points of view as Manitobans will be prohibited from smoking in public and growing their own crop, despite the legal nature of the substance. As punitive and prohibitive legislation has failed to curb the growth of the hidden drug economy and eliminate the presence of the street-level drug seller, the move to legalize marijuana seems to be the government's ultimate plan to protect the youth of the nation from the drug seller's tainted drugs and finally eradicate the hidden economy.

The purpose of this chapter, therefore, is to consider this history by highlighting the ways in which police, media, and government have participated in the construction of a public discourse that has represented marijuana, the marijuana seller, and the hidden drug economy in stigmatizing ways. Beginning with the Opium Act of 1908 and ending in 2018 with the implementation of The Cannabis Act, the chapter goes through each decade to elaborate on how the police, media, and government have endeavoured to educate the wider society on who the drug seller is and what the hidden drug economy is comprised of. Although the drug seller and the hidden drug economy are portrayed in different ways throughout this period, the themes of public discourse emanating from these constructions remain the same: the drug seller is

dangerous criminal; stricter laws must be put into place to deter the drug seller; and the hidden drug economy is a violent marketplace filled with distrust.

### **The 1920s and 1930s: The Creation of the “Raving and Raping Drug Maniac”**

In the early 1900s, Canada was experiencing an “Asian problem” that revolved around the perceived threat that Chinese and Japanese workers posed to the Canadian labour force (Comack 1984; Desroches, 2005; Barnholden, 2005). Tensions between Canadians and Asian immigrants came to a head in 1907 when a riot ensued in Vancouver’s Chinatown. Thousands of white Canadians marched the streets of Chinatown and held signs that said “For a White Canada.” They damaged Chinese businesses, burned cultural statues, and gave speeches that were overtly racist (Barnholden, 2005: 34). Following the riot, William Lyon Mackenzie King, then Deputy Minister of Labour, was sent to Vancouver to investigate the causes of the riot. During his investigation, King discovered the use of smoking opium in the Chinese community. He subsequently submitted a report entitled *The Need for Suppression of the Opium Traffic in Canada* to Parliament on the ill effects of smoking opium, which singled out the Chinese opium smoker and reaffirmed Canada’s identity as a Christian, moral, and law-abiding nation that could not tolerate the evils associated with the practice (Boyd and Carter, 2014: 40). The report led to the passing of the Opium Act of 1908, which criminalized “the importation, manufacture and sale of opium for other than medicinal purposes” and classified the importation, selling, offering, manufacturing, and possessing opium with the intention to sell an indictable offence (Comack, 1984: 158). The 1908 Opium Act established Canada as one of the first Western nations to criminalize the use of a drug.

In 1911, King introduced the Opium and Drug Act, which was much more stringent and prohibitive than the existing 1908 legislation in three specific areas (Comack, 1984; Carstairs,

2000). First, the act broadened what drugs were criminalized by adding cocaine, eucaine, and morphine to the schedule of prohibited drugs, and gave the Governor in Council the authority to add “any alkaloids, derivatives and preparations of the drugs named in said schedule, the addition of which is deemed necessary in the public interest.” The smoking of opium, possessing opium for the purpose of smoking, and being present in an opium den were also classified as summary offences (Comack, 1984: 158). Secondly, the act specified who was authorized to sell and prescribe a scheduled drug and gave police the power to examine any authorized party who failed to maintain records of their transactions or if an authorized party prescribed a scheduled drug for other than medical purposes (p. 159). Lastly, the act gave police increased powers at the expense of reducing civil liberties by granting a search warrant if “there is reasonable cause to suspect that any drug is kept or concealed for any purpose contrary to this Act,” and placed the burden of proof on the individual (p. 159).

Drug policy in the 1920s continued to follow a regime of control and prohibition; however, Canada now depended on moral reformers to influence public opinion on the inherent dangers of certain forms of drug use and their lethal consequences. Emily Murphy, an Edmonton magistrate and Canada’s first female judge, was responsible for writing a series of articles on drug use and the illicit drug trade that were published in *Macleans Magazine*. Rather than educating the general public about drug use, the stated purpose of the *Macleans*’ articles was to “arouse public opinion to pressure government for stricter drug laws” (Anthony and Solomon, 1922: 3; Boyd and Carter, 2014: 42). Murphy followed-up the articles by releasing her infamous book in 1922, *The Black Candle*, claiming that drug use was widespread in certain areas of the country and that it was necessarily linked to immorality, insanity, crime, and violence (Desroches, 2005: 15). Not only did Murphy condemn drug use, her book adopted a clearly racist

and moralistic tone. For instance, Murphy (1922: 16) described the Chinese opium seller as an “ashly faced half-witted drooler who has no more blood in his body than a shrimp.” Her treatise also included pictures of white women lying alongside Black men in opium dens, and warned of the moral corruption that accompanies the mixing of the races. As the caption to one picture reads: “When she acquires the habit, she does not know what lies before her; later she does not care” (p. 30). Murphy also claimed that the drug trade was part of a conspiracy by the “yellow and black races” to overthrow the “bright-browed races of the world”:

It is claimed also, but with what truth we cannot say, that there is a well-defined propaganda among the aliens of color to bring about the degeneration of the white race.... It is hardly credible that the average Chinese pedlar has any definite idea in his mind of bringing about the downfall of the white race, his swaying motive being probably that of greed, but in the hands of his superiors he may become a powerful instrument to this very end ... whatever their motive, the traffic always comes with the Oriental, and ... one would therefore be justified in assuming that it was their desire to injure the bright-browed races of the world.... Some of the Negroes coming into Canada ... have similar ideas, and one of their greatest writers has boasted how ultimately, they will control the white man. (Murphy, 1922: 186-89)

The *Black Candle*'s chapter dedicated to marijuana, entitled “Marihuana – a New Menace,” is a dramatized and exaggerated depiction of the dangers and consequences of using the drug. Under the influence of marijuana, the user submits his or her ability to mentally and physically function and becomes a slave to this devil-like substance. As a result, users become “immune to pain, and could be severely injured without having any realization of their condition ... they become raving maniacs and are liable to kill or indulge in any form of violence to other persons, using the most savage methods of cruelty without, as said before, any sense of moral responsibility” (Murphy, 1922: 333). The morals of those under the influence of marijuana are also scrutinized as they are viewed as “good-for-nothing lazy fellows who live by begging or stealing, and pester their relations for money to buy hasheesh, often assaulting them when they

refuse their demands” (p. 334). Marijuana supposedly makes one undergo a transformation from that of a pure, sane, and moral individual to a raping, pillaging, and violent addict who has only three options to escape the confines of the menace known as marijuana: insanity, abandonment, or death (p. 337).

In providing anecdotal evidence, telling fictitious stories, and perpetrating racist beliefs, Murphy’s treatise provided the impetus for the criminalization of marijuana use in 1923. While Canada was one of the first Western nations to make that move, the decision to criminalize marijuana was made with little debate or discussion in the House of Commons. As Neil Boyd (1991: 9) notes, only a simple declaration was offered: “there is a new drug in the schedule.” Moreover, criminal charges relating to marijuana use in the ensuing years suggest that the prevalence of the “problem” of marijuana in Canada was grossly exaggerated.

While Canada criminalized marijuana in 1923, it was only a matter of time for the United States to follow suit by federally criminalizing marijuana in 1937. Similar to Canada’s “Asian problem,” America during the Great Depression was experiencing a “Mexican problem” that ostensibly threatened America’s norms, morals, and workforce (Helmer, 1975: 56; Boyd and Carter, 2014: 46). Mexican immigrants who came north to find work were met with fear and hostility as they were portrayed by government, police, and media as a group inherently associated with violence, crime—and marijuana use (Helmer, 1975: 56; Boyd and Carter, 2014: 46). Marijuana was considered a drug that increased “sexual stimulation” and lowered “civilizing inhibitions,” despite having a lack of evidence that could support these claims (Boyd and Carter, 2014: 46). As Canada used opium to criminalize and stigmatize Asian immigrants, America used marijuana to criminalize and stigmatize Mexicans to protect the norms and morals of white, middle-class society.

Similar to the Canadian experience, the United States relied on the efforts of moral reformers to define marijuana use as a social problem deserving of punishment. In particular, Harry Anslinger, the Head of the Federal Bureau of Narcotics, began his anti-marijuana campaign by asserting: “how many murders, suicides, robberies, criminal assaults, holdups, burglaries, and deeds of maniacal insanity it [marijuana] causes each year, especially among the young, can only be conjectured” (Kaplan, 1970: 89). Anslinger’s claims were based on anecdotal cases where marijuana was allegedly consumed to commit violent crimes (p. 93). In 1936, the bureau released *Reefer Madness*, a film that revolved around the gruesome effects that marijuana was presumably having on white American youth—including suicide, acts of sexual assault, and murder. Several parallels exist between *Reefer Madness* and Murphy’s *The Black Candle*, as the film depicts a young teenager murdering his entire family with an axe as a result of using marijuana, marijuana leading to sexual and immoral acts, turning people into crazed maniacs, and marijuana being a contamination to the ways in which society functions (*Reefer Madness*, 1936). Similar themes were also reflected in the discourses put forth by moral reformers such as Murphy and Anslinger: drug use was linked with the breakdown of the family, breaches of racial purity, and the victimization of its users by “Others” who sold or gave drugs away to innocent white youths (Boyd and Carter 2014: 46).

### **The 1940s and 1950s: The Creation of the “Criminal Addict”**

Although drug policy would continue to be punitive, the 1940s and 1950s saw the emergence of a new perspective on drug use: a medical approach that saw drug use as being a pathological disease rather than an immoral act committed by maniacal monsters. Reflecting this perspective,

the National Film Board (NFB) released *Drug Addict* in 1948 and the Government of Canada introduced the Senate Special Committee on the Traffic in Narcotic Drugs in 1955.

*Drug Addict*, the first NFB documentary in Canada, was intended to educate the wider society on the dangers of illegal drugs, trafficking, and addiction (Boyd 2013: 599). The film perpetuated the “criminal addict” representation by showing RCMP training squads and undercover police officers roaming the streets and rounding up drug traffickers and street peddlars (p. 592). The narrator of the film emphasizes the importance of law enforcement work in Canada and “enforcement bodies throughout the world” to stem the trade in illegal drugs and to control the people who used these drugs. The misuse of drugs and the illegal drug trade are described in the film as a “stain on the body politic,” and the need for global and national criminal justice control is stressed.

The release of *Drug Addict* influenced the ways in which government would respond to illicit drug use. In 1955, Canada introduced the Senate Special Committee on the Traffic in Narcotic Drugs (Giffen, Endicott, and Lambert, 1991: 359-404). The 1955 Committee was created as a response to the increasing amount of drug use, especially the use of heroin and cocaine by young people in the Downtown Eastside of Vancouver (Boyd and Carter, 2014: 50). To illustrate, between 1929 and 1953, 28 percent of drug users were under the age of 30, whereas between the years of 1954 and 1961, the percentage of drug users under the age of 30 doubled to 56 percent (Karibo: 2008: 269). This increase caught the attention of government, police, and media, who alongside medical professionals characterized these individuals as “criminal addicts” and highlighted a drug trafficking epidemic that was jeopardizing the safety of youth and the functioning of the country (Boyd and Carter, 2014: 50). The committee received testimony from physicians, drug researchers, social welfare agencies and organizations, law enforcement

officials, drug addicts themselves, and Harry Anslinger, the Commissioner of the American Bureau of Narcotics (Solomon and Green, 2005: 360). The 1955 Committee was seen to have promise as it had the ability to usher in change and shift drug policy from a lens of prohibition and control to a lens of public health and rehabilitation. However, reform did not occur as the testimony of law enforcement officials and particular psychiatric professionals who endorsed the “criminal addict” label were accepted almost without question (p. 360). The Committee ultimately advocated for heavier trafficking penalties, the distinction between “addict traffickers” and “non-addict traffickers,” more aggressive enforcement of drug possession and drug-related crimes, and the implementation of mandatory minimum sentences (p. 360; Hossick, 1956). Moreover, Anslinger, who was noted earlier for launching an anti-marijuana campaign in the United States in the 1930s, stated before the 1955 Special Committee that drug problems substantially increase when punishment is soft, whereas the drug problem is eliminated when punishment is strict (Hossick, 1956).

The “criminal addict” label therefore came to be the dominant representation of the drug user and the seller as psychiatric “experts” professed that drug addiction stemmed from a psychopathic personality type and that abstinence was necessary when curing the addict (Boyd, 2013: 590). The criminal addict characterizes someone who is involved in a life of crime and is in and out of prison for most of their lives (Boyd, 2013: 592). The rise of the “criminal addict” label illustrates the amount of power that medical professionals wielded in influencing public opinion and their role in working alongside law enforcement officials to develop suitable policy to punish these individuals. Medical professionals also developed programs to “cure” the addict by radically modifying their deviant behaviour and criminal thinking (Gowan and Whetstone, 2012: 78). Individuals admitted to these programs were referred to as “criminal addicts” and

were constantly compared to individuals who were living in sobriety. Whereas the former category was attributed characteristics of being selfish, greedy, manipulative, dirty, irresponsible, and arrogant, the latter category was portrayed as being selfless, giving, accountable, lovable, clean, and humble (p. 78).

Certain themes were therefore evident in the discourses that arose during the 1940s and 1950s: the drug user as a double deviant—a criminal and an addict; punitive laws remedy the drug problem; and drug use threatened public safety.

### **The 1960s: More Punitive Legislation and the Rise of the Counterculture Movement**

Venturing into the 1960s, drug policy would only become more punitive as Canada instituted the Narcotic Control Act of 1961 (NCA), which was distinguished for its reputation as one of the harshest drug laws of any Western country (Boyd and Carter, 2014: 50). Despite the efforts of community-based organizations to promote a harm reduction approach, suggesting that a daily dose of heroin be provided to drug-addicted individuals, the RCMP advocated that drug-addicted individuals needed to be imprisoned for life (Carstairs, 2006: 10). The pressure from law enforcement to make legislation more retributive is reflected in the NCA.

The Narcotic Control Act classified cannabis, among other drugs, as a Schedule 1 narcotic and prohibited its possession, trafficking, cultivation, and importing and exporting (Martel, 2006: 4). Prior to this classification of cannabis as a Schedule 1 narcotic, there was a general lack of public knowledge and few individuals were actually using the drug since marijuana use was confined to those involved in the entertainment industry (Boyd, 1991: 80). The Act, however, was notorious for its punitive penalties as offenders could face up to a lifetime term of imprisonment for drug trafficking and up to seven years of imprisonment for

drug possession (Boyd, 2017: 107). Under Section 5 of the NCA, an individual convicted of importing or exporting a scheduled substance would face a minimum of 7 years' imprisonment (Canadian Foundation for Drug Policy, 2001). The NCA also included a 'reverse onus' provision whereby the burden of proof was placed on the individual charged with the crime of 'possession for the purpose of trafficking' to prove that they were not in possession of a narcotic with the intention of trafficking. Under the NCA, 'traffic' means to "manufacture, sell, give, administer, transport, send, deliver, or distribute, or ... to offer to do any of these," which, according to this definition, makes it almost impossible for any individual to provide such proof (Alexander, 1990: 35). As mentioned by Bruce Alexander (1990: 35), for instance, how could accused persons prove that they did not intend to share their drug with someone else? Additionally, the NCA gave police unrestricted powers of search and seizures in drug-related cases. To illustrate, section 10 of the NCA allows peace officers, at any time, for the purpose of exercising their authority, to break open any door, window, lock, floor, wall, ceiling, plumbing, box, container, or "any other thing," and an officer may seize any narcotic found in a house or any other place where they reasonably suspect a narcotic is contained (p. 36).

Despite the creation of punitive legislation targeting the user of marijuana, the late 1960s marked the emergence of a counterculture that used marijuana to promote a liberation and anti-authoritarian movement (Fischer et al., 2003: 269). Marijuana was no longer associated with raving maniacs who have the urge to kill, but rather with symbols of resistance. Moreover, the marijuana users defied traditional looks by growing their hair long and joining communities in rural areas where a mutual disdain for modern society and materialism was given up for a closer connection to the earth and mother nature (Belshaw, 2015: 630).

The counterculture movement sought to transform the materialism and authoritarianism of the dominant society to a society that valued thinking beyond the individual and examining each person's experience in society through the use of consciousness raising groups (Carlisle and Golson, 2007: 173). The movement was widespread throughout university campuses in Canada. Several university newspapers published articles arguing for the legalization of marijuana and hallucinogens, reminding readers that marijuana use is no more dangerous than alcohol, tobacco, and sex (Martel: 2006: 41). A new discourse on recreational drug use was therefore being introduced by the counterculture movement as student organizations held rallies, conferences, and meetings to further its agenda, such as the Fifth Annual Social Science conference that was sponsored by the University of Winnipeg in 1969 and the University of Toronto's psychedelic symposium named Perception '67 (p. 41). The purpose of these conferences was to discuss recreational drugs and the legislation controlling marijuana and hallucinogens, such as LSD (p.41).

Most notably, the counterculture movement fostered a marijuana culture that was characterized by compassion, unity, love, acceptance, and sharing. A series of rituals, symbols, and stories characterized the culture (Sandberg, 2012: 64). Rituals of the marijuana culture include the idea that marijuana must be shared amongst everyone within the group, the marijuana joint or pipe is passed around to everyone in the group, and smoking together forces everyone within the group to engage in social interaction (p. 64). A unique feature of the marijuana culture is that the individuals smoking marijuana do so with significant others in an intimate group setting; rarely is marijuana smoked with strangers or with individuals who the group does not like or feels indifferent towards (Goode, 1970: 23). The activity of smoking with intimate others resembles a tribal ritual in the sense that individuals in the group reaffirm their membership

amongst the users in the counterculture, the joint or pipe becomes a sacred symbol, and those within the group transmit a feeling of belonging and loyalty to one another (p. 23). The marijuana culture gave rise to “4/20,” which was originated by a group of high-school students in California who would smoke a joint after class together at exactly 4:20 p.m. (CTV, 2018). However, 4/20 eventually evolved into an event where thousands of marijuana enthusiasts smoked in front of legislative buildings across Canada, calling for drug policy reform, specifically, the legalization of marijuana (CTV, 2018).

Despite the creation of a culture of acceptance, love, compassion, and community, mainstream society did not embrace the counterculture movement. During the 1960s, marijuana use was so rampant that 90 percent of all drug-related offences involved marijuana (Desroches, 2005: 16). The number of marijuana convictions rose from 60 in 1965, to 144 in 1966, 586 in 1967, 1,429 in 1968, and 2,964 in 1969 (Erickson, 1980: 20). Tensions skyrocketed as punitive drug prohibition no longer impacted the socially powerless underclass, but society’s most privileged as it was young, educated, affluent, white youth who were being criminalized (Fischer, 1999: 198). Even when marijuana was discussed in the House of Commons, it was not the health effects that came under debate, but rather the social and cultural implications that marijuana posed for the general society. Representatives in the House spoke to how those in the counterculture movement smoking marijuana went through a demoralization process whereby the moral fibre of the youth was being eroded (Boyd, 1991: 80-81).

The fact that young people from the more privileged classes were taking drugs for recreational use (the “bourgeoisification” of drug use) made it easier to force public discussion on drug policy and the drug user, and challenge marijuana’s status as an illegal substance (Martel, 2006: 38). As a result, in 1969 the Canadian government invested one million dollars to

investigate the non-medical use of drugs, which came to be known as the Le Dain Commission after its Commissioner, Gerald Le Dain. The Le Dain Commission produced a separate report entitled the “Cannabis Report” in which it concluded that criminal prohibition was an excessive, ineffective, and costly tool for responding to cannabis use (Fischer et al., 2003: 271). The commission recommended that possession of marijuana no longer be a criminal offence (Boyd, 1991: 11).

The themes arising from the discourses of the 1960s differ from previous decades as several groups were putting forth competing claims that attempted to define drug use: the counterculture movement highlighted themes of unity and resistance; the Le Dain commission fought for drug policy reform that would decriminalize marijuana; and the Federal Government pushed for increased criminalization to protect society’s moral fabric.

### **The 1970s: Neoliberalism and the New Right**

Protecting society’s moral fabric would seem to be a central concern in the 1970s as the economies of Western nations, including Canada, the United States, and Britain, were experiencing mass unemployment, inflation, and diminished after-tax returns for corporations (Harvey, 2007: 22-23). In response, a neoliberal rationality began to take root. Pursued in the name of deficit reduction, family values, and global competition, and fetishizing individual responsibility (Mosher, 2014: 200), neoliberalism urged the need to “roll back” the carpet on existing drug treatment and welfare programs while a special red carpet was rolled out for the market and its invisible hand (Gazso, 2012: 7).

While some authors conceptualize neoliberalism as a “multifaceted project with real institutional and economic restructuring, coupled with reinforcing cultural and ideological

purposes” (Coulter, 2009: 26), others define neoliberalism as both a “political discourse about the nature of rule and a set of practices that facilitate the governing of individuals from a distance” (Larner, 2000: 6). Neoliberalism has also been regarded as a form of governmentality that organizes constructions of subjectivity and social life, and produces acceptable forms of behaviour (Arat-Koc, 2005: 12). At its core, neoliberalism is comprised of four institutional logics: the logic of economic deregulation that heavily favours the well-being of the market over the well-being of marginalized people; the devolution and retraction of the welfare state, which contributes to the rise of precarious work; the logic of individual responsibility; and an expansive, intrusive, and proactive penal apparatus (Wacquant, 2009: 306-08).

Pat O’Malley (1999:185) notes that there has been a tendency to locate economic restructuring and crime control solely under the banner of neoliberalism, which comes at the expense of neglecting other political rationalities, such as neoconservatism. According to O’Malley (1999), neoliberalism and neoconservatism work in tandem under the guise of the New Right, which consists of a neoconservative strand that emphasizes social authoritarianism and a neoliberal strand that prioritizes the free market (p.185). In her examination of the intersections between neoliberalism and neoconservatism, Wendy Brown (2006: 699) notes that, “Neoliberalism figures a future in which cultural and national borders are largely erased, in which all relations, attachments, and endeavors are submitted to a monetary nexus, while neoconservatism scrambles to re-articulate and police cultural and national borders, the sacred, and the singular through discourse of patriotism, religiosity, and the West.” In a similar fashion, Elizabeth Comack and Gillian Balfour (2004) recognize that neoconservatism and neoliberalism work in tandem. Looking at institutions heavily affected by neoliberalism, such as social assistance, they note that the unfettered neoliberal market exacerbates economic and social

inequalities between the rich and the poor, which may increase the amount of crime. As crime rates increase, the anxieties of the rich in society increase, which justifies the use of punitive punishment against the poor, thus perpetuating the social hierarchy (p. 43).

The emergence of the New Right came full force at the end of the 1970s with the election of Margaret Thatcher as the Prime Minister of Britain in 1979. Thatcher's politics of financial deregulation and the privatization of social services was said to cure Britain's economic crisis, a crisis that was argued to be caused by a Keynesian welfare state (Samuel et al., 2014: 53). Specifically, Thatcherism promoted the privatization of utilities such as water, gas, and electricity, drastic cuts to social welfare programs, deregulation of labour and financial markets, curtailing of workers' and trade union rights, large tax cuts for corporations, and a general acceptance of mass unemployment as a "price worthy paying" to save the economy (pp. 54-55). Thatcherism was also accompanied by a racialized discourse that targeted non-whites and immigrants, which ultimately led to the belief that these individuals were "just not 'one of us,' they deserved no sympathy" (p. 53). In this sense, Thatcherism aimed to build morale, unity, and strength among those who pledged allegiance to the new order, while those who thought otherwise were "undemocratic" and the "enemy-within" (p. 54). As Thatcherism was set to rebuild the economy and morale of Britain at the end of the 1970s, Ronald Reagan would do the same in 1981 upon being elected President of the United States. In the wake of an economic crisis and increased racial tensions between white and African Americans, President Reagan would remedy these situations by introducing what came to be known as "Reaganomics" and declaring the "War on Drugs."

## **The 1980s: The Creation of the “Super Predator”**

In 1981, America was facing a stagnating economy with growing deficits and inflation. The blame was placed on a previous government that had regulated the market, overtaxed businesses, and overspent on social programs that were considered useless, unproductive, and unnecessary (Blanchard et al., 1987: 17-18). To rationalize drastic cuts to funding for social programs, the Reagan administration framed it as a contest between races: hardworking, blue collar, white Americans were pitted against the poor and criminalized African Americans and Latinos (Alexander, 2012: 47).

In 1986, Reagan declared the “War on Drugs” to protect white America and defuse social anxieties regarding the use of crack cocaine and welfare fraud, which were heavily associated with African and Latino populations (Alexander, 2012: 48-49). In the process, the drug seller was constructed as a “criminal predator characterized as a staring face—a face that belongs to a frightening reality of our time: the face of the human predator” (p. 49). The Reagan administration’s rhetoric on welfare, taxes, and downsizing government was used to justify the development of “tough on crime” policies and for law enforcement officials to police and criminalize the “super predator” (p. 49).

Despite the belief that the “War on Drugs” was unique to the United States, Canada declared its own “War on Drugs” only 48 hours after President Reagan in 1986 (Erickson, 1992: 248). Prime Minister Brian Mulroney announced that there was a drug epidemic facing Canada, which seemed to confuse most government officials since there was no evidence to suggest that there had been actual increases in the use of most illicit substances and drug-related charges (Boyd, 1991: 12). The existence of a drug epidemic was also not supported by sentencing patterns and police powers as judges would favour discharging an individual charged with

simple possession of cannabis or administer a fine for first-time offenders over terms of imprisonment, whereas the police were given greater discretion when laying possession charges (Fischer et al., 2003: 272). Prior to Mulroney's drug epidemic statement, drug policy was entering a time of indifference as some individuals thought that illicit drug use, like abortion, gambling, and other previously stigmatized acts, would follow the cycles of diminished social concern, less intervention, and greater tolerance (Erickson, 1992: 248). Additionally, it was hoped that social, health, and educational objectives and principles would inform and develop rational, rather than reactive, drug policy (Fischer, 1999: 199).

By declaring the “War on Drugs,” Canada reaffirmed its stance on fostering a punitive and prohibitive drug policy. As stated by a high-ranking official in Canada Health and Welfare at the time: “When he [the Prime Minister] made that statement, we had to make it a problem” (Erickson, 1992: 248). Moreover, Boyd (1991: 12) points to the fact that the Prime Minister pushed a political discourse that problematized illicit drug use and ignored the widespread use of, and harms caused by, alcohol and tobacco use. While some believe that the “War on Drugs” was concerned only with “harder” illicit drugs, such as cocaine, heroin, and crystal methamphetamine, criminalizing the seller of marijuana was at the forefront of this war (Alexander, 2012: 60). Arrests for marijuana possession—a drug that is documented to be less harmful than alcohol and tobacco—accounted for nearly 80 percent of the growth in drug arrests in the late 1980s and 1990s (p. 60).

Implemented in 1987, the Canadian Drug Strategy (CDS) was a response to the “War on Drugs” that promoted a rhetoric of harm reduction and the reduction of the supply and demand of many illicit drugs, including marijuana. Funded by the federal government for \$210 million dollars over a five-year period, the CDS proved to be a contradictory initiative as 70 percent of

these funds were allocated to prevention and treatment, despite Prime Minister Mulroney declaring the “War on Drugs” and problematizing the use of illicit drugs (Fischer et al., 2003: 272; Fischer, 1999: 200-201). Nonetheless, the rhetoric of harm reduction and the reduction of supply and demand proved to be short-lived as the federal government reverted to its punitive and prohibitive ways by implementing Bill C-61 in 1989, which gave police increased powers to seize and courts the power to forfeit the assets of arrested (not convicted) drug offenders (Erickson, 1992: 249). Bill C-61 allowed the government to collect \$60 million in assets from 1989-1992, compared to the \$51 million collected in the preceding five years (p. 249).

Commentators argue that the “War on Drugs” had much less to do with public health and more to do with pitting the licit and legitimate drugs of North America—tobacco, alcohol, and pharmaceutical pills—against the illegal and illicit drugs of developing countries, such as opium, cocaine, crack cocaine, and marijuana (Boyd, 1991: 11-12). Neil Boyd takes this further by clarifying who the actual drug pusher in the “War on Drugs” is:

The real drug pushers are not those who sell illegal drugs, but those who have the right to advertise their drugs, the purveyors of alcohol and tobacco... The drugs that are actually killing us are the legal ones, which are rarely described as drugs. Those who operate distribution schemes for legal drugs are typically described as captains of commerce rather than drug sellers. We worry about the demonic pushers of marijuana while we sit comfortably viewing sophisticated and costly advertisements that link beer consumption with a glamorous and exciting lifestyle. (Boyd, 1991: 4)

The discourse of “war” also involves a special mindset—a war mentality—where any measure is justified to prevail and allies fight alongside the army to eliminate and eradicate the enemy (p. 3). For example, Stephen Lewis, Canada’s ambassador to the United Nations in the 1980s, introduced the term “narco terrorism” when describing the climate of the “War on Drugs” in Canada. Another Canadian representative to the United Nations was quoted saying: “It sounds like a cliché, but it’s us [the law abiding and morally pure] against them [the drug seller]”

(Quoted in Alexander, 1990: 33). Moreover, the percentage of illicit drug stories featured in the media between 1985 and 1990 increased from 22 percent to 45 percent (Fischer, 1999: 200). *Maclean's*, for instance, published an article in 1989 endorsing the war mentality entitled “A deadly plague of drugs: Inside the grim world of assassinations, gangs war—and addicts who will kill for a fix” (p. 200).

### **The 1990s: Organized Crime and the Hidden Drug Economy**

With the declaration of the “War on Drugs” in the late 1980s, Canada underwent a drug scare led by police, media, and government that not only cautioned of the dangers associated with cocaine, crack cocaine, and marijuana, but also of the violent and profit-driven gangs and organized crime groups that were said to be at the heart of this war.

In 1997, the federal government enacted legislation targeting organized crime groups. The legislation was in response to a violent gang war that had ensued between the Hell’s Angels and the Rock Machine in Quebec (Desroches, 2005: 25). Competition over turf, the importation of drugs, gambling, and prostitution ultimately led to 80 bombings and resulted in the death of over 150 gang members (CBC, 2015). Bill C-95 was passed with the intent of providing the criminal justice system with improved measures for investigating, prosecuting, and sentencing gang-related crime, keeping profits out of the pockets of criminal organizations, and preventing these individuals from resorting to violence to further any criminal ends (Desroches, 2005: 25).

According to Bill C-95, a criminal organization is defined as:

Composed of three or more persons in or outside Canada; and has one of its purposes or main activities the facilitation or commission of one or more serious offences, that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any one of the persons who constitute the group. (Government of Canada, 2018)

The legislation also adds that a criminal organization “does not include a group of persons that forms randomly for the immediate commission of a single offence” (Schneider, 2012: 493). In addition to the Canadian definition of organized crime, the international definition put forth by the United Nations (UN) in 2002 stresses the requirement of the group operating in some type of organized or coordinated manner. Article 2 of the UN Convention on Transnational Organized Crime defines “organized criminal group” as:

A group having at least three members, taking some action in concert (i.e., together or in some co-ordinated manner) for the purpose of committing a ‘serious crime’ and for the purpose of obtaining a financial or other benefit. The group must have some internal organization or structure, and exist for some period of time before or after the actual commission of the offence(s) involved. (Royal Canadian Mounted Police, 2011)

The Commission of the European Communities and EUROPOL have identified fundamental traits and characteristics of a criminal organization, including: each individual within the organization must have their own appointed tasks; the organization uses commercial or businesslike structures; they must be determined by the pursuit of profit and/or power; and they must exert influence on politics, the media, judicial authorities, and the economy (Schneider, 2012: 494).

Despite the creation of a legal framework attempting to define organized crime, Frederick Desroches (2005: 37) notes that most definitions of organized crime characterize it as a criminal conspiracy of several individuals who are not only violent, motivated by profit, and continuously engaging in illicit market activities, but they are also able to influence political corruption. Emphasizing violence, corruption, and structure as defining features of organized crime syndicates, even though they are not necessary characteristics, instills the belief that these groups are synonymous with the Italian Mafia, the Sinaloa Cartel, and the Hell’s Angels. Making images of organized crime synonymous with these infamous groups gives rise to the most

dominant and popular way to understand organized crime, which is known as the “mafia model” of organized crime (p. 35). Under this model, the group is considered to be a centralized organization with a well-known identity and a division of labour, and uses violence to gain control and monopolize the illicit drug market (p. 35). This image of the organized crime syndicate and the illegal activities they engage in has been popularized in the media with TV shows and movies that conflate these images with sensationalized drug lords such as El Chapo.

Organized criminals are often situated as working within the hidden drug economy, which is characterized as being hierarchal, monopolized by drug lords, and a hub where illegal firearms, drugs, and other goods are traded for large sums of money. Sudhir Venkatesh (2006: 7) notes that in order to fully understand the hidden economy, however, we should refrain from viewing it as a shady, dirty, and lawless economy and comparing it to an economy where taxes are paid, laws are obeyed, and individuals settle their disputes through the law. The view that all individuals in this economy are natural born criminals, frauds, cheats, and liars should also be avoided. Not only can anyone be operating in this economy, but with such a scarce amount of well-paying and full-time work with benefits, individuals are enticed to hustle in the hidden economy to make ends meet (p. 7).

The hidden economy can be defined as a wide array of different occupations and activities that are scattered and not well structured, in which individuals earn a profit that is not reported to government officials and not taxed. Also referred to as the “black economy,” “shadow economy,” “under the table economy,” “black market,” or the “informal economy,” the hidden economy can be defined as legal or illegal economic activity that would be subject to tax were it reported to tax authorities and escapes detection in official estimates of the gross domestic product (Lippert and Walker, 1997: 15; Crawford, 2014: 120). Much of the activities

and occupations that are in the hidden economy would be found in the legitimate economy had these individuals registered their business, sales, services, paid licensing and insurance fees, and taxes (Crawford, 2014: 120). As the occupations available in the hidden economy are not subject to tax, individuals in this economy may be at risk of criminalization for tax-related purposes or other reasons depending on the occupation (Venkatesh, 2006: 7). It is important to note that the number of occupations in the hidden economy vary from being legal and licit in nature, such as mowing someone's lawn and baby-sitting, to being illicit and illegal in nature, such as drug selling and trafficking, money-laundering, and sex-trafficking (Venkatesh, 2006: 9; Lippert and Walker, 1997: 14). Although the hidden economy is comprised of activity that is both licit and illicit in nature, it is the latter activities that have been the focus of the police, media, and government.

Given the "hidden" nature of this economy, it is difficult to estimate the amount of money that is involved. Nevertheless, government estimates of the extent of the hidden economy range from millions to billions of dollars (Lippert and Walker, 1997; Desroches, 2005; Arnold, 2005).

### **The 2000s and Medical Marijuana**

Medical marijuana was legalized in July of 2001 as a result of several high-profile cases (*Wakeford v. Canada, R. v. Krieger, R. v. Beren*) that challenged the Canadian Charter of Rights and Freedoms (Solomon and Clarizio, 2015). Under the Marijuana Medical Access Regulations (MMAR), patients were given the ability to apply for an "authorization to possess" medical marijuana, a "personal use production licence," and a "designated person production licence" (p. 544). Under the MMAR, patients were legally allowed to consume marijuana if they had a prognosis of death within twelve months, or suffered from nausea, glaucoma, cancer, HIV/AIDS,

epileptic seizures, or spinal cord injuries (Graham, 2004: 24). As of September 2002, 376 patients were authorized to possess marijuana under the MMAR (Solomon and Clarizio, 2015: 549). Thus, marijuana use was not necessarily normalized as its use was still considered deviant, but marijuana became accepted or excused as a result of doctors deeming it a legitimate form of medicine.

Amended in 2013 as the Marihuana for Medical Purposes Regulations (MMPR), patients were allowed to access medical marijuana through a doctor's prescription affirming that the patient will benefit therapeutically from the use of marijuana (Solomon and Clarizio, 2015: 553-554). The MMAR stands in stark contrast to the former MMPR as patients no longer have go through the government and the burdensome process of filling out legal paperwork (Fischer, Kuganesan, and Room, 2014: 16). The list of approved medical conditions that a patient must have in order to obtain medical marijuana is almost endless as a doctor can prescribe marijuana to treat any condition or symptom. Under the MMPR, the only role that government plays is determining what corporations are granted a licence to produce marijuana (Fischer, Kuganesan, and Room, 2014: 16).

Transferring the patient's right to legally grow their own supply of marijuana over to the corporation falls in line with the neoliberal ideology. To illustrate, as a result of this transfer, the government has heavily favoured the well-being of corporations, which can now reap the benefits of a billion-dollar marijuana industry. The well-being of the individual patients seems to be ignored as corporations, which are mainly concerned with profit and the quantity of marijuana sold, may not possess the accurate knowledge needed to grow the quality of marijuana that medical patients are looking for to alleviate their conditions. The government has also created strict licensing procedures and security clearances that make it virtually impossible for local and

small growers to enter the legal market, which may encourage medical patients to obtain their marijuana from the illicit market (Boyd, Carter, and McPherson, 2016: 365). Moreover, creating such strict rules for licensing and implementing a comprehensive security clearance can be viewed as one way for the government to maintain a regime of drug policy that is highly controlled and has limited access, despite the legal nature of medical marijuana.

As medical marijuana gained more legitimacy among health care professionals, the number of people using medical marijuana increased—from fewer than 100 patients in 2001, to 50,000 in 2015, and to a soaring 200,000 patients in 2017 (The Canadian Press, 2014; Laporte, 2017). Nevertheless, even with the legalization of medical marijuana, the criminalization of marijuana users continued apace. Of the 88,091 drug-related offences for possession in Canada for the year 2000, 51 percent were related to marijuana possession; in 2013, 54 percent of the 109,057 drug-related offences for possession were related to marijuana possession (Boyd, 2017: 144).

### **Harper and “Tough on Crime” Policies**

At the same time that medical marijuana was transforming the drug into a licit substance, Prime Minister Stephen Harper was promising to “get tough” on crime and drugs, including illicit marijuana (Boyd, Carter, and MacPherson, 2015: 351). “Getting tough” on crime and drugs meant that Harper and his Conservative government began funnelling more money into law enforcement and dedicating time and resources to developing harsh and punitive laws (p. 351).

At the same time, budgets for federal corrections were increased from \$1.56 billion in 2003-2004 to \$2.69 billion in 2012/2013 (Comack, Fabre, Burgher, 2015: 7). With specific regards to

Manitoba, the province spent \$173 million in 2012-2013 to maintain its correctional system, which is 123 percent more than the province spent (\$75.5 million) in 2004-2005 (p. 7).

As part of the Conservative “tough on crime” agenda, Bill C-26 was first introduced in 2007 and then reintroduced in 2009 as Bill C-15. Bill C-15 was intended to amend the Controlled Drugs and Substances Act (CDSA) by introducing mandatory minimum sentences for the trafficking and cultivation of marijuana (Boyd and Carter, 2014: 4). In addition to targeting the drug seller with this punitive amendment, stark differences were drawn between the drug user, who was characterized as an innocent individual suffering from addiction, and the drug seller, who was represented as a threat to public safety. In a 2007 speech addressing his “tough on crime” policies, Prime Minister Harper said the following:

Our government recognizes that we also have to find new ways to prevent people from becoming enslaved by drugs. And we need to find new ways to free them from drugs when they get hooked. That’s what the new National Drug Strategy I’m unveiling today is all about. Our message is clear: drugs are dangerous and destructive. If drugs do get a hold of you – there’s help to get you off them. And if you sell or produce drugs – you’ll pay with jail time. (Quoted in Boyd, Carter, and MacPherson, 2016: 352)

Despite a declining crime rate, the Harper administration continued their attack on the drug seller with the introduction of The Safe Streets and Communities Act (SSCA) in 2012. The pinnacle of Harper’s “tough on crime” agenda, the SSCA was based on discourses of fear and social Othering; as some commentators noted, it portrayed the drug seller as the “boogeyman” (Comack, Fabre, and Burgher, 2015: 4). The SSCA increased the maximum sentences for drug trafficking offences, increased restrictions on applying for pardons, and subjected harsher sentences on young offenders (p. 4). In this sense, the one formulation of the “boogeyman” that the Harper administration was protecting the larger and law-abiding society from was the drug seller. With specific regard to marijuana, the SSCA would subject an offender to six months in

prison for growing more than five cannabis plants, one-year imprisonment for growing near a school or place where youth gather, and a maximum of fourteen years' imprisonment for production of marijuana (Boyd, 2017: 153). Any adult convicted of growing more than five cannabis plants would serve six months in prison (p. 153), but medical marijuana patients are allowed to grow their own plants without the risk of criminalization. Additionally, the maximum penalty for the production of marijuana was fourteen years (p. 153), which again stands in stark contrast to medical marijuana patients.

Harper's "tough on crime" policies targeting the street-level drug seller in the hidden economy also stood in stark contrast to the treatment of the drug seller in the legal economy: while the government was criminalizing the illegal street seller of marijuana, it was granting wealthy corporations the legal right to grow and sell marijuana to medical patients.

### **2018 and Beyond: The Legalization of Recreational Marijuana**

As Harper's reign as Prime Minister came to an end in 2015, Justin Trudeau and the Liberal Party ushered in a new era in Canadian drug policy with their announcement that the recreational use of marijuana was to be legalized. After nearly 100 years of prohibition, Canadians can now possess, consume, and grow marijuana without fear of criminalization. Coming into force in October, 2018, the Cannabis Act, which is the legal framework for controlling the production, distribution, sale, and possession of cannabis, is said to keep marijuana out of the hands of youth and protect public health and safety by allowing access to safe and legal marijuana. As stated by Prime Minister Trudeau at a town hall event held in Winnipeg in [January 2018]:

Right now, our young people have far too easy access to marijuana, and we need to change that because regardless of what you may think of how harmful marijuana may or may not be, we know that the impact on the developing brain is something we want to minimize and avoid. (Israel, 2018c)

Although recreational marijuana use is now legal and considered a licit substance, competing claims and representations of the drug itself and the seller are rife in public discourse. Manitoba, for instance, has imposed strict legislation on where the substance can be consumed, prohibited the growth of marijuana despite federal legislation permitting up to four plants per household to be grown, and given police increased roadside powers. To illustrate, marijuana has been added to Bill 25 (2018), The Non-Smokers Health Protection and Vapour Products Amendment Act, which states that marijuana is strictly prohibited from being consumed in any “outdoor public place,” such as but not limited to the following: a sidewalk, street, highway, or outdoor parking lot; a playground or beach even where the smoking of tobacco is allowed; an outdoor pool splash pad or water park; a playing field or other outdoor sports venue; an outdoor entertainment venue; the grounds of an educational institution or facility; and an outdoor patio or deck that is associated with a restaurant or other enclosed public place. Manitoba’s approach to legalization runs in stark contrast to Ontario, where residents are not only allowed to grow their own marijuana, but they are also allowed to smoke marijuana in public places (Sawatzky et al., 2018). Manitobans caught smoking in prohibited areas face a fine between \$100 to \$500 for their first offence and a fine of up to \$1,000 for subsequent offences (Greenslade, 2018b). Illegally selling marijuana without a licence or supplying marijuana to an underage person brings a fine of \$2,542 and potential imprisonment under federal legislation (Lambert, 2018; Bill 25, 2018). Bill 25 has also made an amendment to The Highway Traffic Act whereby police officers are granted the power to issue driver license suspensions to individuals who they believe on reasonable grounds to be under the influence of marijuana (Abrams, 2018).

Despite Manitoba’s strict legislation, the legalization of marijuana comes at a time when so many individuals are using the substance. In 2017, 4.9 million Canadians between the ages of

15 and 64 spent an estimated \$5.7 billion on marijuana (Israel, 2018b). In relation to other popular drugs, Canadians spent \$22.3 billion on alcohol and \$16 billion on tobacco in 2016, which are arguably two drugs that have more harmful, severe, and fatal health consequences than marijuana (Caulkins et al., 2012; McKiernan and Fleming, 2017). In these terms, the marijuana user is becoming normalized and so common that they could be someone's next-door neighbour, university professor, or parent. RCMP officers and even Prime Minister Trudeau have openly admitted to using marijuana (Duggan, 2018; Lombardo, 2018).

In contrast to the user of marijuana, however, the drug seller continues to be constructed in public discourse as a serious threat to society. In addition to protecting youth, public health, and public safety, The Cannabis Act seeks to eradicate the street-level seller and hidden drug economy by keeping profits out of the hands of criminals (Government of Canada, 2018). In a town hall even hosted in Winnipeg in 2018, Prime Minister Trudeau stereotypically presented the drug sellers as selling in stairways and being inevitably linked to organized crime (Israel, 2018c). Trudeau further stated: "that is our approach on marijuana, get the criminal element out of it and keep our kids safer and our communities safer, that's why we're doing this" (Israel, 2018c).

Referring to the marijuana seller as a "criminal" or linking them to "organized crime" instills fear in the minds of the public and justifies the characterizations and images historically associated with these labels. To illustrate, drug sellers have been accused of continuing their dark and sadistic attack on society as they are now grooming and exploiting private school children to carry illegal substances to be transported to the customers of organized crime groups in rural areas (Busby, 2018).

Moreover, the many news reports surfacing each year that exaggerate and dramatize the inherent threat and danger of the drug seller influence how the wider society should punish these individuals. President Donald Trump advocated that drug sellers are deserving of the death penalty (CBC, 2018). According to President Trump, drug sellers are murdering mass numbers of people, and none of them rarely ever see jail (CBC, 2018). Trump asks: “Why is it that you can shoot one person and go to jail for the rest of your life or receive the death sentence, and drug sellers can kill 2,000 or 3,000 and nothing happens to them?” (CBC, 2018). In order to combat the drug seller, the state cannot be weak. Stronger and tougher laws need to be in place to address the problem of the drug seller (CBC, 2018).

The City of Winnipeg has also contributed to the conversation regarding the dangers of marijuana by dedicating a section on their public website to “drug awareness.” Under this heading, the city urges its residents that growing marijuana is associated with “explosions,” “booby traps,” “electrocutions,” “innocent children injured,” and “violence.” Of particular interest is the association made between the illegal marijuana industry and violence: “The ability for the growers to make massive profits prompts them to arm themselves to protect their operation. There is increasing evidence of kidnappings, extortion and home invasions linked to the marihuana grow industry” (City of Winnipeg, 2016).

In a similar fashion, the Conservative Government of Manitoba has released an anti-marijuana campaign that provides misleading information on the drug seller and the harms of consuming marijuana. For example, the government has sponsored advertisements placed on billboards, public modes of transportation, and university campuses that feature a skull and crossbones under the phrase “Street cannabis isn’t worth the risk.” A similar advertisement reads: “Not everyone uses cannabis. You don’t need to try it just because it’s legal” (Ingram,

2018). In comparison, the government's advertisements for alcohol actually advise individuals on how to safely consume alcohol and "know your limits" (Ingram, 2018). Under the guise of promoting public health, the provincial government is able to spread misleading and false information, which suggests that they are more concerned with control (Tremblay, 2018). The censoring of marijuana in advertisements seems to be unfair when compared to the liberties that corporations enjoy when endangering the well-being of individuals and sometimes entire communities (Tremblay, 2018).

Moreover, Harper's representation of the drug seller as a "boogeyman" in 2015 has been revived in 2018. *Global News* reported that drug sellers in Winnipeg were preparing for legalization by introducing their buyers to harder substances, such as crystal methamphetamine, MDMA, and prescription pills (Greenslade, 2018a). In this same report, Dawn Rodgers of the Momentum Centre in Winnipeg states that drug sellers are being very strategic as they are handing out free samples of harder drugs in hopes that their buyers develop a new-found addiction once marijuana is legalized (Greenslade, 2018a). The narrative in 2018 that the seller is a feared boogeyman poisoning the youth or that organized criminals are reaping profits from selling illegal marijuana are only some of the many negative discourses put forth by the media, police, and government regarding the drug seller and the hidden drug economy.

### **Concluding Remarks**

The history of marijuana has been rife with competing claims regarding the drug, the seller, and the hidden drug economy. Beginning in the 1900s up until 2018, public discourse has not only vilified the drug seller and the hidden economy, but has influenced public opinion and the creation of punitive legislation aimed to criminalize the drug seller. Although each decade

created a new and oftentimes more fearful and threatening image of the drug seller, competing claims have existed to refute these representations. Highlighting these public discourses decade by decade, one can better understand what they sought to protect (the moral fabric of society) and the themes arising from them (marginalize the drug seller and develop harsh legislation to punish them).

As with previous decades, the recent move to legalize recreational marijuana has been accompanied by negative discourses about the drug seller and the hidden drug economy. Legalization has also been promoted as a means to eradicate the illegal marijuana seller and the illicit drug market. Exploring this issue further requires an insider perspective: the standpoint of the marijuana seller who is operating in the hidden drug economy.

## **Chapter 2**

### **Methodology**

The government's move to legalize the recreational use of marijuana raises the question of the impact that legalization will have on the drug seller and the hidden drug economy. In particular, will legalization eradicate the illegal marijuana seller and the illicit drug market? This move has been accompanied by stigmatizing claims about the identity of the drug seller, casting them as monsters, organized criminals, and violent individuals. How accurate are these representations of the drug seller? To address these questions, in-depth, qualitative interviews were conducted with 12 individuals who sell marijuana in the hidden drug economy in order to learn their standpoints.

The chapter, therefore, maps out the methodology utilized in undertaking this study, including: the use of a standpoint epistemology, ethics approval, sampling and recruitment strategies, the interview process, and the method of data analysis.

#### **Standpoint Epistemology**

Standpoint epistemology holds that a culture's opinions and knowledge are socially situated (Harding, 1991: 119). The notion of a "standpoint" refers to both historically shared, group-based experiences, and to groups having shared histories based on their social location in relations of power (Hill Collins, 1997: 376). Utilizing standpoint epistemology allows one to ask if human activity is structured in fundamentally opposing ways for different groups. If this is the case, "one can expect that the vision of each will represent an inversion of the other, and in systems of domination the vision available to the rulers will both be partial and perverse"

(Harding, 1991: 120). In addition, standpoint epistemology allows one to understand the struggles of certain groups and begin to see beneath the appearances created by an unjust social order to uncover how this social order is in fact constructed and maintained. Currently, the public discourse of the drug seller constructed by police, media, and government resembles that of a monster poisoning the youth or a criminal deserving of harsh punishment. How do the standpoints of the sellers compare with that discourse?

Standpoint epistemology has its origins in G.W.F. Hegel's insight into the relationship between "the master and the slave," or as Karl Marx, Frederick Engels, and Gyorgy Lukacs mentioned, the "proletarian standpoint" (Harding, 1991: 120). To ignore power relations is simply to misunderstand standpoint epistemology (Hill Collins, 1997: 376). Standpoints arise neither from crowds of individuals nor from groups analytically created by scholars or bureaucrats (p. 376). For a position to be considered a standpoint rather than a claim, research must be grounded in an objective location. Sandra Harding (1991: 124) writes that this objective location is in the lives of the individuals who make up the group. Additionally, standpoints stem from observations that start out from and look at the world from the perspective of the individuals participating in the study (p.124). Bettina Aptheker takes this further in her explanation of feminist standpoint epistemology as she believes that researchers must strive to create meaning through "dailiness." Aptheker states:

The search for dailiness is a method of work that allows us to take the patterns women create and the meanings women invent and learn from them. If we map what we learn, connecting one meaning or invention to another, we begin to lay out a different way of seeing reality. This way of seeing is what I refer to as women's standpoint. (Quoted in Harding, 1991: 129).

Similar to other research projects that adopt a standpoint epistemology, accessing the standpoints of drug sellers was accomplished through in-person interviews, face-to-face

encounters that enable participants an opportunity to share their standpoints or ways of understanding the matter under study.

## **Ethics Approval**

Approval from the University of Manitoba's Sociology and Psychology Research Ethics Board (REB) was sought in May 2018. Obtaining ethics approval from the REB proved to be a challenging process. The ethics application underwent a full review by the REB committee since the project was deemed to be “high risk”—both because the safety of the researcher was perceived to be in jeopardy due to the population being studied, and because of the belief that the interview could potentially cause psychological and emotional distress for the study participants. The initial review by the REB raised over 20 concerns, including: the plans for participant recruitment; measures taken to ensure anonymity and confidentiality; the location where the interviews were to be conducted; whether community engagement was warranted (on the assumption that participants would be Indigenous); the use of the term “drug dealer” rather than “drug seller”; and the need to provide a list of resources to participants who may experience psychological and emotional distress. Moreover, due to the illegal nature of the drug sellers' line of work, the REB consulted with the university's lawyers to determine whether there were any criminal justice consequences that could arise from the study.

Upon making the requested revisions to the study—including: clarifying the role of the “gatekeeper” in the recruitment of study participants; changing the location of the interviews to the researcher's university office; clarifying how the study documents will be stored; and collecting socio-demographic information about participants on a separate sheet—the REB responded by requesting additional information, clarification, and revisions. One concern raised

was the issue of informed consent. The REB held that it was more suitable to obtain verbal rather than written consent from participants as they believed that drug sellers would not want to risk being identified by their signature. The decision was made, however, to utilize written consent since having a physical document with both parties' signatures was believed to be more formal, legitimate, and reassuring for participants. With these concerns addressed, Ethics approval was finally granted in mid-August 2018.

### **Sampling and Recruitment**

Due to the fact that drug sellers engage in criminal activity by selling an illegal and illicit drug, accessing study participants can be challenging; they may be selective with who they trust and with whom they are open to discussing the nature of their work. One strategy for overcoming this barrier is to utilize a gatekeeper (Lund et al., 2016; Singleton and Straits, 2010). The gatekeeper can vouch for the researcher, assuring prospective study participants of the researcher's academic intentions and that the researcher poses no threat. For this study, the gatekeeper was someone who the researcher had known for a long period of time and who had several years of experience in selling marijuana. Although the gatekeeper no longer sells marijuana, but has rather moved on to selling other illicit drugs, this person was responsible for introducing the researcher to six drug sellers who were willing to be interviewed for the study. The gatekeeper was given a script, informing them how to recruit prospective study participants and how to contact the researcher (see Appendix A).

Two other strategies were utilized to increase the size of the study sample. First, convenience sampling was used, whereby the researcher reached out to personal contacts who sell marijuana. Two participants were recruited using this strategy. Second, snowball sampling was used. Snowball sampling involves a process of chain referral whereby members of a target

population are identified, located, and then asked if they are willing to participate as well as possibly provide names and contact information of other members of the target population (Singleton and Straits, 2010: 178). Participants were instructed to relay to prospective participants that the researcher was interested in obtaining their standpoints on what they thought the implications of the legalization of marijuana held for themselves as drug sellers and the hidden drug economy. Four more participants were recruited through snowball sampling.

Although 12 participants were interviewed for the study, it must be noted that this number does not account for all prospective sellers who were either approached by the researcher, the gatekeeper, or those who heard from word of mouth. In total, roughly 24 sellers were informed about the study, and only half agreed to be interviewed. Rejection was more common at the beginning of the recruitment process. This could be due to the gatekeeper and the researcher not framing the study in a manner that was suitable for the prospective participants, the prospective participants being unwilling to discuss information regarding a criminal act, or they were simply just not interested in the participating in the project. Although rejection was frustrating, the researcher learned to not take this personally as prospective participants had a multitude of valid reasons to not participate.

In addition to dealing with the frustration of rejection, the researcher had to deal with the frustration of participants either showing up late to the interview or not showing up at all. Despite these barriers, participants who arrived late or who cancelled the day of the interview were apologetic and did so for reasons related to work, family, or other commitments.

## **The Interviews**

The interviews were conducted in the researcher's office at the University of Manitoba. The interviews took place in August 2018, two months before the recreational use of marijuana was legalized. Participants were provided with an honourarium of \$25 at the beginning of the interview in recognition of their time and contribution (see Appendix B). Informed consent was obtained in writing prior to each interview (see Appendix C).

Due to snowball sampling and utilizing a gatekeeper, the researcher was a stranger to the majority of the participants. In addition, the location of the interviews (as mandated by the REB) likely created an unnatural and artificial social setting. Given these circumstances, the researcher took several steps to build a rapport with the participants prior to the start of the interview. For instance, participants were offered food and a beverage from one of the vending machines at the university at the beginning of the meeting. As well, efforts were made to engage in friendly conversation, such as asking how their day went, if they had trouble finding the location of the interview (which they did not as most were familiar with the University of Manitoba), if they had any plans after the interview, or if they had any hobbies. The researcher also made a point of dressing informally (jeans or shorts, a shirt, and either a pair of sandals or sneakers). Wearing clothing that exposed his tattoos was also a means of connecting with participants and initiating the conversation. This proved to be a successful strategy for putting participants more at ease. Participants would often comment on their own tattoos and a discussion would ensue as to where the tattoos were done, the meaning of the tattoos, and what area of the body was most painful to have tattooed.

The interviews lasted from 25 to 90 minutes and were semi-structured in nature. Participants were asked questions regarding the dynamics of selling and the marijuana market,

concerns and risks when selling, their identity as a drug seller, and the impact that legalization will have on themselves and the hidden drug economy (see Appendix D). With respect to potential risk that participants faced from their participation in the study, participants were informed that they may feel emotional or psychological stress from discussing certain topics, such as whether or not they have encountered violence when selling marijuana. To ameliorate any stress encountered during the interview process, participants were provided with a list of helpful resources that they could access (see Appendix E).

The interviews were audio recorded and later transcribed. Any information that could identify the participants personally was kept confidential. For example, the audio-recordings of each interview were kept on a password-protected computer. The names of the participants were not included in the transcripts. The identity of each participant is protected as participants were able to select an academically appropriate pseudonym of their choosing to remain anonymous. To further protect the identity of each participant, the researcher later provided the participants with a draft of the findings chapters to ensure that no information that would breach their anonymity was included.

### **Data Analysis**

The data collected from the interviews were coded in order to facilitate the analysis. Coding has been viewed as a tool to condense a bulk of data sets into analyzable, “bite-sized” units by creating categories for the data. Amanda Coffey and Paul Atkinson (1996) mention that coding encompasses a broad array of approaches and ways of organizing data. Coding is part of an analytical process that assists in generating concepts or applying concepts from the literature, enabling researchers, reviewers, and readers to rigorously review what the data are saying (p.

27). For example, coding is attached to words, phrases, sentences, or whole paragraphs (p. 28). Additionally, coding allows the researcher to connect data that may initially seem fragmented, mundane, or irrelevant to a particular idea, theme, or concept that may be important and insightful. Coding, in this way, made the data more manageable, while at the same time allowing for a complex analysis.

Four general themes were identified in the data based on the research questions: the dynamics of selling marijuana and the marijuana market; concerns and risks when selling; the identity of the sellers; and the impact of legalization. The creation of additional codes became necessary to adequately account for the various ways in which themes were discussed by participants. These additional themes arose concurrently with the general themes of the study, including: sellers sold marijuana to overcome the barrier of precarious work; sellers rejected the “drug dealer” label; and sellers operated in a marijuana market characterized by love, compassion, and trust. These concurrent themes are important to consider as such knowledge challenges public discourse about the drug seller and the hidden drug economy.

### **Concluding Remarks**

Public discourse has been rife with stigmatizing claims accusing the drug seller of being a monster poisoning the youth, an organized criminal, or a violent individual deserving of harsh punishment. These claims have become more prevalent in the midst of recreational marijuana being legalized as drug sellers are speculated to be hooking their customers onto harder drugs to recover any lost profits. Interviewing people involved in selling marijuana in the hidden drug economy offers an opportunity to uncover their standpoints on the ways in which the legalization of marijuana impacts both the seller and the hidden economy. Drawing on the standpoints of the

drug sellers also reveals a counter discourse, one that challenges the public discourse put forward by police, media, and government.

The findings of this study are presented in the next two chapters. Chapter three examines the ways in which the drug sellers challenge public discourse and the stigmatized and criminalized representation of the drug seller and the hidden drug economy by relaying the standpoints of the sellers. Why the drug seller resists the “drug dealer” label and why the drug seller sells marijuana are also examined. Chapter four examines the impact that drug sellers believe the legalization of marijuana will have on themselves and the hidden drug economy. How drug sellers plan to stay in business and why they will not sell harder drugs once marijuana is legalized are also examined.

## Chapter 3

### They're Just Like Us: Challenging Public Discourse

Police, media, and government have participated in the construction of a public discourse that educates the wider society as to who the drug seller is and what the hidden drug economy is comprised of in a way that has both instilled fear in the minds of the public and demonized and vilified the drug seller. Whether it was the “raving, raping, and killing maniac” in the 1920s, or the “super predator” in the 1980s, or the “monster” poisoning the youth of today, the drug seller and the hidden drug economy have been presented in very stigmatizing ways. As termed by Craig Reinerman and Harry G. Levine (1997: 24), the police, media, and government have perpetuated the “routinization of caricature,” in which “worst cases” are presented as “typical cases” and “the episodic rhetorically recrafted into the epidemic.” Although used to describe the ways in which crack and crack cocaine were represented in the 1980s, this representation resonates with the ways in which both the seller and the hidden drug economy have been constructed in other time periods, especially during the current era of the legalization of recreational marijuana.

The purpose of this chapter is to challenge the caricatured representations of the drug seller and the hidden drug economy found in public discourse by relaying the standpoints of the sellers. In doing so, the sellers illustrate that the “worst cases” available in public discourse—portraying the drug seller as a gang member operating in an illegal drug trade characterized by firearms and violence or as a money-hungry predator preying on youth—are atypical rather than typical cases. The standpoints of the sellers stand in stark contrast to public discourse, especially with regard to who the drug seller actually is, what the marijuana market looks like, and why the seller sells marijuana. As a result, the efforts of police, media, and government to have “the

episodic rhetorically recrafted into the epidemic” is disrupted as the standpoints of the sellers illustrate that they are ordinary citizens who sell marijuana to overcome certain socially constructed barriers, rather than being monsters or predators (Alexander, 2012: 49; Boyd, 1991: 4; Fischer, 1999: 200).

**First Name: Drug Seller, Last Name: Gang Member**

In addition to their location in the hidden economy, the drug seller has been constructed in police, media, and government discourse to be in close company with the image of the street gang member. As street gangs engage in various forms of illegal economic activity, such as theft, prostitution, money-laundering, and drug selling and trafficking, the drug seller is positioned as an active gang member who commits crimes to benefit the gang as a whole. Conflating the image of a drug seller with the image of a gang member serves to intensify the stigma attached to the seller, since they are not simply viewed as a monster poisoning youth, but also as aggressive and violent individuals who pledge allegiance and loyalty to a certain coloured rag.

In police, media, and government discourse, the street gang has been constructed as an organized crime group engaged in acts of violence and financial-related crimes (see Chapter 1). The gang has also been portrayed by police and media as a “key and distinguishing feature of the urban landscape in Winnipeg,” and noted for their tendency to endanger innocent community members by engaging in violent acts purely for the sake of violence (Brodbeck, 2013). Garnering the reputation as the “gang capital of Canada” (Blaze, 2009), Winnipeg is reported to have some 2000 members involved in as many 35 gangs. Of this number, some 75 percent are believed to be under the age of 30 and a similar proportion are of Indigenous descent, while the largest

proportion of immigrant gangs are comprised of African-Canadians (Froese, 2018; Brodbeck, 2013; Chettleburgh, 2007).

Gang members themselves have been portrayed as preying on vulnerable children, teenagers, and newcomers to Canada. Det. Sgt. Steve Mitchell of the Organized Crime Unit of the Winnipeg Police Service, for instance, claims that gang members “school” children and teenagers “in the drug trade, the gang lifestyle,” teaching them “how to operate and conduct themselves in that area” (Greenslade, 2018c). This “predator” depiction seems to be widely used and relied upon when government, police, and media describe a marginalized group, as this label was also used to describe drug sellers in the 1980s (see Chapter 1). The “predator” label is a double-edged sword for the drug seller, however, as they are labelled a predator both as a seller and as a gang member. In addition to the predator depiction, the gang member is portrayed as the “criminal Other”—both in terms of his bodily markings (tattoos with offensive sayings and images) as well as his display of ruthless aggression in the streets and in prison against rival gang members (Jewell, 2013).

Portraying the gang as a group of young, structured, violent, and oftentimes racialized individuals preying on innocent youth resonates with the discourse of fear and othering put forth by Prime Minister Harper and the Conservatives in 2012 with the introduction of the Safe Streets and Communities Act (SSCA). As mentioned in Chapter 1, the SSCA was the pinnacle of a “tough on crime” agenda that increased maximum sentences for drug trafficking offences, increased restrictions for applying for pardons, and subjected young offenders to harsher sentences (Boyd, 2017: 153).

In contrast to the various discourses of fear and othering put forth by police, media, and government, however, the scholarly literature offers a competing discourse on gangs. Several

authors assert that street gangs constitute a form of resistance to a colonial, capitalist social order that has excluded and marginalized them (Comack et al., 2013; Fontaine, 2014). Nonetheless, although gang members are acting out of resistance, their actions have negative consequences, including the perpetuation of a toxic, hegemonic masculinity that involves the normalization of violence and the subordination of women (Comack et al., 2013; Knutilla, 2016; Messerschmidt, 2001; Shakur, 1993; Bourgois, 2003; Rios, 2010).

Hegemonic masculinity is a type of masculinity that overrides and subordinates other forms of masculinity, such as that of homosexual men (Knutilla, 2016: 27). Hegemonic masculinity prioritizes aggression and dominance in order to legitimize patriarchy and guarantee the dominant position of men over the subordinate position of women (p. 27). This type of masculinity is culturally glorified, idealized, and celebrated (Comack et al., 2013: 20).

Hegemonic masculinity is “neither transhistorical nor transcultural; it varies from society to society and changes within a particular society over time” (Messerschmidt, 2001: 70). In the localized context of the street gang, it plays out in the form of a lifestyle centred on material acquisitions, strict lines of authority, competition, violence and aggressiveness, risk-taking, and heterosexual conquest. This can be illustrated by the gang members’ preference for fashionable clothing and flashy jewelry, and adding expensive features to their cars (Comack et al., 2013: 21). Moreover, the aggression, dominance, and emphasis on sexual conquest that is inherent in this toxic, hegemonic masculinity serves to disadvantage women associated with the gang by reaffirming their subordinated, marginalized, and sexualized position.

With respect to the structure of the gang, Aboriginal street gangs are described as being “involved in opportunistic, spontaneous and disorganized street level criminal activities” (Criminal Intelligence Service of Canada cited in Comack et al., 2013: 25). The structure of

Aboriginal street gangs is also noted for being fluid, which creates short-lived groups with affiliations and conflicts that are constantly changing (p. 25). Moreover, with the introduction of crack cocaine in the 1980s, gangs have been portrayed as being an economic enterprise solely concerned with the pursuit of profit (Hagedorn, 2008: 19). In contrast to several testimonies put forth by the police and gang-specialist officers, most crimes committed by gang members do not directly improve the gang as a whole. Rather, each member would pick up a specialization, such as break and enters, automobile theft, and drug selling, in order to improve their individual situation or the situation of their families and dependents (Rios, 2011: 185). Alongside the portrayal of gangs as economic enterprises, street gangs have also been viewed as “godfather-run, centralized, efficient crime syndicates,” which is the stereotypical image put forth by police, media, and government. Viewing gangs as centralized and organized groups overemphasizes the structure, organization, and rationality of the gang, and runs counter to the loose-knit networks that John Hagedorn (2008: 19) discovered in his research.

In addition to the misconception that gangs are highly organized and structured is the belief that gang members make large sums of money from theft, drug selling, and other criminal activities. Making money within the gang is relative. Victor Rios (2011: 61) found in his research that some gang members higher up in the gang hierarchy could make upwards of \$500 a day, while the salaries of street-level drug sellers averaged out to only \$40 per day. Hagedorn (2001: 48) found in his research that, “The vast majority of adult male gang members barely made a living wage, though the few studies of average income from drug sales find that it triples what could be earned at part-time minimum wage jobs.” Alanaise Goodwill (2009), however, quotes an ex-street gang member in Winnipeg: “I made more money [working] legit than I did with the gang” (cited in Comack et al., 2013: 26).

## **Who are the Drug Sellers?**

The social characteristics of the participants in this study do not align with the caricature of the drug seller offered in the public discourse. For example, all of the participants were educated and at the minimum held a high-school diploma; half of the participants held either a college diploma or a university degree. Moreover, all of the participants were active in the legitimate economy and had jobs in which taxes were paid; however, the income from their respective jobs was insufficient to making ends meet. Additionally, two of the twelve participants (17%) were between the ages of 18 and 21, eight (67%) were between the ages of 22 and 25, and two (17%) were between 26 and 34 years old. The relatively young age of the participants could be an indicator of the impacts that the rise of precarious work has on youth, which was discussed in Chapter 1. With respect to the gender of the sellers, 11 participants were male and one was female. In contrast to the ways in which the media portray the drug seller as a racialized individual, the majority of participants (11) were white; one participant was Métis. In terms of the connections made between the drug trade and street gangs, only one participant shared that he was previously gang-affiliated, but had since broken ties to any gang.

These sellers are characterized as “retail sellers” in the scholarly literature. The retail seller is predominately male, sells smaller quantities of drugs (as opposed to kilograms or pounds), and engages in selling to supplement income from the legitimate economy (Desroches, 2005: 3). Furthermore, the demographics of the sellers align with the findings of Vendula Belackova and Christian Vaccaro (2013: 294); 59 percent of sellers in their study worked in the legitimate economy, and a majority of their sample held a college or university education.

The sellers were also individuals who could be said to possess good character and high levels of integrity through being fair, honest, and generous, which have been identified as

essential traits for being successful when selling marijuana (Adler, 1985: 100). For instance, rather than a concern for profit, Mr. Johnson sold marijuana to his friends for a heavily reduced price as he believed that “sometimes I just want to hook my boys up.” Curly Q was also motivated to sell marijuana to her friends for a reduced price as this made her feel good that she could “save a couple of friends a few bucks that maybe need the help.” Whereas some participants sold marijuana for a reduced price, 326 would sometimes give marijuana to friends and customers without receiving payment. As 326 explained, “I’ve been in that situation where you don’t have sixty bucks to give at that point.” In a similar fashion, Medicine Man explained why he had no problem with giving marijuana to friends without receiving payment:

Sometimes they don’t need it for a long time and then sometimes they’re just, you know, “Things have been a little rough, you know. I was wondering if you have a little bit [of marijuana] that I’d be able to pick up. Times are a little bit tough right now, you know. I’ll pay you back when I get some cash.” And I always say “It’s not a problem man, you know. I know you’re good for it.” And then it goes to the whole, you know, the foundation of trust. (Medicine Man)

Despite the similarities they shared in their education, age, racial identity, and character, it would be inaccurate to say that the participants were a homogeneous group. As we will soon see, participants differed from each other in several significant ways, including with respect to why they began selling marijuana, the amount of profit made, their status within the hidden drug economy, the possibility of coming into contact with police, and having a criminal record.

## **The Dynamics of Selling Marijuana and the Marijuana Market**

### *Marijuana Culture*

Sellers in the study embraced the existence of a marijuana culture that “goes back to the 1960s” (Mark) and is characterized by “a lot of togetherness, a lot of compassion, a lot of giving, a lot of

sharing and caring and love” (Medicine Man). The cultural aspect of marijuana was important to the sellers. Jaxon believed, “that it’s a really good culture. It’s beneficial to society. I feel a part of something. It’s a great thing.” As mentioned in Chapter 1, the marijuana culture consists of several rituals that include the idea that marijuana must be shared amongst intimate others within the group and that everyone within the group must engage in social interaction. Demilo echoed this aspect of the culture as he believed that, “when you sell somebody weed, you smoke with them.” In addition, the activity of smoking with intimate others resembles a symbolic ritual in the sense that individuals in the group reaffirm their membership amongst the users in the counterculture, the joint or pipe becomes a sacred symbol, and those within the group transmit a feeling of belonging and loyalty to one another (Goode, 1970: 23). Medicine Man expanded on this ritualistic aspect; he believed that when individuals “share it [marijuana], there’s an intimacy over it, you know, smoking a joint, or having a bowl [of marijuana], or, you know, even just talking about it or sharing it. It’s the same thing when people go to share a drink.... I’ve seen marijuana bring a lot of interesting people together.”

This construction of a marijuana culture challenges the ways in which the drug is portrayed by the police, media, and government as a drug that “isn’t worth the risk” or that “you don’t need to try just because it’s legal” (Ingram, 2018). Several sellers combated this narrative by referencing the culture’s positive aspect and how this has made the wider society embrace marijuana as licit and legitimate substance. Demilo thought that what he was selling was “positive, it’s not going to have any negative aspects on people’s lives. That’s the good thing about marijuana and the movement behind it.” Additionally, 326 believed that the positivity that is engrained in the marijuana culture has made marijuana a “part of everyday life.... Everyone wants to have a puff after work or whatever and, you know, take their mind off things.” Mark

also believed that the aspect of positivity has integrated marijuana into mainstream society and is why governments have legalized the drug:

It just started to be more of like a regular thing, people started to integrate it more into culture and as you've seen especially over the past like ten years, it's legalized in Colorado. Everyone has a brighter eye to it and are paying more attention to what's going on, so there's more research being done, there's more knowledge being learned about it, you know. So I feel like culture around marijuana is just it being more publicly accepted and people being more comfortable around it and wanting to learn more about it and wanting to find other things out about it. (Mark)

Despite the negative image of marijuana in public discourse, Medicine Man has witnessed first-hand how marijuana culture has enhanced the quality of life that certain individuals are living. As a provider of marijuana to sick and ill individuals, Medicine Man has been in situations where “people have been so mad and so angry, you know, just super negative, and then they have one little puff [of marijuana] and they're just immediately relaxed. You can just feel the energy in the air and around them.” White Boy has also experienced the positive impact of the marijuana culture. He believed that, “Us enthusiasts are really trying to bring about the positive view of things.... So the marijuana culture has really changed in the past, let's say ten, fifteen years, where now that it is being more pursued for passionate reasons.”

White Boy also combatted the negative image of marijuana disseminated in public discourse by shedding light on how government has associated the drug with certain races. To illustrate, White Boy believed that “there's a lot of people that realize marijuana isn't the drug that governments try to make it seem like. It's not associated with the propaganda that was used in the States to combat Mexicans and racism ... even though it's mainly white males who use the drug.” White Boy's claim resonates with the other sellers in the study as 11 of the 12 participants were white and used marijuana on a daily basis.

Moreover, the existence of a marijuana culture combats public discourse through “4/20.” As mentioned in Chapter 1, This once a year event evolved into an occasion where thousands of marijuana enthusiasts smoked in front of legislative buildings across Canada, calling for drug policy reform, specifically, the legalization of marijuana (CTV, 2018). Mark weighed in on this matter as said that, “There’s 4/20, there’re thousands of people that just go smoke weed together, that’s essentially weed culture in my opinion.” Jaxon reflected on 4/20 and the impact this event has had on the wider society. In addition to advocating for drug policy reform, 4/20 has created “jobs that people are getting, there’s festivals, there’s science behind marijuana and around marijuana culture. There’s a whole science behind it and there’s stores pushing the culture forward.”

*From the Seller’s Eye: What the Market Looks Like*

The numerous accounts claiming that the marijuana drug market is highly organized, hierarchical, and centralized are not supported by the academic literature. Matthew Taylor and Gary Potter (2013: 399), for instance, found that marijuana sellers in their study did not operate under any form of structured, organized, or controlled market where organized crime groups held a monopoly. The ways in which the sellers in this study saw the marijuana market resonate with Taylor and Potter’s findings. White Boy, who has been selling marijuana for the past decade-and-a-half, has witnessed the direction the marijuana market has taken from the time he started selling until present day. Whereas organized crime groups held control over the hidden drug market in the past, White Boy stated that, “now it’s not so much [ruled by organized crime groups]. It’s a lot of independent growers with no ties to gangs.”

With respect to the way the market is structured, Alfred commented that, “it’s a pyramid, it’s like a hierarchy” with a lot of flexibility within the market. Jaxon also spoke about the

pyramid-like shape of the marijuana market as he started out at the bottom of the pyramid and worked his way up to the point where he had operations that put him at the top of the marijuana market. He explained in detail that at the very bottom of the pyramid “you’ve got lower level guys who sell grams and ounces.” Moving up, “you’ve got the middle of the pyramid, which are guys who sell to those guys [sellers at the bottom of the pyramid], you know, they usually get in the pound quantity.” At the top of the pyramid are “the top guys, the guys who have a bunch of pounds, right, ‘cause they’re the ones growing.” Jaxon described his own status within the market: “I’m in the middle. I’ve been in the top before. You know, I’m comfortable in the middle.” Alfred, who has also moved up and down the pyramid, offered a similar description of the structure of the market:

It starts with a grower at the top, and then from there it goes to the pound dealers, you know, people who just buy all the pounds off of the grower. From there, it goes to probably younger people who are grabbing just single pounds off the pound dealers. Then people just buy ounces also from the pound dealers and then it just trickles down to smaller amounts. An ounce is usually about the smallest people will pick up if they’re selling, and from there you have people who just grab personal amounts. I eventually got to the point where I was selling pounds. (Alfred)

Alfred raised the issue of marijuana sellers being relatively young, which was noted earlier as a potential consequence of the rise of precarious work. He also brought up the issue of the variation in customer demand depending on the area of the city: “In the North End and Downtown are people who are just buying single grams and smaller amounts like that, whereas in the South [end of the city], people have a little more disposable income, so they might pick up quarter ounce or ounces for personal use.” Jaxon talked about the age of the customers, and how “some older people are more consistent, and they spend more, and then younger people spend more on the weekend.” Curly Q explained that she sold to “mixed genders, mixed ages, you know, around like 20 to 25, sometimes 26,” and “sometimes you get an older customer,

sometimes you get people who are weird, you know, kind of quirky.” This breakdown of the customer base resonates with the findings of other studies: marijuana customers tend to be ordinary individuals varying in gender, age, race, and financial means. Such findings contradict the claims made in public discourse that the drug sellers’ customers are vulnerable youth (Mohamed and Fritsvold, 2006: 100).

### *Marijuana vs. The Market of Harder Illicit Drugs*

In addition to describing the ways in which the illicit marijuana market works and how it is structured, the participants shared information on the market of other illicit drugs, such as crack cocaine and crystal methamphetamine. The market of these harder drugs seems to differ from the marijuana market in significant ways. For one, the risk of fires and explosions when producing the drugs introduces an element of danger. Production is also more organized in terms of accessing the chemicals used to make these drugs and the specialized knowledge required in the production process, which can oftentimes necessitate a complex division of labour: one person will generally be designated as a “cook” (the individual making the drug), a “gasman” or a “juicer” (who is responsible for obtaining anhydrous ammonia, a controlled chemical), and a “shopper” (who gets anything other chemical or ingredient needed to produce the drug) (Jenkot, 2014: 382-88). Although none of the study participants commented on the structure of the market for these harder drugs, they did share what they saw as similarities between both markets with regard to the demands of customers. They also drew differences with regard to the risk of criminalization and violence, and how drug sellers selling harder drugs had a different level of morality than drug sellers selling marijuana.

With respect to the demands of customers, Alfred, Andy, and Mark found their customers to be extremely impatient when they wanted to purchase marijuana. All three said that their customers wanted their marijuana “right away” and would not be willing to wait if their respective seller could not provide marijuana in a timely fashion. This impatience put pressure on the sellers, albeit for differing reasons. Mark did not have a driver’s license, so his way of transportation was limited to being driven around by a friend or using the transit system. Andy’s drug operation depended on whether or not the bush plane that was carrying his marijuana would be searched by RCMP. Alfred had a busy schedule, which made selling marijuana difficult. Due to the high demands of their customers, all three sellers mentioned that their customers resemble crack buyers in the sense that they “fiend” over the drug their purchasing.

Other than the similarity of their customers resembling those of crack customers, all of the participants were very adamant on distinguishing their line of work from those selling much harder illicit substances. In this respect, the sellers accepted certain constructions of the drug market and the drug sellers, but apply them to the markets of harder drugs and not to themselves. For example, one of the differences drawn was the risk of violence. As mentioned earlier, the marijuana culture, characterized by peace, love, compassion, and understanding, allows the sale and consumption of marijuana to be safe. The celebration of such a culture minimizes the amount of competition and, according to Mark and Demilo, created an environment where no one is trying to step on anyone else’s toes or interfere with anyone’s profit. This culture appears to be unique to the marijuana market. In contrast to this sense of community, the participants described the market of harder drugs as being characterized by violence, mistrust, individualism, and the careless pursuit of profit. Barz Longer spoke about the amount of profit individuals selling harder drugs make and what type of person comes to sell these drugs.

The harder the drugs, the more the money. It's all about money. These guys selling hard shit are making mad cash. And, of course, with harder drugs come harder [tougher] people. Those hard drugs are their drug. This is their drug, you know what I mean? This is the drug that's paying their bills, what's putting food on the table, what's feeding their kids, all that. You know, too, when they're selling harder shit, they'll be heavy into whatever they're selling. Coke sellers are heavy into coke. I'm not saying that those people are bad, but they definitely make bad decisions and stuff like that. (Barz Longer)

In a similar fashion, Curly Q shared her knowledge about the trade in harder drugs, including the amount of deception and mistrust involved:

All those hard drugs are terrible, you know. Like, a hundred percent cocaine. A hundred percent meth. One hundred percent pills, like oxycodone, Xanax, prescription pills. Like, it's disgusting. It's actually taking people's lives. Like, meth is disgusting in the city, people are actually dying left and right! It's dirt cheap too! People are getting meth, people are cutting it... I know a 15-year-old that was selling meth. I've personally seen people sell Splenda as cocaine, a 40 bag of Splenda that's being advertised as coke. Because they think it looks scalier [high quality cocaine] than this, that, or the other thing. I've seen people cut their shit with caffeine pills. Cocaine and caffeine, I don't know that could be good for your heart, but I've seen this firsthand. (Curly Q)

Individuals who sold harder drugs, then, were seen as differing in persona from the marijuana sellers. In 326's view, these individuals were the "real" sellers that police are looking for. 326's viewpoint that police "sure as hell aren't looking for the people selling weed" was echoed by almost all of the other participants in the study. Moreover, with the exception of Jaxon and White Boy, participants wholeheartedly believed that they were not selling a "drug." Instead, they were providing a substance that increased the quality of their customers' lives, whether it was in a medical or recreational sense. Those selling harder drugs, in contrast, were believed to be "sketchy" and "into a lot of different shit" (326). Demilo and Medicine Man elaborated on this viewpoint:

There's a huge gap between coke dealers, crack dealers, heroin dealers, and guys like me selling weed. Those guys are ruining peoples' lives and taking away their livelihood altogether, and knowingly do it just because [of the] money. Whereas with what I'm

doing, it's more or less the same process, I guess, but the stigma behind it is completely different because it doesn't have that negative aspect or that negative backlash on their lives. (Demilo)

I don't support any harder drugs. Heroin and crack are actual poisons. I think the real drugs are crack, cocaine, heroin, opium, you know, things like that are just the nasty shit. Those are dangerous chemicals and the people providing that are dangerous. Whereas, you know, when people have a little bit of a puff [of marijuana] or they have a few drops of CBD oil and you see the change. The healing change within them begins. (Medicine Man)

Additionally, Peter Jones discussed some of the benefits that were afforded to his peers who sold harder substances. Peter Jones said that he never sold marijuana for the power, the fame, or the status, but he did notice that his peers who sold harder drugs were getting more sexual attention from females than he was. He explained that the "real" drug sellers are "the guys selling harder, drugs, making more profit, and taking a lot more risk" and that the "coke dealers are the ones getting all the girls." As a result, Peter Jones ultimately felt like "ain't no damn female going to come with me, I'm a small-time marijuana seller." Peter Jones also felt that the real drug sellers attract women more than marijuana sellers like himself because real drug sellers can afford "the Gucci man-purse ... the designer clothes and maybe a flashy vehicle." Peter Jones' explanation of harder drug sellers aligns with the literature on hegemonic masculinity: fierce competition, risk-taking, sexual conquest, and conspicuous consumption dominate in the harder drug market.

#### *Competition and Relationship with other Sellers and Suppliers*

Rather than a market characterized by competition, violence, firearms, and gang-violence, several studies show the marijuana market to lack competition and actually be friendly, non-violent, and filled with aspects of trust (Desroches, 2005; Boyd and Carter, 2014; Coomber,

2010). These findings are substantiated by another study that found the illicit drug market to have no ties to organized crime groups (Pearson and Hobbs, 2003: 341). Sellers in this study noted that images portraying the illicit drug market as being plagued by gangland warfare, turf conflicts, competition, and dishonesty are inaccurate (p. 341).

A majority of the sellers agree with these claims; they saw the marijuana market to be friendly and trustworthy, and lacking an overall sense of competition. One main reason why the sellers thought that the marijuana market was friendly was due to the culture's emphasis on love, compassion, unity, and giving and sharing. Alfred, for one, commented that "it's a pretty friendly circle ... it's not a dark thing, it's not like a bunch of sketchy dealers, it's nice people." The culture's emphasis on unity engendered positive and trusting relationships between sellers and suppliers, and diffused competition between sellers. Barz Longer believed that unity was one feature that made the "weed game" different from other drug markets as "nobody's too competitive and nobody's trying to step on anybody's toes." Demilo echoed the same view, also commenting that in the marijuana market, "nobody's trying to beat each other up or kill each other." Mark incorporated all of the aspects of the marijuana culture – giving and sharing, unity, and friendship – when describing why the marijuana market lacks competition:

It's not very competitive. I'm not rushing to meet people, I'm not punching people out 'cause they're stealing my customers. It's no, nothing like that. It's never like, "Oh you're stealing my customers" type thing. It's early bird gets the worm.... It's all copacetic. Like, it's take and give, you know. You'll send someone to someone [a seller] one day and they'll do the same thing the next day. It's like symbiosis, essentially.  
(Mark)

Moreover, although some sellers preferred to purchase from the same supplier, many of the sellers believed that there was a lack of pressure or coercion to purchase marijuana from the same supplier on every occasion, especially given that customers often had particular needs and wants. As a marijuana seller that met customers all over Winnipeg and would even travel outside

the city to sell, Jaxon explained that, “through socializing with other people, you run across a cheaper source or somebody who has something that you’ve been looking for.”

However, other sellers did acknowledge the presence of competition, especially when they were selling during their high-school years. For example, Alfred believed that, “that there was [competition] back then, just ‘cause we were in school and trying to get more money than one another.” But he ultimately felt that “once you grow up it’s not really a competition anymore, it’s just about seeing each other do well.” In contrast to the other sellers, Jaxon believed that a sense of competition existed amongst sellers—and to the extent that competition resulted in “a rivalry that would even come to violence at times over customers and territory.”

## **Why Sell?**

Sheigla Murphy, Dan Waldorf, and Craig Reinerman (1990) found that individuals who transitioned from using to selling cocaine did not consider this a major leap down an unknown path. Nor was this transition a situation where “ministers become mobsters”; it did not make the sellers change their identity or break any of their morals, values, and world views (p. 325). Moreover, making the transition from user to seller was one way to remedy certain issues in mainstream society, such as a lack of well-paying jobs (p. 336). These findings are echoed by Rafik Mohammed and Erick Fritsvold (2007: 99). Sellers in their study sold as an alternative to low-paying jobs, out of hedonism, and to support a drug dependency. The same can be said with respect to the marijuana sellers in the present study. Prior to selling marijuana, all of the participants used marijuana on a frequent basis. They began selling in order to maintain their lifestyle, smoke for free, compensate for the inadequacies of the legitimate economy, or provide medicine to ill individuals. In this sense, drug sellers are not “Others”; rather, they are ordinary

individuals who are endeavouring to overcome certain socially constructed barriers by selling an illegal substance.

### *Maintaining the Lifestyle*

The “fast life” is characterized by sensations of euphoria where there are no worries of planning for tomorrow, paying bills, or running out of drugs. The fast life enables the seller to satisfy immediate material desires, such as purchasing expensive clothes, dinners, vehicles, alcohol, and vacations (Adler, 1985: 84). The seller living the fast life makes it apparent to people around them that they have worked hard for what they have, rather than being an individual that has inherited their riches. Jaxon shared how the money he earned from selling marijuana allowed him to live the fast life:

For the money, just simply for the money. All the money lets me live the lifestyle I’m accustomed to, you know. You know, I need a certain amount of money to keep my lifestyle that I’m used to. You know, just having, always having money to go out to eat. Always having a full tank [of gas], being able to buy birthday gifts, buy nice clothes, go to the shooting range, go go-karting, getting tattoos, you know, go to the cabin.... I’m a hard worker and I consider myself a hardworking man. (Jaxon)

### *Free Smoke, Free Smoke!*

All of the participants began selling to smoke marijuana for free. Referred to as a “stash seller,” the participants were motivated to sell marijuana to support or subsidize the cost of their personal use, rather than selling to further the economic enterprise of a gang or an organized crime group or to gain notoriety (Murphy, Waldorf, and Reinerman, 1990: 332). Reflecting on why he started selling marijuana, Mark said: “I smoke a lot of weed, so obviously you get to smoke your weed for free.” An added benefit, in his view, was the relationships with other smokers, which “get more intimate where you understand that they smoke weed, they understand that I smoke weed,

you know, there's no stigma dealing with people that smoke weed because we're all on the same level." Demilo shared a similar explanation in that he not only wanted to smoke for free, but knew that he was a "a very sociable person and I liked being able to just talk to all sorts of different kinds of people and just get to know who they were ... a lawyer, a doctor, or somebody that may be operating on me." In contrast to Mark and Demilo, Barz Longer was much less concerned with the socializing aspect and only cared to "smoke for free, that's where it all started from."

Whereas some sellers wanted to smoke for free, Alfred began selling once he developed a dependence for marijuana that he could not afford. According to Alfred, although he applied himself, he "couldn't get jobs anywhere" and the jobs that he did have were paid "under-the-table" as he was not yet of legal working age. Alfred's story resonates with the situation of many young people confronted with the rise of precarious work in the neoliberal labour market.

### *Compensating for the Inadequacies of the Legitimate Market*

With the advent of neoliberalism, society has become more and more organized around entrepreneurial, competitive, and businesslike interests whereby individuals must meet their needs through a precarious job market in which less permanent and part-time occupations have come to predominate. In a climate where government tends to protect private property rather than the social welfare of its citizens, individuals must become self-sufficient and self-reliant on jobs that are oftentimes dehumanizing in nature and offer low-pay, irregular hours, and little to no benefits. In his examination of globalization and its impact on society, Zygmunt Bauman (1998) notes:

Governments cannot seriously promise anything but more 'flexibility of labour'—that is, in the ultimate account, more insecurity and ever more painful and incapacitating

insecurity. Serious governments cannot promise certainty either; that they must concede freedom to notoriously erratic and unpredictable ‘market forces.’ (p. 118)

As corporations seek to maximize their profits and those of shareholders by cutting labour costs through downsizing, outsourcing, reducing or eliminating benefit packages, and capping pay, the worker is increasingly susceptible to the unpredictability of the market (Ferris, 2015: xxiv). More importantly, a precarious job market creates an army of “routine labourers” who are volatile and occasional, disposable and easily replaceable, and tenuously related to their work (Bauman, 2005: 66). Additionally, under the guise of neoliberalism, employment is considered the “pill to aid all kinds of ills,” which justifies the notion that “any job is better than no job” (Haney, 2004: 342). Thus, if any job is better than no job, individuals who find themselves in the precarious job market have very few options to combat or overcome the inadequacies of the legitimate market. The individual may either work multiple jobs in less than ideal circumstances just to make ends meet or they have to become an active entrepreneur in order to become self-sufficient and self-reliant.

It is within the confines of the precarious job market that the drug seller must be located. Similar to other individuals, the drug seller is oftentimes subject to work that has irregular hours and is dehumanizing, repetitive, low-paying, and with little to no benefits. The seller is subject to these inadequacies because, similar to other individuals, the seller is actually an active member of the legitimate work force. Contrary to the ways in which the media put forth discourses portraying sellers as being “career sellers” or individuals not contributing to society by paying their taxes or lazy individuals who sell drugs to cut corners, all of the sellers in the study worked in the legitimate workforce in a variety of different occupations in the services and trades industries. Sellers indicated that they turned to the illegitimate economy to battle the inadequacies of the legitimate economy.

That sellers turned to the illegitimate economy to compensate for the inadequacies of the legitimate market raises several important points that need further discussion. First, in keeping with the neoliberal ethos, sellers are becoming entrepreneurs in order to be self-sufficient and self-reliant; however, they are doing it in a way that comes into conflict with the neoliberal ideology. Although the seller is an “entrepreneur” in the true sense of the word—they are operating a business and taking risks to ensure its continued operation—they are fulfilling their neoliberal duty of becoming self-reliant and self-sufficient through illegal means. In this sense, the seller is blurring the boundaries of what is expected from someone attempting to weather the precarious work storm.

For instance, Curly Q, who works as a hair-stylist, expressed how certain practices in her profession affect her financial situation. Working in a salon, Curly Q rents a chair and has to pay a monthly fee that can be upwards of \$1,000 per month. Working as a hair-stylist, she does not have a guaranteed income where she is paid an hourly wage or a salary; rather, Curly Q gets paid based on the number of clients she sees and the type of hair-cut or colouring her clients’ request. Curly Q added that because she is not paid hourly or through a salary, in order to avoid owing money come tax time, she has to set aside a portion of her yearly income. Curly Q also sells marijuana to help her mother pay the bills.

I give her money for bills, toss her money here and I toss her money there. Because she’s a single mother and she busts her balls, so it’s kind of like, it’s my time to give back, you know what I mean. The money I make doesn’t necessarily go to a new Lamborghini that I’m going to drive. No, that’s a dream. It goes to paying rent. (Curly Q)

Similar to Curly Q, Barz Longer and Demilo sell marijuana to make ends meet. As both sellers work in the trades industry, they expressed that employment may not only be difficult to come across at times, but can also be seasonal. Although both sellers live together and split a

majority of the bills, they rely on the additional income that comes from selling marijuana. As Barz Longer noted, “Selling weeds help pays the rent at the end of the day.”

Mark finds himself in the same position as others who are selling to compensate for the inadequacies of the legitimate market. In addition to selling marijuana to smoke for free, Mark sold marijuana when he could not find a stable job that had adequate pay and regular hours. For the previous two years, Mark had been selling marijuana more frequently as his work in the legitimate economy did not provide him with a sufficient amount of income to live a comfortable life.

It was just kind of money on the side and it was just helpful for things, like, you know, you go out one night, you spend some extra money, you make it back, it doesn't fuck your paycheque up. You have bills to pay, you worry about that shit from your job and you have extra money from doing this. It's kind of like a little safety net, right? (Mark)

From his experiences in working jobs in the legitimate economy, Mark not only felt that his hourly wage and work-schedule were inadequate but that working for someone else was extremely demeaning. As a result, Mark took his talents to the illegitimate market where he was afforded benefits that he could not find in the legitimate market. However, this is not to say that Mark intended to sell marijuana permanently; rather, he was selling until he could find an “actual job” that would allow him to live a comfortable life.

Well, it's definitely convenient to have your own schedule and to not work for anybody. And I can work on my own hours, I can do what I like to do. So, yeah, that of course was appealing to me. It's kind of being more independent. I obviously don't really care about smoking as much anymore. Now it's more like I sell weed, and I'm trying to get like an actual job. For the longest time I was selling weed and working my regular job. (Mark)

326 also found himself trying to weather the precarious work storm. Whereas most sellers took to the illegitimate market to make ends meet as their respective jobs in the legitimate market were not sufficient, 326 took to the illegitimate market as he was trying to pay off debts and

move back to his home country. As his job was only seasonal and offered an insufficient amount of pay, 326 knew that he needed to supplement his income if he ever wanted to accomplish his goals.

Nine months ago, that [selling] was the easiest way for me to actually pay off my debt and start getting money so I could go back [home].... It was in the wintertime, I was on EI. A buddy of mine, my best friend, was on EI as well and we were both just hungry at that point. Me and my buddy were broke as a joke and I'm wanting to move back home. A "you got to do what you got to do" side came out of me. And if that means I have to sell weed in order to survive it means I have to sell weed to survive, right? (326)

Whereas these sellers would sell a couple of ounces to supplement their income from their respective part-time or full-time jobs, Andy's situation differed in two ways. First, he sells marijuana when he is either in-between jobs or if he is in dire need of money. Second, rather than selling marijuana within the confines of Winnipeg, Andy will buy two pounds of marijuana at a time and ship the marijuana to his customers in Northern Canada. Whereas a seller selling a pound of average quality marijuana in Winnipeg would profit anywhere from \$300 to \$600 per pound, Andy makes between \$8,000 and \$10,000 per pound of marijuana. Because Andy is trafficking multiple pounds of marijuana to Northern Canada, he is at higher risk of criminalization compared to most other sellers in the study. Criminalization is something that Andy fears and he feels that it is a constant game of "cat and mouse" between himself and the RCMP.

*"I Don't do it for any Kind of Profit"*

Why Medicine Man started selling marijuana differs greatly from all of the other sellers in the study. Whereas sellers may sell to compensate for the inadequacies of the legitimate market or to smoke marijuana for free, Medicine Man sells marijuana to help ill individuals. Rather than

considering himself a seller, Medicine Man considered himself a “provider of medicine,” as he did not make a profit off of providing and helping “friends” (rather than “customers”) overcome the barriers of everyday life.

Medicine Man is an outgoing, friendly, and charismatic individual, which is likely why so many of his friends depend on him for emotional support. Moreover, the individuals who depended on him were going through a wide variety of physical and mental health issues. They use marijuana to remedy their conditions but either cannot afford to purchase medical marijuana or do not have the connections or comfort level to purchase illicit marijuana. Similar to those who depend on him, Medicine Man was fighting physical and mental health issues, and looked to marijuana as a healing technique since pharmaceutical drugs did not help him. As a child, doctors prescribed him with a long list of pharmaceutical drugs that were not only ineffective, but left damaging side effects on his memory and ability to properly function in everyday life. For this reason, Medicine Man turned to marijuana as his technique of healing. It is also for this reason that he provides marijuana to other individuals with no expectation of payment or intention of making a profit.

I don't do it for any kind of profit. I do it more for the fact that I have a lot of friends, a lot of people, a lot of individuals that I know that that is their medicine, that is their way rather than turning to alcohol or to other drugs. They go to a little bit of reefer, a little bit of smoke, and it helps them with anxiety, helps them with eating, helps them with sleeping, helps them with anything that they're suffering from. I have no desire to make money. Money is not my purpose for it. It is helping people receive their medicine and that is what it is.... I know I'm taking a chance [of being criminalized], But it's a chance that I feel is worth its weight in the sense that I've helped a lot of people who I've seen in a really rough place. I've been in that rough place myself. (Medicine Man)

### *Selling as a Business*

Unlike Medicine Man, most participants in the study saw selling marijuana as a business.

Participants had a particular business sense whereby they were attuned to profit and possessed

sufficient knowledge on how to run a successful enterprise (Adler, 1985: 105-106). Whether it was keeping up with the demand for specific strains for their customers, ensuring that the “customer is always right,” book keeping, collecting debts, or displaying expert product knowledge, each participant utilized skills that are traditionally used in the legitimate economy.

Demilo did his own accounting, answered business calls, and was constantly keeping in contact with customers through text messages. He noted that as a businessman, he “had to be making smart moves and definitely be thinking about what customers want.” Demilo would always consult with his customers by telling them that, “If you want quality, then you’re going to pay more, if they want quantity for a better price it’s not going to be the greatest weed.” Peter Jones displayed his knowledge of how to run an enterprise through the use of marketing schemes. Aware that customers were attracted to the name of certain strains, Peter Jones would pick up catchy-named strains and would “develop sales pitches, like some persons want to hear crazy names, like, ‘This is Hubba bubba nine, this is cryptocronic, this is Jupiter number ten’ and then they’re like, ‘Oh my god, I need to try this.’” Not only do these narratives blur the boundaries between the types of skills that are used within the legitimate and hidden economies, but the fact that the sellers possess knowledge on how to create, establish, and grow an enterprise combats the narrative of the drug seller as a lazy individual cutting corners. Alfred challenged these constructions put forth in public discourse by discussing how he ran his business:

It’s [selling marijuana] just supply and demand, right. Just like any business, you’re building it from the start. Basically, anyone who is selling marijuana just starts off small and builds it like a business. You got to work your way up and gain more customers and clientele so you can do better and better. I definitely carried myself like a businessman, you know, you’d be friendly even if someone’s complaining. You’re going to do a “customer’s always right” type of thing. Sometimes people have complained about the size or the quality. You know, depending on who it is, they might be extra picky. But that’s part of the business. You got to be friendly to people and, you know, treating it as a

real business, basically. You got to treat people like actual customers and not treating it like a drug game, I guess. (Alfred)

Viewing the selling of marijuana as a business, sellers also displayed capitalist attitudes of prioritizing the accumulation of profit. Curly Q, for instance, was very blunt on the importance of profit: “I don’t like meeting more people than I like meeting dollars.” With profit being her top priority, Curly Q did whatever it took keep her customers happy. As she put it: “When my customers are happy, I’m happy, and so is my bank.” Other sellers looked to maximize their profits by not referring their customers to other sellers. Jaxon sold marijuana to support his lifestyle, and so profit was important to him: “My customer, my money. I’m not just going to be giving out my money to somebody.”

While some sellers looked to maximize their profits, others looked to protect their profits. Sellers operating a business in the hidden drug economy are not afforded certain comforts that the legitimate economy has to offer (Venkatesh, 2006: 7-9). For example, if someone were to break into a clothing store and damage parts of the store and steal several articles of clothing, the owner of that store could contact the police to investigate or the owner could potentially make an insurance claim to be reimbursed for their losses. In contrast, business owners operating in the hidden drug economy are not afforded these comforts. For example, if a seller is robbed for their stash of marijuana, they cannot call the police to report the theft without fear of being criminalized, nor can they make an insurance claim. This was a concern for 326 and the reason why he was prepared to resort to violence to protect his profits:

When I do business, I’m honest with the person I’m doing business with, too. I usually try to explain to people that if they fuck with me, there always will be consequences in the end of it. If you try and fuck me over, like, I will fuck you over in the end. I always keep a steel pipe in the back seat of my car, so if anyone ever tried something, I would have something there to deter someone from trying, let’s say. All of this helps me run it as a business, it makes me money and it generates a revenue. (326)

Sellers were also aware of the changing nature of the market. Barz Longer, for instance, was intent on not losing customers once the recreational use of marijuana was legalized. With legalization, he knew that dispensaries in the city would have the advantage of offering a bigger selection of product and more innovative ways to consume the drug. For this reason, Barz Longer adjusted to the future demands of the market by making his own edibles to better suit the demands of his customers.

I was thinking when weed becomes legalized, and if people want to go to the store to buy just regular weed, you're going to have to get more creative. Like I said, it's going to be more of a business aspect, right. Maybe you're going to have to get a little creative and try to draw people in a different way, right. Like for me, I sell edibles too. (Barz Longer)

### *Quality over Quantity*

Representations put forth by police, media, and government portray drug sellers as monstrous and immoral individuals who poison the youth by supplying drugs that are laced with harmful and even lethal substances. However, the claim that drug sellers are killing their customers by providing lethal substances did not make sense to Curly Q as she thought that “killing off customers is contradictory to making a profit!” It also did not resonate with 326 as he lived by the mantra of “If I won't smoke it, I won't sell it.” Despite the image of the drug seller in public discourse as a monster poisoning the youth, almost every seller in the study not only prioritized quality over quantity, but they also mentioned how important it is to sell marijuana in an ethical and moral fashion. Mark, for one, spoke about how important it was to not sell “shitty weed” that could potentially kill someone:

It's [quality] like my most important thing. I have friends that will smoke shitty weed and it doesn't bother them, but I pride myself on having good weed. If it's laced, I wouldn't be selling it to anyone, 'cause that shit is just fucked up. I'm selling you weed, not coke or anything bad so you shouldn't have to worry about getting laced out [overdose] with something like that and going to the hospital. It's weed. (Mark)

Other sellers discussed how important providing good quality marijuana is over large quantities of marijuana. From a business perspective, Alfred and Jaxon stressed the fact that selling high-quality marijuana is key in order to become a successful seller. Alfred believed that “you won’t do too well if you don’t have the proper quality or if there’s multiple complaints or something [is] really wrong with it,” whereas Jaxon stated that “my customers expect high quality weed... and that’s why they come to me.” In contrast to Jaxon and Alfred, Barz Longer felt that making a profit was essential in defining a successful drug seller and trumped selling a high-quality product; while the marijuana he was selling has “got to be okay quality, but for sure I’m about price. If anything, I look for a good price” (Barz Longer).

*Rejecting the “Drug Dealer” Label: “I just sell weed, man.”*

Several sellers in the study rejected the label of “drug dealer.” This rejection could be due in part to the negative representation of the “drug dealer” in public discourse and its association with criminality, violence, greediness, and gang affiliation. Rather than simply a “technique of neutralization” (Sykes and Matza, 1957) employed to rationalize their illegal activities, however, sellers utilized the label as a tool for managing their identities. As a result, insight was gained into who a drug seller is and how they manage the stigma of engaging in an illegal activity.

When rejecting the “drug dealer” label, a majority of the sellers did so in a way that took issue with the personality of the seller, rather than the drug itself. As found by Sharon Rodner (2009: 341), drug users believed that it was not the drugs themselves that constituted a danger; rather, it was the personality of the individual using or selling the drugs that constituted a danger. This line of reasoning was used to dispel the myth that marijuana was a gateway to using harder drugs, such as crystal methamphetamine, cocaine and crack cocaine, and prescription pills

(Arnold, 2005: 222). White Boy elaborated on this view when he commented that, “marijuana isn’t a gateway drug, it’s the personality of certain people who are the gateway to harder drugs. It’s the people who are only worried about making a couple hundred dollars off of whatever they’re selling.”

With respect to who a drug seller is, the sellers relied on common images of the drug dealer available in public discourse; for example, as someone who makes large amounts of profit and lives a lavish lifestyle. Medicine Man believed that a drug dealer was someone “who drives around in an expensive car, you know, really flashy, really ego driven, somebody who’s out there for themselves. They’re trying to hustle that paper, trying to make money, you know, do anything they need to get it.” In a similar fashion, Mark relied on images available in public discourse – specifically, cinema – to describe who a drug dealer is.

You know the movie, *Paid in Full*? Rico from *Paid in Full*, a person who has no remorse to the people that they’re selling to, a person who doesn’t care about the people that they’re working with while they’re doing it. And they’re going to do anything to put themselves in a position to get on top. Those are the people that I look at as drug dealers. ‘Cause you have no love for anyone around you or any of the people from your community. You just don’t give a fuck. That’s when I feel like you become cold-hearted essentially, you know. That’s not me, though. I just sell weed, man.

Alfred was another seller who rejected the “drug dealer” label by emphasizing the personality of the drug seller, rather than the drug itself. When Alfred was selling marijuana, he found that although he did not consider himself a drug dealer, his customers and associates did. Alfred found this to be stigmatizing as he thought the “drug dealer” label was so negative. Similar to Ross Coomber’s (2010: 11) analysis of how public discourse has created fictitious and exaggerated claims regarding the drug seller and the hidden drug economy, Alfred considered drug dealers to be violent individuals who trust no one, cut their drugs with harmful substances,

and prey on youth. As Alfred commented, “It’s offensive and I don’t think, for me, that’s not a sought-after thing to be known as.”

Sellers also used the images of the drug dealer available in public discourse to distance themselves from that label and to manage the stigma of engaging in an illegal activity. Medicine Man mentioned that a drug dealer was someone who was self-centred, concerned with profit, and lived a lavish lifestyle, which stands in stark contrast to the way he viewed himself. Rather than being a drug dealer, Medicine Man considered himself to be someone “who provides a medicine, someone who provides a service to someone. That’s not a drug dealer.” Mr. Johnson also relied on images of the drug dealer available in public discourse to reject the label: “I wouldn’t consider myself much of a drug dealer.... Nowadays I don’t have the motivation to make profit off of it.” Moreover, Curly Q discussed several of the negative characteristics associated with a drug dealer. As she felt that none of those characteristics described her, she rejected the label: “One hundred percent I avoid that label. It’s associated with so many negative things. It’s associated with violence, associated with a bad temper, associated with being uneducated, associated with race.” Peter Jones also thought that the “drug dealer” label was stigmatizing and a label that was not sought-after. He rejected the label by describing himself in a more humanizing way, drawing on his work in the legitimate economy and his several hobbies.

Whereas some of the participants did not consider themselves “drug dealers,” others embraced the term. For White Boy and Jaxon, the “drug dealer” label was a positive identity. Positive identity consists of several factors that enhance the individual’s view of themselves, such as self-awareness, self-acceptance, and having an overall purpose in life (Rotosky et al., 2018: 484). Both sellers exemplified these characteristics as they described how embracing the “drug dealer” label impacted their lives. Specifically, White Boy’s history of criminalization led

him to accept the label of “drug dealer,” while at the same time refashioning that identity on his own terms.

Now I do [consider myself a drug dealer]. I didn't originally but I feel like you have to be aware of what you are if you want to be accepted onto yourself. That was a real big thing when I was sitting with my charges and I feel like I got a little bit upset and depressed with myself over the fact that the police and the courts labelled me as a “drug dealer.” Now it's just a matter of being aware of what you are instead of trying to shy away from it. So, since I do consider myself a drug dealer. How am I going to be the drug dealer I've always wanted to be and not just the one that people want me to be? That's why I'm an enthusiast. (White Boy)

In a similar fashion, Jaxon embraced the “drug dealer” label in a positive and constructive way.

I know what I am. I'm not going to try to sugar coat it. It's positive. It's part of who I am, you know, and it makes me an individual. It actually makes me feel good [being labelled a drug dealer] because they must think I'm doing good in life because they see me driving my fancy car, my hand tattoos, and my jewellery. I guess it's kind of what I've been trying to achieve in a subconscious way. Maybe I have been trying to look like that. So I don't really care. It actually makes me feel good. (Jaxon)

### **Risks and Concerns When Selling**

Although the drug sellers are channelling their inner entrepreneur to do whatever it takes to make a living, they are nonetheless doing so in a way that puts them at risk of criminalization, since it is still illegal to sell illicit marijuana. While all of the sellers experienced that risk, some sellers had much more to lose than others. If criminalized, 326 may not be able to move back to his home country. Others, like Mark, could end up with a criminal record, which may prevent getting an “actual job.” And some sellers, such as Barz Longer and Demilo, may have to struggle even more to pay their rent. Each seller that participated in the study had something to lose, and they developed unique tactics and strategies to avoid “political sanction,” which is punishment

by a “sovereign or supreme ruling power of the state,” such as police, judges, and correctional officers (Jacques and Allen, 2014: 217).

### *Coming into Contact with Police*

Alfred, a seller in the South End of Winnipeg, liked to keep police guessing of his next move:

“I’m always driving in different vehicles or, you know, taking different routes that police aren’t going to be on and such.” Whereas Alfred was able to outsmart police by having multiple vehicles, other sellers had to develop different ways to avoid coming into contact with police.

Barz Longer believed that as long as he was smart about his actions, he would not have to worry about police.

Just be smart. Don’t have it on you when you’re driving, at least that’s what I try the most. Don’t have it on you while you drive or just try to meet somewhere where you’re far out of the way, not on a busy street or something. That’s about it, really. We got to be stupid enough to fuck up, right. Like, you go to meet with somebody in a stupid spot and they [the police] got to see you or you got to get pulled over from doing something stupid and having it on you. (Barz Longer)

Mr. Johnson shared how he would avoid coming into contact with police, especially when he was a youth selling in high-school.

I tried not getting, you know, too intoxicated or something like at a party just in case the police did show. I just tried staying on my feet in those kind of situations, just ‘cause those are places where you kind of let your guard down and you might have your marijuana out, or out enough where police would maybe question what you have in your bag. I also wouldn’t take the bus at late hours, especially if I had a lot of marijuana on me ‘cause I know it would smell. And just being a teenager with a backpack past 10 PM is just asking for heat. (Mr. Johnson)

Whereas Mr. Johnson avoided police contact by keeping himself under control at a party or not taking public transportation late at night, Peter Jones explained how his racial privilege

enabled him to avoid police contact. Racial profiling by police has been the subject of several studies. The Commission on Systemic Racism in the Ontario Criminal Justice System, for instance, found that racialized people were more likely to be stopped by police. Their survey of 1,657 Metropolitan Toronto residents found that more Black (28 percent) than white (18 percent) and Chinese (1.5 percent) residents were stopped by police in a two-year period (Cited in Comack, 2012: 32). With respect to Indigenous people's encounters with police in Winnipeg, Comack (2012) found that Indigenous men living in the inner city were regularly stopped by police and asked to account for themselves. One participant stated that he was stopped by police "once a week, guaranteed. I can't even, like, count the number of times where I've been stopped just for walking down the street wearing, like all black or something" (p. 162). Peter Jones shared a similar understanding:

I'm a Caucasian guy, so it's a lot easier to avoid cops. I have friends that are Black or like, you know, Native and they have a lot more cop stops and harassment, I feel. It's just, like, when there's a white guy, even in like passenger side, there's much less cop stops. So when you're rolling around with someone who's white in the passenger seat you notice that you get stopped less compared to when you're rolling with someone who's Black. It's obviously not like the States where they're harassing people and they're shooting people and stuff, but like they do profiling to make their stops and meet their quotas, you know. (Peter Jones)

Curly Q finds herself at a heightened risk of being criminalized as she sells marijuana out of her apartment complex, which can raise the suspicions of other tenants on the block. As tenants on her floor are intrusive and like to know her business, she is worried that anyone can either report her to the authorities or be an undercover police officer. Curly Q seems to have more at stake as she lives with her mother. In the event that she was apprehended by police, she and her mother would run the risk of being evicted from the apartment complex, which would leave them homeless.

Everyone's always going to see what you're doing. Everyone's always definitely going to want to know what you're doing. People see me getting in and out of cars, they see that, people aren't dumb. There was a drug dealer that was caught in my building and it was not me, and they literally got [bear] maced, and there was a huge thing that went on and they got evicted from the building. What if that shit happens to me? (Curly Q)

In order to make extra money, Curly Q also sold marijuana to two co-workers whom she trusted and believed would not report her to authorities. Curly Q loves the industry she is in and takes a lot of pride in her work, so she risks losing her beloved career in the event that she is caught by a fellow co-worker or her boss.

I've made two comments to people that I work with, so they know that I sell. They know if they need that I'll bring it to them. I'll literally bring it to work, I don't give a shit. You're putting it in your bag, cool, that's all I care about. It's going in your bag the second I get there, cool. If you get caught, that's on you. (Curly Q)

As she not only risks being criminalized, but also losing her career and the roof that shelters her and her mother, Curly Q has developed unique tactics and strategies to avoid police contact.

I think I'm always at a risk. When I'm like in the middle of a deal selling this or selling that, a cop can come out of nowhere and start questioning the person I sold to. Say there was like a snitch in my building and they've been like watching this and that happen and they know this or that, they'll call the cops and make that person snitch. I'm a hundred percent at fault, I'm a hundred percent guilty. So, how would I lower the chance of that happening? I'm doing everything that – I'm doing it now by keeping it close to my own property, by making it look nonchalant as possible, whether it's putting it [marijuana] in a McDonalds bag, Safeway bag, pretending I'm getting my ID or keys from a friend's car, or dropping my gym bag in this car or doing whatever, you know what I mean. (Curly Q)

### *Encountering Violence*

Although there exists a culture of marijuana characterized by peace, love, understanding, and a sense of community, encountering violence is still a risk that sellers incur—despite the strategies they adopt to avoid that risk. Barz Longer engaged in several risk-avoidance strategies; for

instance, he would meet customers either at his house or at another safe and secure location. While he acknowledged the dangers of selling to strangers or “randoms,” because money was his primary motivation Barz Longer sold to as many people as possible—some 40 customers, which was the greatest number of customers that any participant sold to in the study. On one occasion, however, Barz Longer was the object of a planned attack: he was robbed for his stash of marijuana from someone whom he thought he could trust.

Just so happened that the guy who jumped me was someone I thought I knew. I was dealing with him for almost two full years and, you know, we’d smoke together, and we’d always tell each other how we were good friends. Whenever he’d pick up, we’d always smoke together. All of a sudden, one day wants his regular stuff and his regular time and then he jumps me for everything I had on me at the time! So that’s what happens when you don’t know someone personally, even though we shared a connection over a pretty long period of time. From the way it played out, it was obvious that this guy was planning it for a long time. (Barz Longer)

While Barz Longer was on the receiving end of a planned attack, Curly Q found herself in a unique position compared to the other participants when encountering violence. Curly Q was aware that others may consider her an easy target because of her gender, and that in the event of any type of physical confrontation with a male, she likely would not be able to fend for herself. For these reasons, Curly Q is especially strategic and cautious in the way she conducts business.

It’s [violence] not really a concern of mine. If it was, I’d carry something to protect myself, obviously not a gun, like, I’m not some crazy person. But I’m a lady who sells weed, I have to stay strong and move smart. I do kick boxing and fight five days a week, I got to stay strong. Self-defence is huge, but I’d like to think that I don’t put myself in those situations anymore. Even when fights would break out, I always made sure I had backup, you know what I mean? Never be alone if you’re looking for a fight, especially in the streets. Plus, I’m careful with who I sell to and always make sure it was in an environment I could easily control, you know. No back-alley meet-ups, no selling to fuckin’ strangers. Always through association and never a random!

## *Risking Freedom*

One category where some participants differed from others was having a criminal record.

Although several of the ways in which the police, media, and government portray the drug seller are exaggerated, dramatic, and inaccurate, especially with respect to the participants in this study, three of the twelve participants—White Boy, Mr. Johnson, and Jaxon—have had contact with the law, which has ultimately resulted in all three having criminal records.

A majority of White Boy's time as a marijuana seller has involved heightened police surveillance, which ultimately led to criminal sanctions. White Boy attributed these experiences to the ways in which selling marijuana brought attention to his name, which was not always wanted, and how his fellow associates treated selling marijuana as a business.

With regard to the former, White Boy began selling marijuana as a freshman in high-school. Older students and, through word of mouth, older individuals outside of the school began to seek him out for the high-quality product he sold. As word of mouth continued to spread about his product, he gained a reputation—and greater control over the marijuana market in his neighbourhood. However, with more status and power came jealousy from other sellers because they viewed White Boy as a threat to their business. As a result, other sellers would offer up White Boy's name when they were in a bind with police.

I've heard of cops picking up people in Manitoba Housing and roughing them up for answers on dealers and stuff like that. I know my name's been given up and things like that before. (White Boy)

With regard to the latter, White Boy has had associates in the past working for him who have only been concerned with making a profit and selling large quantities of subpar marijuana. He believes that sellers who are in the marijuana market strictly for profit are more susceptible to

encountering violence and gang-related pressures. Early on, White Boy became associated with gangs, which only caught the attention of police even more.

When I got into things, a lot of the people I worked with were associated with organized crime groups or patch members, and stuff like that. I've really tried to dial back on that because, I mean, it's not a fun life to live. These drug dealers are more in it for the business side of things and I started associating myself with more gang members. I should have never been meeting gang members at the age of 16 or 17, but it happened. You know, I don't identify with skinheads or Arians and all that crazy shit. (White Boy)

More significantly, White Boy believes that those who are selling strictly for profit are dangerous as they may do anything to ensure that nothing comes between them and their money. One of White Boy's former employees was apprehended by police officers for possessing and selling hard drugs, which resulted in White Boy facing criminal charges.

I had one of my workers get caught with some hard drugs that he'd been getting into and decided to pass me over [give up his name] for leniency. I was charged with intent and proceeds of crime.... Like I said, 'cause it was a guy who had worked for me that ended up causing all this. A conundrum of things happened the same night, too. I had done a favour for a [different] guy I worked for and he ended up dirtying [planting evidence] up in my car. That further incriminated me. It was just a slap in the face. Even people you're constantly doing favours for or who you would think [are] indebted to you are the ones who are going to end up doing you the most damage in life. (White Boy)

At the time of his arrest, police officers were already familiar with White Boy as his name had been given up by sellers and other individuals in Manitoba Housing units. As a result, he received rough treatment from the arresting officers.

The way they treated me was alarming and reminded me of what happened to a fellow friend of mine who was in juvie [juvenile detention]. He was beat up by the cops so it was pretty surprising seeing him after. They beat him up with a phonebook and gloves. (White Boy)

As White Boy's case progressed through the criminal justice system, he not only became subject to various forms of police misconduct, but he also believes that his legal counsel took advantage of him, which ultimately led to his criminal conviction.

With the proper lawyer or better legal advice I probably could have beaten it potentially. There were breakings of the law, unfortunately, on the police side of things. And in the end, they ended up taking someone like me and giving me a charge and leaving someone who's pushing hard drugs on the streets. It's not a win for society. Anything from like illegal search and seizure to a butchering of the preliminary police reports and things like that. I also paid for a lawyer ... but there was another big murder case that had happened in the city at the time that he ended up getting called upon, and I got passed onto one of his junior associates. At that point the legal advice I was given really went down the drain, and I should have moved on to a better lawyer. Instead, I just chose to deal with the guy I thought was doing me favours. In the end, he didn't really do anything for me and just took my retainer for his services. So it was a real big wash of things. (White Boy)

Mr. Johnson, a drug seller in the South End of Winnipeg, had sold marijuana for nearly a decade. Mr. Johnson began selling marijuana when he was 15 years old and sold to upwards of 30 customers at a time. Similar to White Boy, Mr. Johnson started selling marijuana as he was able to have easier access to marijuana than his peers. Because he would always have an abundance of marijuana on him, several of Mr. Johnson's friends began to pressure him into selling marijuana. The idea of selling marijuana resonated well with Mr. Johnson as having extra spending money at such a young age was alluring; selling marijuana would also cover the cost of his own smoking habit. As time passed, Mr. Johnson's clientele grew; he was not just selling to friends, but also to friends of friends and random individuals who would get his phone number through someone in the city. Similar to White Boy and Jaxon, however, Mr. Johnson was eventually apprehended and arrested by police officers. He recalled his experience with the police in great detail:

So, I had to sell two grams to somebody I know. Before I sold the guy the weed, the group I was with wanted to pick up some beers at the local vendor. They kept rushing me

so I had to take my backpack with me, which had a bag of weed [26 grams] and my scale. It was probably early January and the vendor we were going to closed at like 3 AM. I remember it being so cold as well, typical Winnipeg night with a foot and a half of snow and it was -40 degrees Celsius. So after we get the beer, the guys I was with wanted to do some stupid shit, like drift in an empty parking lot. I didn't even want to do this because these guys were drunk and it's just so heat, drifting in a parking lot, especially when it's right next to a popular Winnipeg street. These guys were just asking for attention. I wanted to leave to go home, but fuck that. It was so cold, and I didn't want to walk home, so I just stayed in the car. Maybe after two minutes of drifting we see a cop car just flying towards us. I was considering jumping out of the car because of all the weed I had on me, plus I was a minor at the time, but I honestly would have got hit by the cop car.

Even though I hadn't been drinking, I was the only person who got searched and arrested. The cops start threatening me, telling me they're going to search my house. As soon as I heard them say that, I got pretty worried and pleaded to dealing a small amount [of marijuana] since I didn't want my place getting searched, and more importantly, I didn't want my family being subject to all the police's bullshit. They ended up taking me to a holding cell, made me wait three hours in that cell. I barely had any clothes on because my jacket was left in the vehicle. It was like 18 degrees [Celsius] in that cell and I'm freezing. They said I would get a blanket, but it never came. My mom ended up coming at 4:30 AM.

I got charged with the intent to sell and it was done through the Crown because of the amount of weed I had on me. My lawyer just went for clearing my record. They were trying to lock me up for one year, man! Luckily, my lawyer beat the case and got me a conditional discharge. They ended up giving me probation, so I had curfew, phone, weapons, and a substance ban.... You know, after the arrest it became clear to me it [selling marijuana] wasn't something I want to pursue with the risk of being caught, and you know, actually going to jail or something. (Mr. Johnson)

After his experience with the criminal justice system, Mr. Johnson knew that he had to make changes to the lifestyle he was living. Although he continued to purchase illicit marijuana for personal use, he stopped selling marijuana to customers for a lengthy period of time. At the time of our interview, Mr. Johnson was only selling marijuana to two or three friends with whom he was extremely close. He used the terms "sell" and "drug seller" lightly because he only sells his friends the scraps of whatever is left from the large amount of marijuana he purchases for

personal use, and he sells it to them at the cost he purchased it for, which is a highly discounted price. Although Mr. Johnson knows what he is doing is illegal and would be considered “drug selling” in the minds of law enforcement officials, he continues to sell marijuana to help friends out, even though this makes him feel uncomfortable. He also manages the stress of being apprehended by police again by limiting who he sells to, how much he sells, and where he sells.

Similar to White Boy and Mr. Johnson, Jaxon had been subject to increased police surveillance that has resulted in criminal sanctions. Jaxon was previously running a large-scale drug operation where profits were being accumulated and enemies were made among rival drug sellers. Throughout the course of this large-scale drug operation, Jaxon experienced several issues with his rival drug sellers, which were rooted in both the competitive nature of the harder and more illicit drugs he was selling and a history of personal issues he had with these drug sellers (which he did not want to disclose). Additionally, Jaxon’s name was starting to spread in different areas of the city as strangers would use his name to get out of dangerous situations.

I’ve had a situation where somebody said that they were working for me because they got in a fight at a bar and they were trying to scare somebody. It turns out the person they were saying that to was a childhood friend of mine! They called me and said, “Hey, this guy’s claiming to work for you.” And it turns out I didn’t even know that person, they were just dropping my name.

Jaxon and his rival drug sellers would harm each other through physical fights or other acts of violence, which not only led to Jaxon being home invaded in the middle of the night but, ultimately, resulted in him being charged and imprisoned for assault.

I did get charged, but it wasn’t really a drug charge. It was an assault case. And, you know, that definitely put me on probation. I was in jail for a bit, well, the Remand [Centre] for a bit, but that would affect me if I were to get caught selling. That would make it a lot worse. You know, I carried weapons before, but I don’t anymore ‘cause I have a weapons prohibition. But I would love to carry ‘cause I used to carry guns, knives, brass knuckles, bear mace.... I’m always looking in my rear view, always looking over my shoulder, you know. You know, I’ve been home invaded before in the middle of the

night. I've come a long way since then. That's one of my worst fears [going back to jail]. I even had a dream the other night that I was in jail again, and that I got home invaded again. So it definitely looms heavy in my thoughts. My dog even has issues sleeping because of the home invasion.

### **Concluding Remarks**

Police, media, and government have a history of educating the wider society about the drug seller and the hidden drug economy by participating in the construction of a public discourse that has instilled fear in the minds of the public by demonizing the drug seller. Portraying “worst cases” as “typical cases” gives rise to the belief that the drug seller and the gang member are one and the same individual, or that drug sellers operate in a marijuana market surrounded by violence and firearms, or that drug sellers prey on youth. The standpoints of sellers, however, stand in stark contrast to the ways in which public discourse has vilified them. Rather than being monsters or predators, the drug sellers are ordinary citizens. Most not only reject the “drug dealer” label, but they are also educated, honest, and fair individuals who operate in a marijuana market characterized by compassion, unity, and trust who, among other reasons, sell marijuana to overcome the barriers of precarious work or provide medicine to sick individuals. Although public discourse resonated with the few sellers who had a history of criminalization and the even fewer who prioritized profit, public discourse does not accurately represent the drug seller and the hidden drug economy.

Despite the sellers challenging the claims put forth by police, media, and government, public discourse portraying the drug seller in a demonized and vilified fashion continues to persist. This is especially the case in the months leading up to recreational marijuana being legalized and the speculation that marijuana sellers were introducing customers to harder drugs

to recover any lost profits from legalization. The next chapter takes up this issue by drawing on the standpoints of the drug sellers.

## Chapter 4

### The Implications of Legalization:

#### “It’s a Crap Show! Definitely Going to Use My Dealer From Now On”

Prime Minister Trudeau’s Liberal government legalized recreational marijuana to keep the drug out of the hands of the youth and to enhance public safety by allowing access to legally-controlled marijuana. In short, the intention was to eradicate the illegal marijuana seller and the hidden drug economy by offering competitive prices, access to uncut marijuana, and a broad catalogue of different products. Whether these goals will be realized remains a matter of debate. In the months following legalization, for instance, concerns have been raised as to the higher prices being charged for legal marijuana, the lack of product selection offered by dispensaries, and the country-wide shortage of the drug (The Canadian Press, 2018). Learning from those selling marijuana in the hidden drug economy can shed further light on this issue.

The purpose of this chapter, therefore, is to relay the standpoints of the sellers on the impact of the legalization of recreational marijuana on the hidden drug economy and the street-level drug seller. In doing so, their standpoints demonstrate how, contrary to public discourse, they generally believe that legalization will only make the hidden drug economy thrive. Two questions in particular are addressed: Will the sellers continue to operate in the hidden drug economy? Will they move to selling harder drugs in order to compensate for the loss of business as a result of the legalization of recreational marijuana?

#### **In Comes Legalization: To Sell or not to Sell**

When asked whether or not they would continue to sell once the recreational use of marijuana was legalized, most sellers explained that they would continue to sell marijuana and that they

were in no rush to leave the hidden drug economy. These attitudes resonate with those of sellers in Colorado, who were among the first to experience the legalization of recreational marijuana when that U.S. state made the move in 2014.

In a similar fashion to Canada, Colorado legalized recreational marijuana in hopes of eliminating illegal drug sellers and traffickers. Recently, law enforcement officials in Colorado have stated that, “legalization has done the exact opposite” of its intentions as the hidden drug economy continues to thrive (Stewart, 2018). In order to remain competitive, sellers have become more creative and made marijuana more accessible. For instance, they personally deliver to the homes of their customers and keep in regular contact with them through social media (Stewart, 2018). Becoming more creative in their approaches to selling marijuana has meant that sellers are creating scenarios that keep the hidden drug economy flourishing. Mark shared a similar type of reasoning. He explained that he would continue to sell marijuana until he felt that it was absolutely necessary to leave the hidden economy.

Until I feel like there’s no point anymore to sell, until I feel like there’s no market or if everybody’s just buying from these stores or from online, I’ll keep selling. I also sell weed because I like weed. You know, until something presents itself where it’s like “Okay, maybe you should not be doing that right now,” or if they start cracking down on it or they just start sending us all to jail, then maybe I’ll second guess this and say to myself “Okay, you know, maybe I’ll just change avenues.” (Mark)

Whereas Mark is willing to leave the hidden drug economy if the risk of criminalization is too high, Jaxon is not willing to do so under any circumstance. Selling has become an important part of Jaxon’s life. As mentioned in Chapter 3, although Jaxon has been criminalized, selling marijuana was a form of positive identity for him. Jaxon has been selling marijuana for a long period of time and has developed genuine relationships with his customers. As a result, Jaxon refuses to turn his back on his customers and leave them hanging.

Well, I just can't picture life without doing it. I'd be letting a bunch of people down if I stop selling. People have grown accustomed to seeing me and me alone. I'd be letting a bunch of people down if I stop selling. So I can't let the people down. (Jaxon)

Similar to Jaxon, White Boy explained that he will continue to sell marijuana as he does not want to leave his customers without access to the drug. In displaying a high level of integrity and loyalty, White Boy believed that turning his back on friends and customers is contradictory to being a marijuana enthusiast: "I've been an enthusiast in this game for so long that abandoning my friends and the people I've been working with for so long just doesn't make a lot of sense to me." Not only would turning his back on his customers be contradictory to being a marijuana enthusiast, but, more broadly, it goes against the marijuana culture. In this sense, both White Boy's and Jaxon's hesitation to turn their back on their customers can be understood in the context of the marijuana culture and its emphasis on unity, compassion, and sharing.

However, given his previous experience of being criminalized, White Boy knows when he will exit the hidden drug economy. Echoing Mark, White Boy planned to stop selling marijuana "once they [government] start changing the prosecution laws and start making it stricter for people like me who are still looking to distribute it." Medicine Man also intended to provide illicit marijuana to his friends once recreational marijuana was legalized. Following suit with the other sellers, Medicine Man would "always provide if someone is in need." Additionally, Curly Q and Demilo will continue to sell marijuana because they are confident that the demand for illicit marijuana will never disappear. Both of these sellers believe that just because Canada will legalize marijuana does not mean individuals want to purchase their marijuana from legal markets.

I'll continue selling. 'Cause I know there's always a black market. So because there's always a black market, there's always going to be someone wanting weed from the black market. And that's how I'll continue to stay in the picture. (Curly Q).

Honestly, I'm going to keep on doing what I'm doing [selling marijuana] because I feel like just because people can get it from a store doesn't mean that they want to pay that price. (Demilo)

Differing from all of the other sellers, Barz Longer expressed that he has no interest in continuing to sell marijuana once it is legalized. As mentioned previously, most sellers sold marijuana not for power, notoriety, or to support a lavish lifestyle, but rather to make ends meet. Barz Longer believed that he would no longer be able to make ends meet once marijuana was legalized as his customers would be either purchasing their marijuana from legal dispensaries in the city or from websites online. If selling marijuana can no longer pay the rent, Barz Longer has no reason to work in the hidden drug economy.

Buying the big amount of marijuana that I usually do, you'd be sitting on that money for so long that it needs to be flipped [sold]. I got to pay rent at the end of the day. So I don't think it'll be worthwhile to sell once weed is legalized. You know, you've got to pay rent. If you're sitting and it's not paying rent anymore it's not really worth it to keep it around. At that point I'd say "Ah, screw it." That's kind of my mentality. (Barz Longer)

### **“There Will Always be Weed on the Streets”**

The decision to continue selling marijuana after the legalization of recreational marijuana occurred also revolved around what each seller thought would happen to the hidden drug economy. There was a general consensus among the sellers that the hidden economy would continue to exist and that the legalization of marijuana would have little to no impact on the size or demand for illicit marijuana from the hidden drug economy.

This viewpoint stemmed, in part, from what the sellers saw as troublesome in the government's plans for legalization. Mark, for instance, paid close attention to stories surfacing each week in the Spring and Summer of 2018 from news outlets explaining that the federal government had pushed back the legalization date as individual provinces had not fully

developed legislation on how marijuana would be regulated. Mark felt that Manitoba would regulate marijuana in a very ineffective and inefficient way as there are only a few licensed producers and even fewer dispensaries located throughout the city, and that the age restriction of 19 to purchase marijuana does not correspond with the legal age of 18 in the province. Mark's concern with inefficiency stemmed from the idea that not everyone who smokes marijuana wants to visit a legal dispensary and purchase marijuana from strangers.

Mark's concerns had some merit. In the months following legalization, Winnipeg had only one courier service that delivered marijuana throughout the city. Pineapple Express, the courier service, had 10 drivers that provide a "same day service" for customers who ordered marijuana from an online market (Siragusa, 2018; Marchand, 2018). However, the company only delivered within Winnipeg while Canada Post delivered to cities and towns outside of Winnipeg and was battling delays as the demand for legal marijuana was so high. Customers were receiving their package at 8PM or later when Pineapple Express promised their package between 3PM and 5PM (Siragusa, 2018). As mentioned in a previous chapter, Mark, Andy, and Alfred related the marijuana market to the market of crack cocaine in the sense that customers did not want to wait long periods of time for their product but rather wanted it "right away."

Although Mark believed that the hidden drug economy would continue to exist, he was more concerned with the government pushing forward the marijuana culture that he felt so close to.

Black market isn't going anywhere right now. If you're going to be selling shittier weed for higher prices, people are not going to drift towards the legal economy. Because it's not going to make sense. But at the same time, I love weed to the point where I just want the culture to move forward. I can't be mad about that even if it may put me a little bit out of business. How can I be mad when the culture is moving forward? I can't! (Mark)

Mark's statement also brings up the issue of pricing, which was echoed by several other sellers and was one of the main reasons why they thought the hidden drug economy would not be eradicated. As of October 17, 2018, the day that recreational marijuana became legalized, Delta 9 Cannabis, a licensed marijuana retailer in Manitoba, set the average selling price for one gram of marijuana at \$12, whereas the average selling price for a gram of marijuana in the hidden drug economy was \$6.83 (Joseph, 2018; Kimse, 2018). Price seems to be a determining factor when making the decision to purchase marijuana legally or illegally as four in ten Canadians said that this will be their first priority (Joseph, 2018).

326 expanded on the issue of pricing. He believed that the only way to eradicate the street level seller was by "putting the prices in the store lower than what your buddy would give it to you." If the price for licit marijuana is more expensive than what is found in the hidden drug economy, 326 thinks that "there's always going to be illegal marijuana." Additionally, Curly Q spoke to the importance of pricing being a key feature in eradicating the hidden drug economy and illegal drug seller.

Legalization is only going to make me money. Because legal weed is going to be so taxed and so expensive, mine will be cheaper. Cheaper because there's no tax. Everybody wants cheaper, and my weed is still going to be good weed. There will always be weed on the streets available outside of dispensaries. (Curly Q)

Barz Longer, Demilo, and Mr. Johnson took issue specifically with the amount of taxes that will be incorporated into the pricing of legal marijuana. With respect to licit marijuana, Manitoba Liquor and Lotteries will charge licensed marijuana retailers 75 cents per gram in addition to a 9 percent markup for managing the distribution from growers to sellers (Kavanagh, 2018). Moreover, the Manitoba government will charge licensed retailers a "social responsibility fee" of 6 percent of their total revenues for the cost of public education, safety, health, and

addictions associated with the legalization of marijuana, and 8 percent provincial sales tax (PST) (CBC News, 2018). Barz Longer discussed the issue of taxing marijuana in further detail.

By the sounds of it, there's almost 14 percent in taxes so it will be quite a bit, plus 75 cents per gram, so that's almost 25 extra dollars an ounce always on top of that. It's the little things like that that I think will have people still wanting to come to us and not pay the high-priced government weed... Even if it does affect the black market, it'll only be a little bit. You know, we only see it on our own scale. On the huge scale of kilograms of weed, I don't know about that, but on our scale I can't see it being too much different. Some people will definitely stop buying, but not too many. (Barz Longer)

In contrast, marijuana sold in the hidden drug economy is free of all the fees and taxes associated with selling marijuana in the legal market. For this reason, Mr. Johnson felt that, "It's basically guaranteed that the black market for marijuana will definitely be a lot cheaper than the public sector" and that drug sellers will still be making a profit. Moreover, experienced marijuana sellers interviewed by *The Guardian* (2018) reported that "the majority of people aren't connoisseurs and don't have a lot of money to spend on pot. They want a good deal and don't care, or know, much about quality." Demilo also echoed this viewpoint, believing that, "at the end of the day people are going to be watching their wallets more than being concerned with what they're smoking."

Not only will the hidden drug economy have the advantage of a lower-priced product, but the sellers also felt that it will have a substantially better-quality product. The issue of quality stems from each seller's belief that the corporations who are licensed to sell marijuana are mainly concerned with the profits derived from the quantity rather than the quality of marijuana that can be sold. Mr. Johnson voiced these concerns, adding that he believes that corporations and the government do not possess the adequate knowledge to properly grow marijuana.

I feel that it's likely that legal dispensaries will be so focused on quantity to the point where quality is lost. These businesses only care about making profit. They're not going to have nearly as good quality as what the dealers in the streets will have. Plus, I don't

think government will know too much about how to even grow marijuana properly. Dispensaries are so concerned with profit that they'll probably be cutting [the cannabis plant] two weeks earlier than a drug dealer would because a drug dealer is more fixated on quality, rather than maximizing their growth and profits. (Mr. Johnson)

White Boy voiced similar concerns. As the most experienced seller and the only marijuana “enthusiast” amongst the sellers, White Boy was very critical of legalization. White Boy has travelled to parts of the world that are notorious for their marijuana, such as British Columbia, California, and Amsterdam. Although White Boy enjoyed the overall experience of smoking marijuana in different countries, he was not too impressed with the overall product. Due to issues with prioritizing quantity over quality and having a broader set of products, White Boy felt that the hidden drug economy will continue to thrive in the wake of a legalized marijuana market.

I don't have the faith in all the new dispensaries that are opening up in October, but I do think that within a year or two the quality of legal weed will maybe match close to what I have. I've been to B.C. and even going to the dispensaries there, they just don't have the same quality product that I can find in the black market.... People are driven by name strains too right, so even though people will go to the dispensary originally looking for, let's say, the variety, they might not necessarily be able to get the kind of quality they can get on the street. So they'll be still driven to the street market. (White Boy)

White Boy's lack of faith in the legal dispensaries is also rooted in the business practices that corporations engage in to maximize profit—specifically, corporations adding several genetically modified organisms (GMO) to marijuana. White Boy believed that the “the only way for the legal market to have the upper edge is by adding GMOs or preservatives that may get people hooked on their product.” He has seen this happen first hand in B.C. with the emergence of “beaster bud,” which is marijuana that has been unnaturally injected with chemicals, hormones, and fertilizers to the point where the people growing it would get a plant that reached

an astronomical size. He elaborated on the consequences corporations sacrificing quality for quantity by adding GMOs and harmful chemicals:

Putting chemicals like benzocaine that would get someone hooked on something they don't realize is actually not pure marijuana or just naturally grown weed, that's going to keep them going back for more. Even several years ago a product called "beaster bud" was on the market. The plant looked amazing, but the quality was horrible. These chemicals wouldn't make you feel necessarily sick, but you'd feel distorted, so you think that maybe you're high when you're actually just high on chemicals they injected into this plant, rather than the natural THC that is supposed to be in there. Beaster bud is just high-chemical-grown weed. The people who would grow this are just trying to mass produce. Nowadays, corporations may use tactics like this because they want to maximize profits, so they'll do this by creating bigger yields, or putting chemicals in the weed that mimic THC crystals. Then you end up smoking it and it gets you high in a way that maybe it's not the same as organically grown weed. That's where the legal market will have the upper edge. They'll beat us with quantity. But I can be certain that they'll never match the quality of weed that I have or the quality that's found on the street. (White Boy)

Curly Q also discussed the impact of corporations adding GMOs and harmful substances to marijuana, commenting on how non-organic substances take away the organic nature of marijuana.

Do you know how much money this plant is going to generate? And it's literally now not even natural, like, it's literally all chemically made in factories, Miracle Grow. It's just going to be like tomatoes and strawberries with all these GMOs, like, giant weed plants that are shit! It's not even good quality. It's going to be like jumbo plants that aren't even good. The quality is not great. (Curly Q)

### **Concerns in the Wake of Legalization**

Although critical of the quality of the product that would be sold, Curly Q. feared legalization as she knew her biggest challenge would be losing her customers to the legal market. With legalization, dispensaries will have hybrid strains of marijuana and unique products with enticing names, which will change the demand of her customers. Curly Q knew that she would not be

able to supply the potentially new demand of her customers, which was why she felt the legal market had the upper edge in this regard.

Keeping my customers will be the biggest issue. Everyone is going to be saying, “I want this new hybrid strain from this place and nah, nah, nah, and I want to buy this much. I don’t care how much it is extra.” ‘Cause it’s going to be the new thing, you know. It’s like the new vape juice that comes out. Everybody wants to vape and blow it in your face and it is what it is... I think that if people are still just going to want to smoke weed the old-fashioned way, I will have some kind of market for my clients who pick up larger amounts. I one hundred percent will be affected, though. But that’s why I believe in quality over quantity customers. That’s the method in my madness. (Curly Q)

Medicine Man and White Boy provided different perspectives on what they think will happen to the hidden drug economy once legalization occurs. Medicine Man delivers marijuana across all areas of the city to friends who are in need and cannot access marijuana for a multitude of reasons. Although Medicine Man looks to enhance the quality of his friends’ lives by providing marijuana to sick and ill individuals, he has witnessed acts of violence occur between several sellers, which he believed puts innocent people at risk of harm and was contradictory to the marijuana culture. With the legalization of marijuana, Medicine Man hopes that, “the negative element will be gone. I hope the drug game isn’t so violent or all tooth-and-nail after legalization.” As noted earlier, White Boy does not have a lot of faith in the dispensaries that have opened up in certain areas of the city. This lack of faith was rooted in the belief that the dispensary owners and the growers they are purchasing marijuana from will attempt to cut corners in the wake of Manitoba forcing retailers to follow such strict legislation:

The dispensary owners and the growers who are working for the government, I see those guys as trying to save money on taxes by supplementing their income by selling it through the illegal market. (White Boy)

As mentioned in Chapter 3, the sellers not only possessed good character, but they also possessed high levels of integrity through being honest, fair, and generous when selling

marijuana to their customers. White Boy's belief that corporations will engage in shady business practices by "selling it [legal marijuana] through the illegal market" stems from his belief that corporations are so profit-driven that they will engage in unethical acts to maximize their profits.

Moreover, White Boy's lack of faith in corporations can be understood against the backdrop of neoliberalism. As mentioned in Chapter 1, neoliberalism promotes the institutional logic of economic deregulation and the creation of an environment heavily favouring the well-being of the market and the urge to promote efficiency. In this economic climate, corporations are even more inclined to cut corners and engage in dishonest business practices. White Boy's lack of faith would seem to come to fruition as one Winnipeg cannabis company has been caught selling illicit marijuana to customers. In November of 2018, Winnipeg licensed producer Bonify purchased 200 kilograms of illicit marijuana to sell in the legal market (Israel, 2018a). It is believed that Bonify made the decision to sell illegal marijuana in the legal market as they promised to provide more marijuana than they could produce before the legalization date of October 17, 2018.

### **View Your Cart: The Impact of the Online Market**

In addition to commenting on how the hidden drug economy may be affected with the legalization of recreational marijuana, the sellers discussed the impact of the online market on the hidden economy. The sellers were split, however, on how they saw the online market impacting their sales and the illicit drug market. Whereas half of the sellers felt that the online market had very little to no effect on their profits, the other half believed that they were losing customers and several hundreds of dollars a month to the online market.

326 has been able to compete with the online market on the basis of pricing and developing a genuine relationship with his customers.

Online isn't affecting me. Let me put it this way, I had a buddy that used to only buy off online, he doesn't buy online anymore 'cause it's too expensive and you got to wait days to get what you ordered. So if anything, all the people that sell on the streets are killing the market of the people that sell online.... I think it's also the relationship they have with me. I'm reliable. They also sincerely appreciate that I answer their text messages all the time. So I would say the reliability as a factor is huge. (326)

Mark and Jaxon also discussed the hassle of ordering marijuana online. This hassle has been a massive problem for individuals across Canada as certain provinces, such as Ontario, will only be selling marijuana through a government-run online market. Marijuana users in Ontario have voiced their frustrations over the online approach on social media sites, making comments such as: "Are you kidding!? Definitely going to use my dealer from now on" or "It's a crap show! Been waiting 2 days hasn't even been sent yet." Another user drew a comparison to the distribution of alcohol: "Imagine beer drinkers being treated like this" (Miller, 2018). Jaxon echoed these concerns. Although he has seen a lot of individuals order marijuana online, he believed "the problem with online is a lot of time you have to wait a long time." Mark commented that while drug users, such as his dad, have switched to purchasing marijuana online, he did not believe that the online market posed much of a challenge to the hidden drug economy.

Personally, I don't really think it affects me too much but definitely over last few years I've seen it affect everything, like, even people like my dad. My dad's smoked weed for fuckin' 30 years. He used to buy weed off one of his friends for forever and now he got this medical marijuana card and he orders online and that's all he does now. Obviously that's happened to a lot of people. Like, I know a lot of people now who just order weed online. So it obviously affects shit and it makes the [hidden drug] economy a little bit slower. I don't personally feel the effects of it. Personally, I feel like it's more or less just the hassle that keeps people coming back to me. When you order online, you have to wait two days or whatever. I feel like a lot of people when they want to smoke weed, they just want to smoke their weed! If it's like "Oh I want to smoke a blunt, but I don't have any

weed.” You’re not going to order weed online and wait two days to smoke the blunt.  
(Mark)

In contrast, some sellers have personally experienced the negative impact of the online market on their sales, and as a result are losing hundreds of dollars a month. As stated by Curly Q: “Hundred percent the online market is affecting me. Hundred percent. It’s safer to get weed online than go to some street dealer.” Her experience parallels the findings of a recent Statistics Canada report: 76 percent of Canadians indicated that their main concern with purchasing marijuana was “quality and safety,” while 38 percent only cared about the “lowest price” (McInnis, 2019). As noted in Chapter 3, making profit was essential for Curly Q as selling marijuana not only helped her mother pay bills, but selling also allowed Curly Q to overcome the barrier of precarious work. Curly Q further explained why the online market has taken such a toll on her as a drug seller in the hidden economy.

Everyone loves online shopping. People are lazy, too. They don’t want to go to the store, so why not get it delivered to your front door? You can get all sorts of things mailed to you, edibles, oils, teas, whatever. The online market is impacting me and my profits, too. If things get really bad, I can be losing \$500 a month. ‘Cause everyone wants to try weed gummies, so I’m going to pick up half the amount this time, or I just ordered a bunch of edibles, dab pens, oils, so this time I’m only going to pick up a quarter of what I normally do, you know. And then there’s me on the other end being like, “Okay, no problem at all” when I’m really saying to myself “Fuck, this sucks.” Plus buying online is like a novelty too of trying something new. People like to know the weed, the name of the weed they’re smoking, the strain of the weed they’re smoking, because it makes them feel secure, it makes them feel like they know where it’s coming from. It makes them feel like they’re not buying snicklefritz [bad quality marijuana] out of the ditch from Hobo Joe. (Curly Q)

Barz Longer has also felt the impact of the online market to the point that his customers “tell me that they stopped buying from me to buy from the Internet.” Although Barz Longer is losing business, he wants to continue to sell marijuana.

There’ll be like 20 different strains [online] where I’ll have two or three at a time. They’ll have 20, 30, and they’ll have edibles. I have edibles too, but they’ll have different types,

like, more of them and, you know, the shatter [THC concentrate] and everything they've got. The other thing I was thinking too is that when weed becomes legalized, and if people want to go to the store to buy just regular weed and all that, then I'll have to get more creative to stay in the game. (Barz Longer)

## **The Creation of a Grey Market**

Previous chapters have discussed the binary between the legal market and the hidden drug economy, that is, the distinction made in both public discourse and the academic literature between a legal market in which government controls the production and distribution of marijuana and corporations are allowed to profit and an illegal market that is said to be controlled by organized crime groups and gangs. White Boy and Peter Jones, however, broke this binary by raising the issue of the emergence of the “grey market.”

The grey market refers to dispensaries that are legally licensed to operate but illegally sell marijuana in contravention of federal law (McClure, 2016). Roughly, there exists 300 of these legally licensed dispensaries; almost half are in British Columbia (100 in Vancouver, 30 in Victoria, 10 in Nanaimo); 50 to 60 are located in Toronto, while the other dispensaries are scattered across the country (McClure, 2016). Rather than being dominated by organized crime groups or gangs, these dispensaries are run by independent growers, “mom and pop shops,” and individuals with medical rights to grow (Hutchinson, 2016; Potter, 2018). Individuals working in the grey market have made it clear that want to be recognized as a federally legal dispensary once marijuana is legalized. One dispensary owner is quoted as saying, “We want to be legal—we want to pay the taxes ... but if there is no pathway for the mom-and-pop growers to do so, many will just stick to business as usual, but at a lower price than the legal shops” (Potter, 2018). Moreover, individuals operating in the grey market are critical of legalization as they not only believe the legal producers have inadequate knowledge with respect to growing and harvesting,

but also that the “system won’t be good for the product itself, which is harder to successfully ship and store than beer or wine” (Hipolito, 2018).

In British Columbia, the provincial government has tried to curb the existence of grey market dispensaries by developing unique legislation that requires these dispensaries to obtain business licenses, and if they were not granted these permits, the dispensaries would be forced to shut down (Hutchinson, 2016). However, several dispensaries continue to operate despite being denied a business license, which is a result of law enforcement no longer prioritizing enforcement of Canada’s existing marijuana laws (Hutchinson, 2016).

Due to Canada’s strict legislation governing the licencing, growing, and retailing of marijuana, Peter Jones and White Boy felt that the grey market will only grow in size and that certain individuals will be pushed into the grey market, rather than the legal market. Peter Jones talked about his experience with Canada’s grey market and why he thinks legalization will contribute to the growth of this semi-legal market:

I’ve already bought from like semi-legal dispensaries in Vancouver where it’s federally illegal or whatever, but it’s basically decriminalized in Vancouver. You know, all their city council or whatever has like voted against it, the police have agreed to not enforce the law there. You needed like some kind of like medical kind of referral to actually purchase from there, but that’s so easy to come by because they have a doctor on site. You just go and get a medical referral like right away. It’s so easy to get one of these referrals because marijuana can be used to like treat anything. Plus, the grey market will probably only get bigger. A lot of these guys who want to grow marijuana and have all the knowledge and tools to do so are going to be pushed to the grey market because they’re not going to get licensed by the government. You need crazy amounts of cash to get licensed, you need all these federal inspections, pay all these fees, and even if you have everything, the government doesn’t promise that you’ll be licensed. (Peter Jones)

Similar to Peter Jones, White Boy shared his experiences with the grey market and went further in depth to explain how the market functions, and how dispensaries re-open after being shut down by police.

In the past couple of years, you see the growth of this new market, this grey market that all these people are entering into and the police aren't willing to pursue or police. You hear about these dispensaries that are being closed, but they end up opening back up within a couple of days or weeks, or even months later. When they do get busted by police, one person from the dispensary usually has to take the charge for selling illegal marijuana, and that's unfortunate. What's unique about the grey market is that there's none of this gang conflict or distributors who are gang related, no one is trying to regulate this. This grey market is present in places like British Columbia and parts of the West Coast. And this grey market is flourishing because of legislation in the past. You see it with legislation about medical marijuana. (White Boy)

A majority of the grey market's supply of marijuana originates from the Marijuana Medical Access Regulations (MMAR), which was discussed in Chapter 1. As the 2000s saw the emergence of medical marijuana, the MMAR allowed patients to designate someone to grow marijuana for them or a "designated person production licence." White Boy expanded on this and shared who the players in this market are.

You have a lot of people who have medical rights to buy cannabis and they legally are allowed to give their right to grow to a fellow person. So essentially there's a lot of these people who have multiple signatures, so these people who are growing for these patients aren't actually growing for them. So they sell this excess marijuana to the grey market dispensaries. These dispensaries are legally operating in the cities like Vancouver. They're legally able to have dispensaries, but federally it's not recognized or provincially it's not recognized. Essentially, marijuana isn't really prosecuted in British Columbia. You can get caught with a larger amount than let's say in Winnipeg where you won't be caught for trafficking like I was. And it's really laughable that some people in places like that when they hear about the quantity, the amount of quantity I had and for the charge I got, it's pretty absurd. But I think that the grey market is really becoming larger since more passionate people, more enthusiasts are entering this market, more people are growing. And these small growing operations can lead to be quite profitable for people. And it doesn't even take up that much power or space anymore. A person could have a small room growing several strains you'd see in these grey market dispensaries or even online. (White Boy)

## **Goodbye Marijuana, Hello Crystal Methamphetamine, MDMA, and Prescription Pills?**

In the months leading up to the legalization of marijuana, media outlets were speculating that marijuana sellers would move to dispensing harder drugs to recover lost profits. *Global News*, for instance, reported that drug sellers in Winnipeg were preparing for legalization by introducing their buyers to harder substances, such as crystal methamphetamine, MDMA, and prescription pills (Greenslade, 2018a). In the *Global News* report, Dawn Rodgers of the Momentum Centre in Winnipeg stated that drug sellers were being very strategic as they were handing out free samples of harder drugs in hopes that their buyers would develop a new-found addiction once marijuana was legalized (Greenslade, 2018a). In this respect, public discourse was constructing the drug seller as a “career criminal” who will venture into new avenues of crime—and often more serious forms of crime—when other avenues close. In addition to dispensing harder drugs, they would commit “hold-ups,” engage in sex trafficking, or attempt to sell marijuana legally but use the threat of violence to ward off competition from legal retailers (Chester, 2017). A majority of the drug sellers, however, took issue with these claims. Jaxon, for one, noted:

I don't think the people that sell in the weed market are accustomed to the market of harder drugs like coke. And a lot of the people that sell weed do so because they don't want to sell any harder drugs. You know, they're scared to, so that's why they sell weed. (Jaxon)

None of the sellers said that they would dispense harder drugs once marijuana is legalized. They did, however, believe that other sellers would likely make the switch under certain circumstances. As mentioned in Chapter 3, sellers rejected the “drug dealer” label to manage their identity and the stigma that comes with engaging in an illegal activity, and instead transferred that negative label onto others involved in the hidden drug economy. A similar line of reasoning may be operating here: rejecting the claim that they would start dispensing harder

drugs or committing more serious forms of crime may well be a tool to manage their identities. Similarly, suggesting that the claim applies to other sellers may serve as a way of distancing themselves from that negative construction.

Peter Jones and Demilo both felt that if a seller was to move on to selling harder drugs, they would do so as a result of not having a legitimate job or having a previous criminal record.

I feel like only a small number of dealers are going to move on to like other stuff. And I feel like those ones probably would have done it either way. Some of them might, you know, some of them have charges, have a hard time getting a legal job. So that'll push them more to sell harder drugs. (Peter Jones)

I would say the people who are going to move on to harder drugs are the ones with no real job or anything else, and they don't know anything else other than selling drugs. Those people will probably move on to something harder and something they can make more money [at] because that's all they know. But people like me, I have a full-time job. Like I said, this just puts extra money in my pocket. (Demilo)

White Boy and 326 also believed that it is unlikely that marijuana sellers will begin dispensing harder drugs once marijuana is legalized. However, both differ in their explanations. Whereas 326 believed that selling harder drugs is dependent upon principle, White Boy's explanation emphasized profit.

I don't really think a lot of weed dealers will move to other drugs. It comes down to a principle. A lot of people that I know that sell just weed sell because it's the drug that they can sell other than mushrooms that won't kill anyone, right. If you're the kind of person that doesn't really give a fuck and just says, "You know what, I don't care! I'm going to take this rock and I'm going to go sell it to whoever I can sell it to," you're going to go to harder things, right? (326)

If someone's willing to sell marijuana for a profit, they're usually willing to sell something else too. There're not many people who are enthusiasts like me, but the ones that are, who are willing to risk selling marijuana, they're not necessarily wanting to, you know, add more charges or even heavier charges to things. If these people are willing to do the risk or they're driven by the profits, they're usually driven to take the bigger risks. So they're probably going to move on to the bigger risks, whereas people like me who are more enthusiastic about it [marijuana] and more passionate about things, we're going

to probably move the other way. We're going to probably move more towards the legal market. (White Boy)

Alfred acknowledged that some sellers may engage in selling harder drugs to protect their profits, but also maintained that others would be hesitant to do so given their particular mindset:

I think some are going to try to stick it out and just keep selling their illegal marijuana and some are going to move on to harder shit. Some of the guys I know selling marijuana are already breaking the law, so they'll probably just move up and start selling other shit. I know some guys who are taking that approach. But the guys who are more hesitant of selling harder shit have a different mindset. They think that there's a fine line between what drugs make a drug dealer an actual drug dealer. These guys actually want to contribute to society by working a legitimate job and pay taxes, you know. (Alfred)

Curly Q was more convinced that other marijuana sellers will be motivated to sell harder drugs once marijuana is legalized, in part because they are already taking a risk in selling an illegal drug and also because of they have never had a "real job" in the legitimate economy.

One hundred percent they'll start selling harder shit. You know why? 'Cause it's easy money, it's very easy money. And I think if people are putting themselves on the line to sell marijuana, they would be willing to do other things. I personally wouldn't sell harder shit, but I do know of a lot of other people who are doing that. One of the guys who I'm close with would definitely make the switch. He's never had a real job. Drug dealing is all he knows. (Curly Q)

## **Concluding Remarks**

Although recreational marijuana was legalized to eradicate the sellers and the hidden economy, a majority of the drug sellers believed that legalization will not accomplish these goals. Although some maintained that legalization will cause a slight "ripple" in the hidden drug economy, the drug sellers did not intend to stop selling illegal marijuana anytime soon; nor did they think that illegal marijuana will ever disappear from the streets. At this point, the sellers seem to be correct. A recent Statistics Canada report indicated that the average amount of marijuana purchased from the hidden drug economy is 17.2 grams compared to 8.3 grams from the legal market (Ligaya,

2019). In other words, the quantity of marijuana being purchased from the illegal market is more than double that being bought from the legal market, such as government-sanctioned dispensaries and online markets. The demand for marijuana from the hidden drug economy over legal markets comes from a lack of variety, delivery problems, and a country-wide shortage, which runs contrary to White Boy's belief that the government would have the upper edge in quantity (Ligaya, 2018; The Canadian Press, 2018). At this point, the sellers maintain that the legal marijuana market cannot compete with the hidden drug economy.

Additionally, media reports claiming that drug sellers will be dispensing harder drugs to compensate for lost profits did not resonate with the sellers; nor did they believe that they themselves would continue a career of crime and commit more serious crimes. Similar to the ways in which the sellers rejected the "drug dealer" label, so too did they reject claims made by the media in an attempt to manage their identity. As a result, the claim that drug sellers will sell "any drug" in order to make a profit does not apply to these sellers. However, the sellers believed that other drug sellers may be encouraged to dispense harder drugs under certain circumstances, such as having a history of criminalization and being divorced from the legitimate economy. These two circumstances are interconnected. Criminalization must be pinned against the backdrop of the New Right and conceptualized as part of an expansive, intrusive, and proactive penal apparatus that works in tandem with the rise of precarious work characterized by temporary contracts with low pay and no benefits. With a lack of suitable jobs in the neoliberal economy, drug sellers will continue to be driven to seek employment in the hidden drug economy, all the while risking criminalization.

## Conclusion

The history of marijuana has been rife with competing claims regarding the drug, the user, and especially the seller and the hidden drug economy. Whereas police, media, and government have had great success in disseminating discourses of fear and othering to represent the drug seller as a monster poisoning the youth and the hidden drug economy as a violent and lawless marketplace, alternative discourses have existed to counter these claims, including those that emerged from the counterculture movement of the 1960s and with the advent of medical marijuana in the early 2000s. With the move to legalize the recreational use of marijuana in 2018, discourses of fear and Othering have continued as drug sellers are speculated to be handing out free samples of harder drugs in hopes that their buyers develop a new-found addiction once marijuana is legalized (Greenslade, 2018a).

Although the drug seller and the hidden drug economy have been portrayed in a stigmatized fashion in public discourse, the standpoints of drug sellers themselves belie that characterization. The drug sellers demonstrated that they are ordinary individuals. Not only was each seller educated, but the sellers also possessed good character and high levels of integrity. Contrary to the representation of drug sellers as “profit-driven criminals,” the participants illustrated that they sell marijuana at a heavily discounted price to friends or sell marijuana without receiving any monetary payment, while one participant provided marijuana with the intention of not making any profit. Moreover, the sellers challenged the representation of drug sellers as “monsters poisoning the youth” as they prioritized quality over quantity and lived by the mantra of “if I won’t smoke it, I won’t sell it.”

The sellers also belie the representation of the hidden drug economy as a violent and lawless marketplace where massive profits are reaped. The marijuana market resembles the

marijuana culture of the 1960s, characterized by peace, love, compassion, unity, and sharing. The marijuana market was a community of sellers who prioritized relations with their customers as they would engage in the sacred practice of smoking marijuana together and having meaningful conversations. According to the sellers, the positive nature of the drug and the emphasis on unity and lack of violence and profit in the marijuana market distinguished the market from the market of harder and more illicit drugs. As stated by Demilo, drug sellers selling harder substances are “ruining peoples’ lives and taking away their livelihood altogether, and knowingly do it just because [of the] money.”

The standpoints of the sellers highlighted why they sell marijuana. Rather than selling to maintain a lavish lifestyle or to gain power and status, a majority of the sellers sold to overcome the barrier of precarious work. In a time where precarious work with low pay and no benefits prevails, the sellers sought employment in the hidden economy to make ends meet. Although doing so in an illegal and criminalizing fashion, the sellers are channeling their inner entrepreneur by creating a business – selling marijuana – to pay rent or support their dependents.

In addition, the standpoints of the sellers illustrated that the sellers rejected the “drug dealer” label. Rejecting the “drug dealer” label was seen as a tactic sellers employed to rationalize their illegal activities and manage their identities. In doing so, the sellers distinguished themselves from real “drug dealers” who were known to be violent individuals who lacked morals and were living a lavish lifestyle.

Moreover, the sellers shared their standpoints on what the implications of the legalization of recreational marijuana hold for themselves and the hidden drug economy. Due to corporations prioritizing quantity over quality, government possessing a lack of cultivation and harvesting knowledge, and the absence of dispensaries across the city, the sellers felt that the legalization of

marijuana would not curb the presence of the street seller and the hidden economy. The sellers also shared a mutual distrust of government and corporations taking over the marijuana industry as they believed that corporations would engage in unethical business practices, such as selling illicit marijuana to boost profits.

### **Limitations of the Study**

While this study has produced significant insights into the marijuana seller and the hidden drug economy, it is not without its limitations.

First, the information obtained by the sample of drug sellers in this study cannot be generalized to the population of drug sellers in Manitoba, generally, or even Winnipeg, specifically. Nonetheless, despite the relatively small number of participants, the knowledge that has been gleaned from the in-depth, qualitative interviews has provided important insights.

Second, while utilizing a gatekeeper and snowball sampling offered a means of accessing a hard-to-reach population, it may be the case that participants shared similar experiences, beliefs, and attitudes as the gatekeeper or the sellers who recommended them as prospective participants. Future research might therefore consider adopting additional methods, such as focused ethnography (Wolcott, 1990), to strengthen the methodology.

Third, due to time restraints associated with the degree completion and the difficulty of recruiting drug sellers, the sample of sellers was capped at twelve. Interviewing more drug sellers may have enhanced the analysis by adding more voices to the discussion.

Fourth, the participants in the study, given their race (predominantly white) and age (predominantly young), provide a certain set of standpoints. Moreover, most sellers were

concentrated in one area of the city and sold marijuana in select parts of the city. A more diverse sample might well have enriched the findings of the study.

Finally, it is important for the researcher to recognize his own subjectivity in analyzing the themes arising from the standpoints of each seller. Although it is often difficult for the researcher to balance the themes arising from the scholarly literature and standpoints of each seller, the themes considered in the analysis are not an exhaustive list. Researchers endeavouring to understand the drug seller and the hidden drug economy in future projects will be tasked with a similar challenge.

### **Concluding Remarks**

The standpoints of marijuana sellers presented in this study are unique to their experiences, encounters, and their respective lives. These sellers' standpoints are worthy and deserving of being heard, rather than silenced by a public discourse that has vilified and stigmatized their identities and developed punitive laws to curb their line of work.

By highlighting the standpoints of the sellers, public discourse is challenged. No longer is the drug seller a “raping, raving killer” of the 1920s, a “rebellious hippie” of the 1960s, a “criminal predator” of the 1980s, the “boogeyman” of 2015, or the “evil and profit-driven drug pedlar” in 2018. Quite the opposite. The drug seller is a human-being, a family member, a person possessing good character, and an individual who is determined to overcome the barrier of precarious work in these neo-liberal times. Thus, highlighting the standpoints of the sellers enriches our knowledge of who the drug seller actually is and what the hidden drug economy involves.

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## **Legislation Cited**

*Bill C-95* (An Act to amend the Criminal Code (criminal organizations) and to amend other Acts in consequence), Second Session, 35<sup>th</sup> Parliament, 1996-1997 (Royal Assent 25 April 1997).

*Bill 25* (An Act to amend the Non-Smokers Health Protection and Vapour Products Amendment Act, the Highway Traffic Act, the Child Sexual Exploitation and Human Trafficking Act, the Drivers and Vehicles Act, the Mental Health Act, the Off-Road Vehicles Act, and the Public Schools Act), Second Session, 41<sup>st</sup> Legislature, SM 2017, c 22.

*The Cannabis Act* (An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts). (Royal Assent 21 June 2018), SM 2018, c 16.

## Appendix A

### Gatekeeper Recruitment Script

Thank you for agreeing to introduce me to marijuana dealers who may be willing to participate in my study. The following is a physical copy of a script that you can read to prospective participants.

\* Kevin Molina is a Master's student in the Department of Sociology and Criminology at the University of Manitoba and is currently doing research on the legalization of marijuana. Kevin's study aims to understand how the legalization will impact individuals selling drugs and the illegal drug market.

\* Kevin is looking for interested participants who would be willing to meet for a one-on-one interview at a safe and secure location, such as a private study room at the University of Manitoba or in a private meeting room at the John Howard Society of Manitoba. The interview will last a duration of approximately 45-90 minutes.

\* The interview will involve two separate questionnaires; one regarding basic demographic information (age, race/ethnicity, level of education); and the other about the dynamics of the marijuana market, concerns and risks they encounter as a drug dealer, and the implications that the legalization of marijuana will have on them and the drug trade. A hard-copy or an electronic copy of the questions to be asked can be provided before you agree to be interviewed.

\* You will be provided with a \$25 honorarium if you agree to participate in the study.

\* The interviews will be confidential, meaning that your identity and the information you provide in the interview will remain anonymous and any quotes from the interview used in the final report will not be attributed to you.

\* If you are interested, you can contact Kevin either through phone or email. Please note that Kevin does have a private voicemail box where confidential messages can be left.

Appendix B



UNIVERSITY  
OF MANITOBA



Research Project Title: “The New El Chapo? Understanding the Implications of Marijuana  
Legalization for the Dealer and the Hidden Economy”

Principal Investigator: Kevin Alejandro Molina  
Email: [molinak3@myumanitoba.ca](mailto:molinak3@myumanitoba.ca)  
Phone: 204-XXX-XXXX

Research Supervisor: Dr. Elizabeth Comack  
Email: [Elizabeth.Comack@umanitoba.ca](mailto:Elizabeth.Comack@umanitoba.ca)  
Phone: 204-XXX-XXXXX

Sponsor: Manitoba Research Alliance through a grant from the Social Sciences and  
Humanities Research Council (SSHRC)

**Verification of Honourarium**

Thank you for agreeing to participate in the study. This form is to verify whether or not you have received the \$25 honourarium for your corporation in the study. Please check off the applicable box and date the verification form.



RECEIVED

NOT RECEIVED

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interview Number

## Appendix C



### Informed Consent Form

Research Project Title: “The New El Chapo? Understanding the Implications of Marijuana Legalization for the Seller and the Hidden Economy”

Principal Investigator: Kevin Alejandro Molina  
Email: [molinak3@myumanitoba.ca](mailto:molinak3@myumanitoba.ca)  
Phone: 204-XXX-XXXX

Research Supervisor: Dr. Elizabeth Comack  
Email: [Elizabeth.Comack@umanitoba.ca](mailto:Elizabeth.Comack@umanitoba.ca)  
Phone: 204-XXX-XXXX

Sponsor: Manitoba Research Alliance through a grant from the Social Sciences and Humanities Research Council (SSHRC)

**This consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully and to understand any accompanying information.**

**Project Description:** This study focuses on the legalization of marijuana and the impacts this will have for drug sellers and the hidden economy. In particular, there exist major differences between the ways in which the drug user and the drug seller are portrayed in public discourse. While the drug user now enjoys the privilege of being socially accepted, the seller continues to be demonized in public discourse and linked to organized crime, violence, and immorality. Rather than relying on this public discourse, the proposed study aims to interview marijuana sellers in Winnipeg in order to learn how they perceive themselves and their involvement in the drug trade. In doing so, insight will be gained on whether or not public images of the seller are accurate, and the implications that legalization will have on the hidden economy.

**Nature of Your Participation:** Your participation in this study is welcomed. You are being asked to participate in an interview of approximately 45 to 90 minutes in duration. In addition to filling out a short, anonymous questionnaire (your age, racial or ethnic identity, level of education), you will be asked a series of questions that have to do with the dynamics of the marijuana market, concerns and risks you encounter when selling marijuana, your identity as a seller, and the impact that the legalization of marijuana will have on the illicit drug trade. Please be aware that your participation in this study is voluntary. If you would like a hard-copy or an electronic copy of the questionnaire before you agree to be interviewed, the researcher will provide you with this. During the interview, if you are uncomfortable with any of the questions the researcher asks, you have the right to tell the researcher that you do not want to answer it. If you decide to not answer a question, there will be no negative consequences in doing so. If you would like more time to further discuss any experiences that did not arise from the questions the researcher asked you, more time will be given. You do also have the right to terminate the interview at any point in time, without any negative consequences.

**Confidentiality:** With your permission, our conversation will be audio recorded (otherwise notes will be taken). What is said will be held in strictest confidence, however, you should be aware that your information cannot be protected from disclosure by valid order of the court or a quasi-judicial body (for example, if the information is the subject of a search warrant or subpoena, we must disclose that information to the extent required by the warrant or subpoena). Only the researcher (Kevin Molina), his supervisor (Elizabeth Comack), and the professional transcriptionist will have access to what you say. All three persons have signed a confidentiality form confirming that they agree to keep confidential any information that may come to their attention during the course of this research project. If there is a disclosure of abuse involving a child, then there is a legal requirement to report it.

Confidentiality will also be maintained in the treatment of the documents of this study. The voice-recorded interviews will be assigned a number and stored on the password protected laptop of the researcher and a secure drop box site (so that the transcriptionist can access them). If the interview recording contains any personal identifiers, they will be removed during the transcription process. Transcripts of the interviews will also be assigned a number and stored on the researcher's password-protected laptop computer and a secure drop box site. Similarly, paper copies of the transcriptions and any field notes taken during the course of the research will be stored in a locked cabinet in the researcher's university office.

**Anonymity:** You will not be named or identifiable in any reports of this study. If any statement you make during the interview is used in a research report it will be attributed to a pseudonym you provide. Information containing personal identifiers (e.g. this consent form) will be stored in a locked cabinet in the researcher's university office and destroyed as soon as it is no longer necessary for study purposes (approximately April 2019). Interview recordings, field notes, and transcripts will be deleted once the project reaches its conclusion (approximately April 2019).

**Risks and Benefits:** As selling marijuana is still considered to be an illegal act, there may be a risk associated with participating in this study, which is why confidentiality will be maintained, unless such information is required to be disclosed by law (as discussed above). If you encounter

any emotional or psychological discomfort as a result of our conversation, a list of community resources you can access will be provided at the end of the interview.

A potential benefit of your participation is the opportunity to share your experience and perspective as someone who sells marijuana, which may have an impact on how marijuana sellers are framed in the public discourse.

**Compensation:** To compensate you for your time and participation in this study, you will be provided with an honorarium of \$25.

**Results:** A draft of the report can be made available should you wish to review information that you have provided in the interview (approximately December 2018). Please initial here if you would like to receive a draft of the report when it is ready \_\_\_\_\_

If so, please provide an address where the draft report can be sent:

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A summary of the results of the study will be made available to participants (approximately April 2019).

Please initial here if you would like to receive a copy of the summary \_\_\_\_\_

If so, please provide an address where the summary can be sent:

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**Dissemination:** Results will be disseminated in the form of a Master's thesis that will be posted on the University of Manitoba MSpace website (<https://mspace.lib.umanitoba.ca/handle/1993/5>). Articles and book chapters may be produced based on the findings. Presentations may also be made at academic conferences and to interested community groups.

**Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time, and /or refrain from answering any questions you prefer to omit, without prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.**

The University of Manitoba may look at your research records to see that the research is being done in a safe and proper way.

This research has been approved by the Psychology and Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Coordinator at 204-474-7122 or [humanethics@umanitoba.ca](mailto:humanethics@umanitoba.ca). A copy of this consent form has been given to you to keep for your records and reference.

Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Researcher's Signature \_\_\_\_\_ Date \_\_\_\_\_

## Appendix D

### Interview Schedule

My name is Kevin Molina. I am a Master's student in the Department of Sociology and Criminology at the University of Manitoba, and I am doing a study that aims to understand how the legalization of marijuana will impact drug dealers and the market in drugs. I have some questions that I will ask you about the dynamics of the marijuana market, concerns and risks you encounter as a drug dealer, and the implications that the legalization of marijuana will have on you and the drug trade. Ultimately, my goal is to learn your views and perspectives on this issue.

#### The Dynamics of Selling Marijuana and the Market

How long have you been selling marijuana for?  
How much marijuana do you sell on a weekly basis?  
About how many customers would you have at a given time?  
Who do you usually sell to? What areas of the city do you usually sell in?  
What would you say are the benefits that come from selling marijuana?  
How important is the quality of the marijuana that you sell (not cut or laced)?  
Do you have a relationship with other dealers?  
Do you feel that there is a competition between other dealers and yourself?

#### Concerns and Risks

Is coming into contact with police a concern for you? If so, how do you mitigate that?  
Is encountering violence a concern of yours when selling? If so, how do you mitigate that?  
What is your biggest challenge when selling marijuana?  
Do you come into conflict with other dealers and suppliers?  
Do you keep the fact that you sell marijuana a secret from your family or other close associations?

#### Identity

How did you come to be selling marijuana?  
Have your reasons for selling marijuana changed at all since you started? If so, how so?  
Do you consider yourself a drug dealer?  
If so, is that identity a positive or negative one for you?  
Do you believe the ways in which dealers are portrayed in the media (news reports, TV shows, movies, and music) are accurate representations?  
Do you use marijuana and/or any other types of drugs yourself?  
Is marijuana your sole or only source of income?

#### The impact of legalization

Will you continue to sell marijuana once it is legalized?

Will you buy marijuana from legal markets once it is legalized?

What do you think will happen to the illegal marijuana market once marijuana is legalized?

One of the issues raised in the media is that once marijuana is legalized, those selling it now will move to dispensing harder drugs. Do you agree with that view?

Are there any other issues relating to the selling of marijuana that you would like to discuss?

Thank you for your time and participation in this study.

## **Appendix E Resources**

Crisis Response Centre: (204) 940-1781

Klinik Community Health: (204) 784-4090

Canadian Mental Health Association: (204) 982-6100

Mood Disorders Association of Manitoba Inc: (204) 786-0987

University of Manitoba Crisis and Emergency Service: (204) 474-8592

Appendix F  
Study Closure Form



**Study Closure Form**  
**Research Ethics - Fort Garry**

Kevin Alejandro Molina	P2018:055 (HS21901)	April 01, 2019
Principal Investigator	Protocol Number	Date
The New El Chapo? Understanding the Implications of Marijuana Legalization for the Drug Seller and the Hidden Drug Economy		
Project Title		
molinak3@myumanitoba.ca		
Email	Phone	

Is communication with participants complete (ex. recruitment, data collection, summary of findings, member checking)?

Yes  No

Were there any problems encountered in this study?  Yes  No

If yes, please provide a detailed description of the nature of the problems, how they were dealt with, and the final outcomes. Were these previously reported to the REB?

N/A

I have reviewed and agree with the content in this form.

	April 01, 2019
Signature of Principal Investigator	Date

**Administrative Use Only**

REB Chair or Delegate Signature	Date

PDF forms can be filled-in and saved locally to your PC.  
Option 1. Completed online, save to your personal computer  
Option 2. Save to your PC, open and complete offline

Return to:  
Human Ethics Coordinator  
Phone: (204) 474-7122 Fax: (204) 269-7173  
[humanethics@umanitoba.ca](mailto:humanethics@umanitoba.ca)