

The Power Relations of Transnational Organised Crime, the
Ruling Politicians and Public Servants of the Immigration and
Naturalisation Department of Belize

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The Discourse of Corruption and the Belize Immigration and Naturalisation Department

In 2016 a Select Committee of the Senate of Belize was established to investigate through public sessions the report of the Auditor General of Belize on the Audit of the Immigration and Naturalisation Department (IND). This analysis will focus on the various discourses utilised by the persons who testified before the said Senate Committee. The senior management of the IND delivered a specific discourse, the politicians who appeared delivered their own specific discourse, the non-managerial staff of the IND delivered multiple discourses namely: the discourse of being powerless when faced with political demands, the discourse of the whistleblower and the discourse of innocence. There was the discourse of those not employed at the IND but were agents of the state which is the discourse of faithfully executing assigned duties in a most difficult operational terrain. And there was the discourse of a participant of the organised crime enterprise.

What is most noteworthy in the accounts of the public sessions published in the Belizean press is the use of the discourse of corruption by the senior managers and the line staff of the IND appearing at the senate Committee. The discourse of the politicians at the hearings of the Senate Committee evaded using the discourse of corruption.

The Public Servants before the Senate Committee

In January 2017 when the public hearings of the Senate Committee commenced the testimony of Ruth Meighan former Immigration Director to the Senate Committee was reported in the press. Meighan in her testimony unleashed a discourse of self-exoneration which refused to utilise the discourse of corruption. Meighan states: "There is a culture at the immigration department; I don't know about a scheme because I practically gave approval to those things on the understanding that the information that was presented to me was accurate information, so all the approval that I gave was given on the information that was presented." Meighan at the apex of the hierarchy of the Immigration Department cannot be blamed for approving 12 permanent residency applications for applicants who didn't qualify as her decisions are as good as the information forwarded to her. There is then no oversight and the apex of the pyramid is deaf, dumb and blind even brain dead. The impunity of ignorance. On her second

appearance at the Committee hearings Megan insisted that Belizean passports could have been issued during the period in which she was the Director without her knowledge and approval bearing her signature. Meighan states: "At the time I became Director, I was asked to put my signature on the passport system, which is the approved signature for passports, but in terms of my intervention in the process from application up to that point, after signing on that system, I have absolutely no intervention in that process, from application up to the time of approval. My signature is on a passport system that approves the passport." Again the discourse of the impunity of ignorance. Meighan then names the official with the power she says she didn't have as Director namely: the officer in charge of the passport section. But in the power relations of the IND the said officer formally reports to Meighan. Meighan indicated her position on approvals given to applicants recommended by Ministers of Government as follows: "The applications were processed and approved by my desk even with the Minister's recommendation based on the information that is presented to me by the officer saying that the person meets the requirements for the visas." Visas approved for unworthy applicants recommended by ministers are not the fault of Meighan or the ministers but solely that of the officer who informed Meighan to the contrary. Meighan made her position on ministers visiting the IND as follows: "If the Minister came to the office to see me, then I see them, if they are there for any other business and they didn't come to my office, I asked no question about what they are doing there." "and I am saying, if the Minister is there, like everybody else, they are entitled to visit any of the offices, any of the government offices." This is the discourse of the hegemony of ruling politicians over agents and organs of the state which is a mask for the power relations of the apparatus contrived to exert the hegemony of ruling politicians over the agents and organs of the state. Meighan is then lucid in her position of affirming the hegemony of ruling politicians over her when she was the Director of Immigration.

Meighan has indicated in her testimony that the mandate of the Immigration department is defined by the hegemony of the ruling politicians which results in the operational reality of the department that the security of Belize entrusted to the department is determined by the imperatives of the ruling politicians. Ruling politicians bent on their agendas which compromise the security of Belize will not be hindered in their drive by the director of the department. Which in turn means

that any politically connected officer of the department attesting to the veracity of an application or applications will have those applications approved by the director. For Meighan there is no culture of corruption in the department what there is a department that exists to serve ruling politicians. The outcome of this subservience to ruling politicians is the soul of impunity that envelops the actions of the foot-soldiers of the politicians in the department. What actions have been taken to prosecute the perpetrators of illegal acts uncovered in the report of the Auditor-General? This enables Meighan's discourse of self-exoneration released at the hearings of the Senate Committee by pleading powerlessness in office. A contradiction in terms.

The People's United Party (PUP) lost the 2012 general elections to the United Democratic Party (UDP) by 812 votes. In the aftermath of this narrow loss the PUP has insisted that the UDP utilised the Immigration and Naturalisation Department in the run up to the 2012 elections to grant nationality illicitly to applicants who then registered to vote in the 2012 general elections. The current leader of the PUP, John Briceno, in the House of Representatives in December 2016 stated as follows on this issue: "I was given 64 pages of, names of people who got their nationality, between October 2011 and February 2012. Over 2,000 nationalities were issued just before the election. Here we have the names." On January 26, 2017 Ruth Meighan was questioned on the role of the Immigration and Naturalisation department in this political issue by PUP Senator Eamon Courtney. In response to Courtney's questions Meighan states: "I am aware that Ministers were trying to get people processed for nationality during that period." Meighan says yes that it was on an expedited basis that the department was processing applications for nationality. Meighan says yes to the position that applications for nationality were being expedited in order for recipients to be registered to vote in the upcoming general election of 2012. In response to the questions posed dealing with incomplete applications of persons who were granted nationality which meant they received Belizean nationality illicitly and voted illicitly in the 2012 general elections. Meighan responded as follows: "Those persons did not qualify, but the files were presented, and I could clearly remember my Minister coming back and telling me...because we were concerned about the files, they were requesting a lot of files, and we said that we have to ensure that all the applicants meet the requirements for nationality, and that was clearly stated

throughout the department, and so, any files that came to us for approval, they were presented as qualified applicants.” Meighan is then insisting that the illicit process was driven by the ruling UDP politicians and the IND simply complied and facilitated the illicit process. For Meighan the granting of illicit nationality in the run up to the 2012 general elections was the most potent indication of the hegemony of ruling politicians over the IND with the complicity of the agents of the state posted at the IND. Meighan said yes there were fraudulent successful applications. Yes, these applicants didn’t qualify for nationality and to register to vote. Meighan posits to the Senate Committee the position of the PUP is then highly probable.

<http://amandala.com.bz/news/ruth-meighan-knows-nothing-immigration-dept-scandal/>

<http://amandala.com.bz/news/ruth-meighans-electronic-signature-immigration-system/>

<http://amandala.com.bz/news/ruth-meighan-didnt-didnt-care-ministers-immigration-visits/>

<http://amandala.com.bz/news/immigration-free-for-all/>

Maria Marin former Director of the Immigration Department and Deputy Director during the period of the audit when Ruth Meighan was the Director testified before the Senate Committee. Marin unleashed the discourse of rightful duty in her testimony by insisting she did her duty by: attempting to tackle the culture of irregularities in the IND when she was Director. During her tenure of Deputy Director, she refused to comply with the culture of accepting and approving incomplete applications in the IND. She then wrote reports on glaring irregularities in the operations of the IND passing those reports to the Minister with responsibility for the IND. Those reports also laid charges against specific employees of the IND who were involved with said irregularities. Marin also stated that in response to the Ministerial influence over the department in the issuance of visas, permanent residence, nationality and passports she prepared a list of applications bearing Ministers as recommenders and sent said list to the Minister with responsibility for the IND. Marin executed her rightful duty which meant that the failure to change the culture of the IND was the result of political indifference as it served the political agenda for the IND in the period and

thereafter. Marin states in her testimony that after becoming Director of the IND the culture persisted. Marin is insisting that the culture of irregularities at the IND is the product of the power relations between the IND and the ruling politicians of the day where the ruling politicians are exerting hegemony over the IND. In her presentation Marin names an employee of the IND as a person of special interest in the culture of indifference to the IND by those in authority: Ady Pacheco. It was also revealed that Marin wrote reports as Deputy Director on two cases of the illicit granting of nationality and passports by the IND: the case of Won Hong Kim and the case of David Nanes Schnitzer. Both cases potently indicate the operations of transnational organised crime in conjunction with the ruling politicians of Belize and the employees of the IND.

The case of David Nanes

David Nanes was a fugitive from Mexican justice wanted for being part of the Allen Stanford Ponzi scheme in Mexico residing in Belize. In a memo dated December 11, 2015 by the then Director of Immigration, Maria Marin, to the then CEO of the Ministry of Immigration, Edward Zuniga, Marin detailed the process by which Nanes obtained Belizean nationality by fraudulent means. On November 29, 2012 David Nanes applied for Belizean nationality using the name David Banes. On the affidavit supplied with the application and on the references provided by two referees the name of the applicant was David Nanes not David Banes and Ady Pacheco of the IND issued a nationality Passport Receipt in the name of David Nanes not David Banes the applicants name. All the supporting documents submitted with the application of David Banes were issued for David Nanes including a police report, a medical examination, a marriage certificate and a Bank of America statement. Ady Pacheco collected the fees from Nanes and issued a receipt for David Banes. Both the Officer in Charge of the Nationality Section and the Director approved Nanes'/Banes' application for Belizean nationality. The photocopy of the US passport submitted by Banes was subsequently found to be fraudulent as the surname in the passport was Banes but in the machine readable zone of the passport the surname was Nanes. The US Embassy to Belize when contacted reported that the said passport was issued on January 14, 2008 in Miami, Florida to David M Nanes not Banes. The Embassy stated that the US passport used by Banes with his application bore "readily apparent fraudulent indicators." Pacheco signed the copy of the passport

validating it as a true copy of Banes' US passport, the Officer in Charge approved the process and the Director signed off on it. Pacheco personally handled the entire Banes process from receiving the application to completing the process within a record 19 days. Pacheco stated that Banes was a permanent residence holder from 2004, then changed the date to 2006 and stated that he was married in Belize on the relevant forms. But there was no Belizean marriage certificate to support this claim nor a permanent resident permit. The permit number of the permanent residency stamp in his passport was issued to one Warren Edward Mudry. Banes did not sign an oath nor attend the swearing in ceremony for successful applicants for Belizean nationality compulsory under law. Banes was issued his certificate of Belizean nationality illicitly by persons within the IND and the Ministry of Immigration. Banes with the nationality certificate then obtained all existing identity documents of Belize as a passport. This case was not part of the audit report therefore outside of the remit of the Senate Committee. In November 2015 Banes a resident of San Pedro, Belize was arrested and charged for being in possession of fraudulent documents, granted bail in spite of his flight risk and the knowledge that he was a fugitive from Mexican justice and simply disappeared. Banes/Nanes was arrested in Mexico in 2017 when he returned to Mexico aboard a flight from Cuba with a new identity in tow. Such is the long arm of the MTTOs.

The Banes/Nanes case provides insights into the transnational organised crime enterprise within the IND and the Ministry of Immigration in Belize. An enterprise driven by an alliance with the ruling politicians and the public servants of the IND and the Ministry. Illustrated by the level of impunity enjoyed by those operatives of this illicit enterprise employed at the IND. What is noteworthy is the operational sophistication of the illicit enterprise within the IND as Marin was alerted to the Nanes case by a police officer following the arrest of Nanes in San Pedro and the audit report contained no mention of it much less details of it. This reality indicates that within the IND methods are utilised which effectively mask the illicit access to IND documents when it's so required and necessary from discovery after the event for a price. This service is especially prized by TCOs. How many TCOs' traffickers are there in the Caribbean basin and Europe in possession of valid Belizean passports?

<http://amandala.com.bz/news/ministerial-influence-ruled-immigration-department/>

<http://www.reporter.bz/general/schnitzer-was-facilitated-just-like-kim-wong-hong-documents-show/>

<http://amandala.com.bz/news/hustle-david-nanesbanes-schnitzers-nationality-documents/>

In November 2017 Marin made her second appearance before the Senate Committee. In her second appearance Marin read from a prepared statement and stated in 2013 the substantive minister of immigration Godwin Hulse told her that: “a specific process was to be followed for those visa applications recommended/supported by government Ministers.” “After much discussion, the following was decided: All applications supported by Ministers/caretakers would come to the Ministry for initial vetting. The Ministry will then hand over to the Director of Immigration under confidential cover. Ministers or caretakers shall not act as agents or sponsors, but simply as support for the applicant or sponsor.” But it’s clear from her testimony to the Committee Marin complied with the application process even though she was of the position that it breached the procedures of the IND. Marin insists that she was an agent for change in the department but was stymied by the lack of support from the Ministry and its Minister and CEO. But admits that she was unable to command the disciplined support of key officers of the department as they openly refused to adhere to her directives. Marin spoke of the open flaunting by officers in the department of their influence with her superiors political or otherwise. Marin joined the IND in April 2009 as Deputy Director, in February 2013 she became Director and in April 2016 she was transferred from the IND without any reason being given. She stated that in 2016 whilst still in the IND she was notified that she was demoted to Deputy Director. Marin insists that these are instances of the persecution she experienced being an agent for change at the IND in her testimony driven by the discourse of rightful duty and victimhood derived from thereof. Within this discourse there are no revelations of the organised crime enterprise described in the audit report of the IND. Marin is so focused on retrieving and reconstructing her concept of her public image that she refuses to deal with the substantive issue of the audit report: organised crime at the IND during her tenure as Deputy

Director and Director of the IND. Marin reveals the special process to handle applications for visas recommended by Ministers of government, insists that it was a breach of procedure of the IND yet insists to the Committee that all of the proper checks and investigations were carried out by the IND under her charge. Where then did the breaches reported in the audit come from?

This operational reality common to public servants who appeared before the Senate Committee shines light on the reality that in the apparatuses of power of the power relations between ruling politicians, public servants and organised crime public servants adopt the operational strategies of non-elected politicians. Thereby further politicising the public service and agencies of the state as it's an instrument in the force/power relations and the ceaseless struggles derived thereof between politicians, public servants and organised crime under the Westminster model as that of Belize.

<http://www.reporter.bz/front-page/nothing-but-the-truth-marin-takes-the-stand-again/>

<http://amandala.com.bz/news/yu-gaan-rock-di-hustling-boat-maria/>

<http://amandala.com.bz/news/maria-marin-immigration-ministry-instructed-officers-abandon-full-vetting-expedite-visa-applications-recommended-ministers-caretakers/>

Teresita Castellanos testified before the Senate Committee reading from a prepared text. During the period of the audit carried out by the office of the Auditor General was the Finance Officer of the Immigration Department until her transfer in 2014. Castellanos utilised a dual discourse during her testimony comprising the discourse of endemic corruption and the discourse of rightful duty. Using the discourse of endemic corruption Castellanos states: "I was in the belly of the beast for three years and am among others named in the Auditor General's Report. This gives me the right to say the following." "The Immigration Department has an entrenched culture of corruption and hustling...milking the cow, as we say from the very top to the very bottom of the ladder. No politician can force any public officer to do illegal acts when performing our jobs. And if we do, then we have to face the same consequences as the politicians," Castellanos continues: "There are a few good, honest and dedicated officers, but there were not enough trusted staff to oversee the daily operations of the sections and the

district offices and the border stations. The call for help was not answered, and this inquiry is the result.” The discourse of rightful duty was used as follows: “The Department, headed by the Acting Director and her small team, made many attempts to stop the rampant malpractices that plagued the Department. The job to fix the problem was too difficult to accomplish, the reason being was the often non-support from our Ministry. We considered ourselves orphans of the Ministry.” “The resistance to follow orders given by the Head of Department and to adhere to the Government regulations was frustrating.” “I would like to go further and state that the resistance by some officers was beyond my comprehension. At one point some of us were fearful for the life of Acting Director Maria Marin. Why? Because she was doing her job, she was strict, because she was putting things in place for the hustling to stop.” Castellanos is insisting that the staff of the Immigration department is corrupt to the core aided and abetted by the ruling politicians of the day. The ruling politicians had the opportunity to recreate the department through the leadership of Marie Marin and her small dedicated team which included Castellanos but refused to do so. Therefore, an endemically corrupt department of immigration serves the interests of the ruling politicians of the day. For daring to stand for integrity and the rule of law Castellanos was removed from the department.

The dual discourse of Castellanos unleashed at the Senate Committee hearings complemented and expanded upon that utilised by Maria Marin at the hearings of the said committee. Castellanos ventured where Marin chose not to go with the discourse of corruption and made Marin the exemplary leader in her discourse of rightful duty. The objective was to present Castellanos as a victim of an endemically corrupt department in the service of the ruling politicians. The assault of the discourse is on the ruling politicians as the source of the evil which by extension presents the plight of the public officer intent on rightful duty in a state agency under the hegemony of the ruling politicians.

<http://amandala.com.bz/news/corrupt-top-bottom/>

Therese Chavarria testified before the Senate Committee in her then capacity of immigration officer during the period of the audit of the IND. Chavarria now retired at her Senate Committee hearing unleashed the discourse of the whistle blower from within the IND by revealing the case of the illicit application for a

passport that was granted on the instructions of a Cabinet Minister. The applicant according to Chavarria was a minor accompanied by a Justice of the Peace/translator with a Chinese name as the applicant. When questioned the applicant failed to answer relevant questions as to his daily life in Belize in spite of the fact that a Belizean birth certificate for the applicant was submitted with the application. Chavarria subsequently rejected the application and held on to it for investigation which she commenced by contacting the Principal of the school the applicant was reportedly a student of. Chavarria proceeded on leave with the application in her possession to learn from the then Director Meighan that during her absence the JP/translator submitted a new application for the individual and a Cabinet Minister instructed that a Belizean passport be issued and it was so done. Chavarria also indicated that she briefed the Auditor General on this issue. The discourse is in fact describing an organised crime operation with illicit demand being satisfied by illicit supply via the deliberate action of ruling politicians and complicit agents of the state. But it relentlessly insists that the ruling politicians are the kingpins which is an attempt to mask the actions of the agents of the state which Castellanos describes as “hustling” making them multiple identity/action agents where they execute the instructions of the kingpins and run independent and joint hustles of their own as agents of the state enabled by the impunity service to the kingpins affords them. An online news report dated September 27, 2013 stated as follows: “Penner, however, has not been the only immigration ministerial casualty. During the first term of the Dean Barrow led UDP government, Carlos Perdomo lost the immigration portfolio, after numerous scandals involving the granting of Belize visas and passports from the Belize embassy in Havana to Asians who were landing by the plane loads at the Philip Goldson International Airport.” Carlos Perdomo is the minister named by Chavarria in her testimony.

<http://amandala.com.bz/news/carlos-perdomos-called-reference-shady-issuance-passport/>

<http://www.reporter.bz/front-page/penner-should-face-criminal-charges-says-psu-president/>

Revelations from within an organised crime ring

Alvarine Burgess in her testimony to the Senate Committee provided descriptions and insights into the operational practices of the organised crime enterprise that sold licit Belize visas to illicit applicants. Burgess was a courier charged with the tasks of transporting the B\$ 2,000 per visa application charged by the Minister named by Burgess as Edmond Castro, the visa applications and the native passports of the visa applicants. Burgess was also charged with transporting the native passports of the applicants to the immigration department, then collect the official receipts and pass them to the police officer who interfaced with the clients. For her duties Burgess received B\$ 1,500 per trip to the immigration department. Burgess stated that in the absence of Castro she acquired the service of two other ministers. Burgess states that Castro demanded payment in advance for his visa service plus the possession of the passport of the visa applicant which he passed to Burgess for transportation to the immigration department and lodging them plus their retrieval. Castro handled the transportation to and lodging of the visa applications in the immigration department. Burgess describes an organised crime ring encased in impunity as the named Ministers cared very little about plausible denial. The discourse of corruption simply cannot explain the operational realities of this organised crime enterprise with its links to transnational organised crime especially the snake heads. There is then a network of operatives in the immigration department and other state agencies as the police that willingly participate for their personal benefit and gain embellished by career advancement within the state agencies. Burgess stated that she was interviewed by US officials who played back for her a recordings of a conversation involving Castro. This indicated the interest of agencies of the US federal state in the issues raised by the revelations of the various IND scandals. Burgess was sued by Castro for defamation in 2015 but he subsequently withdrew his legal action before its completion.

Burgess' testimony gave an insight into an organised crime ring that was driven by the sale of services by government ministers. It affords little insights into the power relations between government ministers and employees of the IND. And none at all into the operational nature of employees of the IND involved in their own organised crime enterprises with transnational organised crime to the exclusion of government ministers. The strategy is to point fingers at government Ministers thereby politicising the engagement with the IND in an attempt to

preserve the operational capacity of existing organised crime enterprises in the IND and to ensure impunity for all participants. The expectation is that demand for services will grow and the ruling politicians will not cease and desist from selling the services of the IND.

<http://amandala.com.bz/news/finally-ministers-named/>

<http://www.reporter.bz/front-page/alvarine-burgess-provides-explosive-testimony/>

Public Servants before the Committee

Mark Tench employee of the IND in his testimony to the Senate Committee dealt with his discovery of the missing 8 visa stickers at the Belize West Border Station (BWBS) and the investigation he subsequently did into the disappearance. Tench discovered the 8 missing visa stickers in the stock of visa stickers on hand with no record of their disposal in the official record. Tench alerted the two other immigration officers of the shift with Tench and his superior at the BWBS Edgar Cano as to the missing 8 visa stickers. Tench continued investigating the case of the stolen visa stickers which led him to Patrick Tillett, former financial controller of the Belize City Council. Tench arranged a meeting with Tillett in Belize City but at this meeting between Tench, two other immigration officers and Tillett Eric Chang was present, former Deputy Mayor of the Belize City Council. On the meeting with Chang and Tillett, Tench states as follows: "Mr. Chang informed us he was the one who was getting the visas for some people and they had bought it through a person and they had realised that the visas were not good, not valid and that is why they had taken it to Belmopan office. What they wanted, they wanted us to help them get back their money, that was why they chose to meet with us." Tench continues: "They admitted they had bought the visas. They paid \$5,000 per visa, and the visas were not done properly. Tench stated that Chang and Tillett indicated that they purchased the visas from a Mr Middleton who said that he got the visas from one Gaddafi from Corozal. Tench told the Committee that he interviewed Gaddafi who described Mr Middleton as the brains of the operation. Tench testified to the Committee that on his return from interviewing Gaddafi in Corozal he indicated to Edgar Cano that at this juncture of the investigation the police must be called in to the investigation which Cano never did. How did Chang and Tillett expect Tench and the other immigration officers to

recover the money paid for the stolen visas? Did Chang and Tillett seek to utilise the Belmopan office to have the 8 stolen visas legally issued to their clients? By formally reporting the 8 visas missing and then pursuing an investigation Tench threw a spanner in the works of the organised crime enterprise. To expect the Belmopan office of the IND to issue the stolen 8 visas as legal visas illustrates the level of impunity that pervades the system. To do so in the face of the report of the 8 stolen visas and an ongoing investigation is an expectation that threatens the sustainability of the organised crime enterprise. Tench in his testimony insists that an employee of the BWBS was most likely the culprit in the theft of the visas an inside job then but he calls no name. Tench describes the damage control the management of the IND then undertook to restore some semblance of legality whilst maintain the state of endemic impunity within the IND. Tench and another employee of the IND had formal disciplinary charges laid against them for the disappearance of the 8 visas. No criminal investigation leading to criminal charges against Tench was done. Tench was exonerated of the charges by the Public Service Commission (PSC) according to the correspondence from the PSC he provided to the Committee. In her testimony to the Committee former CEO of Immigration Candelaria Saldivar-Morter stated that the PSC sanctioned Tench for the missing 8 visas and charged him \$16,000.

In his testimony before the Senate Committee Tillett admitted to: having in his possession six of the illicit visa foils for six clients of his desirous of obtaining Belize visas, the conspiracy with Eric Chang and the use of Mr Middleton as a facilitator of the conspiracy.

<http://amandala.com.bz/news/so-stole-8-visa-stickers-immigration-department/>

<http://www.reporter.bz/business/senior-officer-exposes-cover-up-at-immigration/>

<http://www.reporter.bz/front-page/chang-and-tillett-finally-take-the-stand/>

Inez Cassanova an employee of the IND in her testimony before the Senate Committee revealed the identity of Mr Middleton. IND employee Vernon Leslie in his report on the stolen 8 visa foils insisted that it was Leslie Wade who removed the 8 visa foils and handed them over to Mr Middleton who is the common law husband of Inez Cassanova. Cassanova in her testimony countered by insisting that Eugene Middleton was a former employee of the IND who worked with her

at the Orange Walk Immigration office and through Eugene she knew his brother Barton Middleton. The Senate Committee summoned Barton Middleton to appear before the Committee and in his testimony he denied all the statements made by witnesses before the Committee concerning his involvement in the conspiracy to steal and sell 8 Belize visas. Barton Middleton in fact in keeping with the operational rules of transnational organised crime abided by the iron law of silence indicating his fear for his life and invoking his right to silence.

<http://amandala.com.bz/news/mysterious-mr-middleton-unmasked-cassanova/>

<http://www.reporter.bz/front-page/mr-middleton-scared-for-life-but-cant-recall/>

<http://amandala.com.bz/news/horrible-terrible-memory-barton-middleton/>

<http://www.reporter.bz/front-page/nothing-more-to-say-middleton-tells-senate/>

<http://amandala.com.bz/news/barton-middleton-invokes-constitutional-shut-up/>

Police Inspector Rochelle Chan named by Alvarine Burgess in her testimony to the Committee appeared before the Senate Committee. Chan in his testimony denied all the claims made by Burgess saying they were lies, questioned the mental stability and competence of Burgess and made reference to an agenda by unnamed persons in the shadows using Burgess as an instrument. Chan utilised the discourse of attacking the credibility of the witness, of conspiracy theory and most of all his victimhood in the face of his innocence and impeccable record as a police officer.

<http://www.reporter.bz/front-page/chan-takes-the-stand-perdomo-reappears-before-senate/>

Ady Pacheco an employee of the IND named in connection with the Wong Hong Kim case for having received and accepted an incomplete application form for Belizean nationality and a passport from Wong Hong Kim. Wong Hong Kim was a national of South Korea detained in a Taiwanese jail on a South Korean arrest warrant when a nationality certificate of Belize and a Belizean passport were issued for Kim fraudulently. The report of the audit of the IND named Pacheco as the IND employee who received the incomplete Kim application and acted upon it. Pacheco in her testimony stated that she received the incomplete Kim application in the presence of her ING supervisor Gordon Wade from then

Minister of State in the Ministry of Immigration Elvin Penner. Pacheco stated that Penner promised to provide the missing documents and the incomplete application was accepted though no official receipt for it was issued as it was incomplete. Pacheco didn't see Kim in the IND and she made no inquiry as to his whereabouts. Pacheco indicated that it was nothing unusual to accept and act upon incomplete applications at the IND on this Pacheco stated: "it was nothing out of the ordinary at the time. Up to now I think there are still hundreds of files that are incomplete." Pacheco testified that incomplete applications came to Wade from cabinet ministers, their drivers and secretaries who would instruct her to accept and process them. Other incomplete applications were only accepted and processed by Pacheco with Wade's permission. Pacheco gave as her reason for accepting and processing incomplete applications from ruling politicians fear of the power wielded by them and the politically connected. Pacheco states: "This is Belize, this is how it works, sadly, but it's the truth. If an officer does not comply with the request made by a minister, they simply move you to somewhere else."

Pacheco in her testimony the dual discourse of political corruption and duress where the ruling politicians with the complicity of members of the IND are demanding compliance with illicit acts. Pacheco faced with this reality at the IND has no choice but to comply given the power the ruling politicians wield over her employment and by extension career advancement. Pacheco is the victim rather than the willing participant in an organised crime enterprise.

In her final appearance before the Senate Committee Pacheco was questioned about the theft from the Belmopan office of the IND of some 200 passport blanks in 2005 some of which were assigned to her. One of the stolen blanks was subsequently issued to a Chinese national in November 2007. Pacheco said the blanks arrived at the office on a Friday stored in a desk drawer in the Passport office and discovered missing on the following Monday. In 2006 100 passport blanks were stolen. In both instances no criminal charges were laid. Potent instances of the impunity that drives the extent, depth, profitability and sustainability of this transnational organised crime enterprise in Belize. Ady Pacheco in her final appearance before the Senate Committee was questioned on the granting of a nationality certificate to a member of the Harmouch family in 2012 even though he didn't qualify for Belizean nationality as revealed in the audit report of the IND. The Officer in Charge of the Nationality Section of the IND

refused to recommend the applicant from the Harmouch family but a clerk of the nationality section did so recommend the applicant to the Director of Immigration who approved the application. The Harmouch nationality certificate was then signed by Elvin Penner. The audit report revealed that another member of the Harmouch family in 2005 was not recommended for a nationality certificate by the IND but was granted Belizean nationality by the then PUP government. What is noteworthy here is the Officer in Charge of the section refuses to recommend the applicant being by passed by a junior officer whose recommendation is accepted by the Director of Immigration even though this junior officer has no power to so do. This is facilitation of an illicit process which effectively rips apart the hierarchy of the agency of the public service which opens up the structure to effective domination by the ruling politicians, transnational crime and their minions in the structure.

<http://amandala.com.bz/news/ady-pacheco-wont-respond-senate-select-committees-questions-lawyer/>

<http://amandala.com.bz/news/ady-pacheco-citizen-kim/>

<http://amandala.com.bz/news/200-passports-stolen-2005/>

Edmund Zuniga Chief Executive Officer (CEO) in the Ministry of Immigration in his testimony before the Senate Committee stated as follows on the Auditor General's report on the IND: "We've reviewed the reports with that in mind. I would say that at this point in time, some of the actions that can be taken were already taken. There were public officers in the Immigration Department who were taken before the Public Services Commission. But of course, we all know the outcome of those meetings with the Public Services Commission." The Ministry of Immigration has then responded to the report in keeping with what is permissible under the rules and regulations governing the public service under the Westminster model of Belize's constitution. The issue of effectiveness is a matter that has to be raised at the political level which is outside the realm of the public service. Zuniga continues as follows: "When an Auditor General's report is completed and there are issues of fraud and theft or whatever, these reports are copied to the Commissioner of Police and the Director of Public Prosecutions for them to start doing their own part of the investigation." "real investigation for fraud is a matter for the law enforcement agencies." The law enforcement

agencies and the office of the Director of Public Prosecutions (DPP) are then charged with the task of investigating and prosecuting those responsible for illicit acts uncovered in the audit report of the IND under the constitution of Belize not the public service. Zuniga states: "It is up to the Commissioner of Police to instruct or to take on investigations without prompting from anybody." Zuniga is then calling out the Commissioner of Police (CoP) as the task of policing illegalities in the public service is the mandate of the CoP and the DPP. The question then is what is the CoP doing in response to the audit report on the IND by the office of the Auditor General?

<http://amandala.com.bz/news/ceo-zuniga-blames-police-inaction-senate-inquiry-revelations/>

Commissioner of Police (CoP) Allen Whyllie testified before the Senate Committee before Edward Zuniga did. The Senate Committee questioned the CoP on three primary areas of interest: the investigation into the case of Wong Hong Kim, the public statement made by retired Superintendent of Police Julio Valdez on the termination of his investigation into immigration files removed illicitly from the IND and the course of action taken by the CoP in response to the audit report on the IND.

On the first primary area of interest the CoP indicated that the investigation into the matter of Wong Hong Kim the Belizean nationality and passport issued to Kim and the role of Elvin Penner in this matter was completed. On the second primary interest the CoP stated as follows in reference to Valdez: "He came in and provided with me with a verbal briefing in terms of the investigation. The impression I got was that perhaps he was running into some roadblocks at the Immigration Department and I reminded him that as police, we do have a responsibility to investigate and that he needed to get into the Immigration Department and see all those files and that if I needed to sign a search warrant for him to do that, I was prepared to do so." The CoP indicated that he received no final report from Valdez nor did he ever ask Valdez why there was no final report. The CoP justified his strategy as follows: "because the fact that there was an issue in the media that someone had told him, or stopped him from investigating-and I wanted to know who had, because I knew I hadn't." CoP Whyllie gave his full support to the investigation of the IND being undertaken by

Superintendent Valdez. Valdez never briefed the CoP on the nature of the warning to Valdez on pursuing the investigation and the reason for Valdez no longer pursuing said investigation. The CoP learned of the warning to Valdez and his reaction to it concerning the pursuit of the investigation via the media not from Valdez. In light of this the CoP is of the opinion that Valdez is still under orders to pursue the investigation as the CoP did not order Valdez to end the investigation. The discourse utilised by the CoP then reveals another line with a different objective. This line states that the CoP defined two paths to be pursued in the investigation of the IND by Valdez: the illicit removal of files from the IND and how they ended up in the possession of Saldivar and the investigation of irregularities contained in the recovered files and instructed Valdez to pursue the investigation of both paths. Valdez in testimony to the Committee stated that he was told by the unnamed person to pursue an investigation of only the disappearance of the IND files and how they ended up in the possession of Saldivar. Whyllie states: "but what I am saying is that I cannot, up to today's date, understand how he could believe it was otherwise, because as I said, the conversation was done in the presence of another senior officer." Valdez at minimum misunderstood Whyllie or at worse is using Whyllie as the scapegoat for his refusal to complete the investigation as instructed by Whyllie.

The CoP Whyllie in his testimony before the Committee unleashed the dual discourse of rightful duty and dereliction of duty. The CoP insists in reference to the Valdez investigation he did everything called for by rightful duty to ensure a full and proper investigation was carried out into all aspects of the criminal action. The refusal of Valdez to complete the investigation as directed by the CoP amounts to dereliction of duty by Valdez. The objective is to discredit Valdez and by extension his message.

On the third primary interest the CoP testified that he had taken no action in response to the audit report on the IND meaning no ongoing investigations into matters raised in the audit report have been set in train as to the date (July 19, 2017) of his testimony to the Committee by the police. Whyllie said that he did not receive a copy off the audit report from the Auditor General and since receiving a copy he has been going through the report. In addition, he will await the publication of the report of the proceedings of the Senate Committee before acting on the recommendations of the audit report.

Given the length of time that has elapsed between the date the crimes were committed and the commencement of investigations the question of the ability to collect prosecutable evidence arises as the perpetrators have had enough time to eliminate trails of evidence and to silence witnesses utilising various methodologies.

<http://www.reporter.bz/front-page/compol-answers-to-senate-committee/>

<http://amandala.com.bz/news/compol-whyie-did-nothing-glarig-evidence-wrongdoing-immigration-department/>

On July 19, 2017 retired Police Superintendent Julio Valdez appeared before the Senate Committee. The primary issue was his investigation into the IND files that were in the possession of Arthur Saldivar who subsequently handed the said files over to the police in October 2013. The police then decided to investigate the possession of IND files by Saldivar and the then head of National Crime Investigation, Russell Blackett assigned the task of investigation to Julio Valdez. Valdez indicated that in the course of the investigation into the removal of the files from the IND and the possession of said files by Saldivar he found discrepancies and irregularities in documents contained within the files. In response to these irregularities he then commenced an investigation into these documents with irregularities including the applicants who submitted said documents to the IND. Valdez indicated that the files in the possession of Saldivar passed through the hands of Ady Pacheco at the IND. In his testimony before the Committee Valdez states: "To date, I do not know or did not discover how those documents left the immigration office. My experience as a police officer, I saw that some of these did not coincide with people who come into the country and are granted nationality, so I commenced an investigation into the Nationality section, the application itself." Valdez continues: "I was already following the Immigration and Nationality Section and based on what I already encountered, I was waiting for the audit, and I had already visited all other addresses I did not follow up that because the main concern was that I should follow up the missing documents out of the Immigration department." "The instructions were, deal with the investigations over the missing documents. Based on that, I did not continue the other line of investigation." When asked by the Committee to identify who ordered Valdez to cease from investigating irregularities of the

application forms of the documents illicitly removed from the IND Valdez refused to answer the question citing “legal ramifications”. When asked it was a member of the police Valdez refused to answer. When asked if he received instructions from outside the police Valdez states: “There were no instructions”. Valdez is therefore indicating that the order to cease and desist from investigating the irregularities of the application forms was issued by a member of the police with the rank to so do to Valdez. Valdez indicated that he was not willing to name the person who gave him the order for to do so will result in him being involved in a legal battle to prove the accuracy of his statement and he wanted no part of that as he was now retired. Valdez wrote a report to the DPP on what his investigations revealed and stated that he was ordered to cease his investigation into the irregularities of application forms in the documents handed to police by Saldivar. Valdez stated in his testimony to the Committee that certain application forms bore addresses where the applicants were not residing at, some addresses were empty lots and some were totally fictitious with street names that don’t exist.

<http://amandala.com.bz/news/valdez-refused-call-name/>

<http://www.reporter.bz/front-page/compol-answers-to-senate-committee/>

Valdez in his testimony to the Committee utilised the discourse of rightful duty emphasising the reality that power confines, limits and abrogates rightful duty even though rightful duty is grounded in sovereignty and law.

The power/force relations that enmesh public servants in Belize are then masked by the discourse of rightful duty hence sovereignty and law illustrating that this discourse is subservient to power/force relations. There are then as revealed in the testimonies before the Committee presented here two spheres of power relations: the internal power relations of the departments between public servants and the power relations between public servants and the ruling politicians. The ruling politicians exert hegemony over the public servants, the discourse of rightful duty, sovereignty and law. The nature of this hegemony in its operational reality doesn’t fit into the Westminster system of government nor does it fit into the colonial imperial planation mode. It is in fact a hybrid of both the colonial, imperial mode and the Westminster model which is in effect a model of government where politics and its nature overdetermines the social order.

Where political power relentlessly seeks to penetrate and determine the nature of all spaces and the power relations therein in the social order. Political power is then addicted to seeking to dominate and define all power relations in all spaces of the social order as political of the grand order. The discourse of corruption cannot locate and disentangle the power relations of this Frankenstein monster which accounts for its inability to explain the institutional inertia even stasis of these social orders since the commencement of the independence experiment. This also applies to the discourse of failed states as both discourses and their attendant worldviews cannot see the reality that all the signs of being shitholes a la Trump are organic products of the power relations of the social order which is a product of history. And there are powerful international power relations that ensure that we continue to embrace the legacies of history that constitute this Frankenstein monster. The power relations of these shitholes are functioning as designed, in keeping with their capacity and capability throwing up a social order where political power openly trumps sovereignty and law without blowback. You cannot then critique and understand the dynamics of this social order via discourses and worldviews that are not organic to this reality. Nor can you expect this social order to replicate a supposedly longed for and sought reality alien to it as the apparatuses and mechanism of power in existence render this reality an alien invader of the body politic.

The abiding reality of the testimonies of the public servants analysed is the fact that the ruling politicians of the day in their hegemony define what is illicit/licit by their actions and the impunity exercised and derived thereof. The ruling politicians of the day have then their own body of irregularities defined and exercised by themselves that they have made normal in the daily operations of government. For others in the social order to attempt similar actions without the express permission of the ruling politicians then they face the full power of the politicians applied to them. For the base rule is never challenge the hegemonic power of the ruling politicians. With reference to the rule of law an empty concept in itself the operative condition is impunity and in the realm of power relations it's the product of hegemonic power. The abiding lesson of the testimonies of the public servants is the extent to which they go to police themselves in the face of the hegemonic power of the ruling politicians and their irregularities/crimes. The rule of law and rightful duty are all subservient

discourses used to mask the domination of and discipline of public servants by and to the hegemonic power of ruling politicians. What is also evident from the testimonies of public servants to the Senate Committee is the strictly policed hierarchy of the public service where those wielding power devote all their resources to ensure domination and discipline of those deemed threats even deviant/delinquents to their power. Specific public servants who by their actions constituted threats and were deemed deviant/delinquent testified as to the retribution expected or received and the need for their silence. The majority simply policed themselves and abided by the norms of the power relations. It's then obvious that the hegemonic power of the ruling politicians has constituted the internal power relations of the public servants in the quest for hegemony. In this quest on a daily power relations basis those connected to the politicians will exert power within the public service that has no connection to their official post in the structure of the public service with impunity being the benefit derived thereof. Power in the public service has been broken into a cellular structure which does not necessarily abide by the official static hierarchy of the public service by hegemonic political power. One can then be a Director of a department and have your juniors wielding power over you given their connection to a ruling politician.

The illicit enterprise of the ruling politicians in alliance with transnational organised crime has in the IND an operational mechanism of normalisation where norms to ensure the operational sustainability of the illicit enterprise define and police behaviour. In the context of power relations in this milieu a discourse of delinquency defines all those who refuse to abide by the hegemony of the illicit enterprise with those so defined disciplined and punished. Summed up potently in the testimonies of Tench, Castellanos, Pacheco and Valdez.

The Ruling Politicians before the Senate Committee

To be complete this study must then analyse the testimonies of ruling politicians who appeared before the Senate Committee with the express task of deconstructing the discourses utilised.

In May 2017 Elvin Penner former Minister of State in the Ministry of Immigration was the first ruling politician to appear before the Senate Committee. Penner read from a prepared statement stating as follows: "Having duly being acquitted

by a competent court of Belize, the Wong Hong Kim episode is to be regarded as a closed chapter, as a lawyer would say, 'Res Judicata.' And I will not be responding to any questions relating to that issue and or to any related issue which could have been the subject of the criminal prosecution that concluded." Penner continues as follows: "Having laid out the rights and privileges afforded to me under the law, I am now prepared to furnish a response to any questions that are legally permissible and questions that are relevant to the Auditor General's Special Report." Penner is response to questions from the Committee denied the accuracy of the testimony of Gordon Wade to the Committee and admitted that he knew personally Wong Hong Kim having met and interacted with him in Taiwan and China but never in Belize. The Committee then moved on to the case of the Turkish national Yakup Sut who received his Belizean nationality certificate and a Belizean passport via the same process as Wong Hong Kim. Penner admitted to the Committee that he did sign the nationality certificate for Sut but had no evidence that Sut was a resident of Belize. Penner stated in his testimony that he first met Sut in Los Angeles, California, USA and in Germany. In response to the allegations of the audit report that he back dated his signature on the Sut nationality certificate Penner stated the IND failed to use the files in numerical sequence. On the question of Penner signing a nationality certificate for an applicant who was exempted from the process of investigation and examination to ensure they qualified for nationality Penner stated that he assumed Sut was in Belize and it's the duty of the IND to ensure that applicants do qualify. Other than these replies Penner stuck to his opening position. On Penner's second appearance at the Committee he again read from a prepared statement with the same position on the questions posed by the Committee as with his first appearance. After two appearances Penner revealed nothing of substance to the Committee adopting the discourse of sovereignty and law to indicate that he was in fact sovereign and under no obligation of duty to the state of Belize. Penner utilised this discourse to justify silence on his actions at a time when he was a Minister of State in the government of Belize, a member of the House of Representatives and a member of the ruling UDP. The message is then potentially clear as to the power wielded by ruling politicians over the state of Belize.

<http://amandala.com.bz/news/elvin-penner-shuts-won-hong-kim/>

<http://amandala.com.bz/news/penner-approved-nationality-certificate/>

<http://www.reporter.bz/front-page/penner-dont-ask-me-about-kim/>

<http://amandala.com.bz/news/penner-cabinet-list-exist-pm-barrow-doesnt-remember/>

<http://www.reporter.bz/business/penner-back-at-senate-hecklers-make-mischief/>

Carlos Perdomo the Cabinet Secretary and form Minister of National Security was the second ruling politician to appear before the Committee. Perdomo was questioned on the testimony of Therese Chavarria to the Committee of the issue of the issuing of a passport to Paul Ku. Perdomo denies all knowledge of the Paul Ku case as follows: "I did not give any directive, as the report says, to the director of immigration, and I would like to say that when I was briefed about this situation, the whole scenario was already completed, because nobody, at least from what was briefed to me orally, I did not know anything about this case." Perdomo denies knowledge of the Paul Ku case therefore he was not involved. Perdomo continues: "my first thing is to read the minute, and if the minute would ever say not all the papers are there and so, I would not sign it. So even though some of them have proven to be fraudulent, I would always look for two minutes, one from the officer in charge of the section, and one from the Director. And once they tell me all is in order, they meet legal requirements, and I would sign it." Perdomo did encounter applications with fraudulent documents or missing documents which he refused to sign. Then there are those he signed on the directions of senior employees of the IND as he took their word as being trustworthy. Any problems with these applications are not his fault. Perdomo states: "I wasn't aware that there was a culture of corruption, but in every talk with friends and so, you hear about customs, you hear about immigration, you hear about police, so that is how you hear. But I wasn't aware that there was a culture within the department, but you would hear jokes like this one got big house, like so...I did not know there was the operative type of thing." The agencies of the state are corrupt but a ruling politician, Perdomo, doesn't know about it and his knowledge of it is based on hearsay from his friends and jokes he is privy to as Perdomo is ignorant of the reality. Perdomo is then stating that he is the hostage of corrupt agencies of the state, powerless to break the dominance of these agencies over the ruling politicians. Hence the adoption of the methodology

he outlined for treating with IND documents that required his approval. Perdomo is then the victim not the dominant politician commanding staff of the IND to facilitate his irregularities. Perdomo in his testimony to the Committee made clear his position on the testimony of Therese Chavarria to the Committee. Perdomo states: “Apparently, according to reports, she knew a lot of things, she was supposedly bribed, but nobody knew of that. She went on vacation, took files at home, which is pretty irregular, but nobody knew anything of that until she came back, and it is after everything is complete, passport signed, blah, blah, blah, that she makes a report after vacation.” Perdomo launches an attack on the integrity of Chavarria with the clear intent of discrediting her testimony but more importantly to send a message to public servants who dared to violate the norms of the power relation where they are dominated and expected to be docile.

Perdomo in his testimony unleashes a discourse of three discursive lines: that of rightful duty, that of being victim to public servants as they are dominant and the contrary discursive line of policing the power relation to root out challenges to the domination of ruling politicians. The message of domination and expected docility is masked by the discursive lines of rightful duty and the ruling politician as victim. Blood masked by smiles simply an evolved version of the colonial discourse of “Smiles and Blood”.

<http://amandala.com.bz/news/cabsec-carlos-perdomo-badmouhths-therese-chavarria/>

<http://www.reporter.bz/front-page/ex-minister-perdomo-to-senate-i-did-nothing-wrong/>

<http://www.reporter.bz/front-page/chan-takes-the-stand-perdomo-reappears-before-senate/>

In July 2017 Ministers Edmond Castro and Anthony Martinez testified before the Committee. Castro and Martinez refused to answer questions arising from the testimony before the Committee of Alvarine Burgess, any questions which didn’t deal with the content of the audit report and attacked the credibility of Burgess as a witness where Castro dismissed her testimony as hearsay, lies and political persecution at the hands of the opposition PUP. Castro proceeded to ask questions of Senators posing questions to them on their illicit actions as stealing electricity and/or water, sexual assault and their political agenda to persecute

him. Castro responded to questions arising from the testimony of Burgess by Senator Chebat as follows: "That's PUP smoke. You guys are so desperate to get into power you are trying to create fire when there is no fire."

Some would say that both Ministers were on the attack in an attempt to scuttle the questioning of the Committee but what is apparent from the dialogue is the arrogance exhibited born out of the impunity enjoyed by the ruling politicians of the day in Belize. Theirs was a nuanced repeat of the Elvin Penner strategy focused on shock and awe via aggression. The strategy employed had the desired effect as nothing of substance was revealed by both Ministers.

<http://www.reporter.bz/front-page/sparks-fly-as-castro-and-boots-testify/>

<http://amandala.com.bz/news/castro-attempts-castrate-senate-inquiry/>

<http://amandala.com.bz/news/we-expect-ministers-disrespectful-senator-elena-smith/>

On May 30, 2017 in a press release Edmond Castro stated that he was informed by the US Embassy to Belize that his diplomatic and tourist visas were revoked and that Castro was invited to visit the embassy to re-apply for a US visa which he declined as he had no interest in travelling to the US. This press release preceded Castro's appearance at the Senate Committee in July 2017. The US Embassy gave no reason in public for the cancellation of Castro's US visas. Prime Minister Dean Barrow in public is reported as having said that the US Embassy didn't brief him on the revocation of Castro's visas and he found it strange that no reason was given for the revocation. In addition, the Prime Minister does not believe that the US Embassy has a recording of Castro involved in the process of selling visas for a fee for if they did the Embassy would have informed the Prime Minister of this recording and they never did. For the Prime Minister the revocation of Castro's visas has nothing to do with impropriety on Castro's part.

A strategy of damage control driven by a discourse of propagating a view of the operational choices and methodologies of the US state agencies which doesn't match with the operational reality and choices of these US Federal agencies. A discourse then of deception for the purpose of maintaining political dominance in the electoral politics of Belize. Betraying the perception that political damage was

being done to the government and the UDP by the public revelations of the illicit enterprise of the IND.

<http://www.reporter.bz/front-page/us-strips-castro-of-diplomatic-and-tourist-visas/>

<http://amandala.com.bz/news/hon-edmond-castro-explains-cancellation-visas/>

Cabinet Ministers Rene Montero and Manuel Heredia Jr appeared before the Senate Committee in July 2017. Montero when questioned on a letter dated January 9, 2012 to the then Director of Immigration Montero said: “At no time did I infer that they shouldn’t follow the vetting process or that they should proceed with incomplete applications, at no time did I infer that or alluded to that, it was simply a request to facilitate,” Montero then pleads his innocence to charges of running an immigration hustle. Heredia Jr was questioned on the volume of recommendations he made for members of the Harmouch family to be granted visas. Heredia Jr insisted that he made recommendations for applicants from the Harmouch family and inquiries into the status of these applications but never requested to view these files personally. Heredia Jr then also denied that he was part of the immigration hustle. Heredia Jr states as follows: “I would never request a file. What I usually do and have been doing for, like I said, from the time I have been mayor of the island until now, if they give me a copy of their receipt, I will go and find out if what, if anything is missing...and I will advise the person accordingly.” This is then the extent of Heredia Jr’s public service not organised crime. Heredia Jr then reveals his second discursive line as follows: “My job is to recommend. If there are irregularities in the application, that is not my job to check, it is the job of the officers in charge to check. Something was wrong, then they should have not qualified this person, I have never instructed, or will not ever instruct anyone, to say, ‘look he does not qualify, we’ll go ahead and grant.’ I will never do with that.” Heredia Jr utilised his discourse without wavering in the face of the questioning by the members of the Committee. Heredia Jr’s discourse of rightful duty defined as public service as an elected politician and the failings of public servants amounts to don’t blame him for the failure of public servants at IND to do their jobs effectively. The public servants at the IND were negligent of their rightful duty unlike him.

<http://www.reporter.bz/front-page/two-more-ministers-before-senate-committee/>

<http://amandala.com.bz/news/im-innocent-blame-immigration-department-irregularities-hon-manuel-heredia-jr/>

The final Minister of Government to appear before the Senate Committee was Godwin Hulse Minister of Immigration since 2012. Hulse read a statement to the Committee following which he was questioned by the Committee. In his statement Hulse apologised to Belize for any embarrassment caused by the revelations of the illicit acts of the visa and passport hustle in recent years. Hulse indicated that in response to the illicit acts the IND had set in train processes to stamp out corruption within the IND. Hulse states: "We took a vigorous process to try to set in place some systems to correct these wrongs and to prevent recurrence as far as is humanly possible." On the issue of applicants recommended by Ministers of government Hulse stated that such recommendations are not necessary to the processes at IND and no public servant at IND must be fearful of refusing to honour said recommendations. On the power structure of the IND concerning applications Hulse states: "The person applies, especially in the case of the Chinese. They pay their \$2,000, there are some requirements that need to be met and the director can say no-and the director can say no-and I did hear on the stand where persons were talking about intimidation-does not apply to the director. The director is appointed properly, the director cannot be removed, and if she is transferred she or he has to be given another head of department position within the structure here or sent home and paid off until retirement. So I really don't buy that at all." On the nature of demand for illicit IND services Hulse states: "There are only two reasons, to my mind, that someone pays and is involved in any corrupt activity: one is to expedite a process, and one is to circumvent a process." "So I could not see paying to expedite that process in nationalities. So clearly, it has to be the latter, which is to pay to get a process done for which you did not qualify."

Hulse appears at the Committee hearing seeking to mend fences and reassure the public that the breach has been sealed at the IND. He admits that there were in fact illicit acts at the IND and insists that the government has responded responsibly to ensure that these acts no longer occur. This is the discourse of

rightful duty by the government and Hulse as minister with responsibility for the IND. He then assures the public servants of the IND that they can disregard Ministerial recommendations for applicants by stressing on the power and responsibility of the Director. The Director is then charged with the task of ensuring the integrity of the process which is then the rightful duty of the post not the ruling politician. Illicit acts within the IND will result in the Director being held responsible. But Hulse states that a Director can be transferred whilst retaining the status of a director to another department or sent home but not removed. But what is the difference in daily work reality? Herein lies the message from Hulse to public servants. The defining statement of Hulse is his recognition that the basis of the illicit acts at the IND is framed by organised crime for to purchase illicit services which you don't qualify for from a state agency is in fact organised crime. In the face of the demand from organised and transnational organised crime Hulse has then thrown the public servants of the IND under the bus especially the post of Director who is now the fall guy of the department. The discourse of Hulse was devised to deliver political messages to various audiences: the supporters of the government, international powers, the public servants, the opposing political forces and most important to transnational organised crime. The discursive line of rightful duty arising from sovereignty and law drove the discourse but did this discourse indicate that the immigration and passport hustle was now dead? Or did it indicate that there must be now an ordered access to services as the helter skelter feeding frenzy now constitutes a grave threat to the sustainability of the organised crime enterprise?

<http://www.reporter.bz/front-page/godwin-hulse-apologizes-for-immigration-hustle/>

<http://amandala.com.bz/news/twists-turns-peter-william-dahlstroms-belizean-nationality/>

<http://amandala.com.bz/news/flawed-nationality-holders-allowed-vote-impending-referendum/>

The abiding lesson of the testimonies before the Senate Committee of the public servants and the ruling politicians who testified is the finger pointing and allocation of blame for the morass at the IND between both groups. The public servants utilised the discourse of being victims of the ruling politicians and their

organised crime enterprise and in rebuttal the ruling politicians utilised the discourse of being victims at the hands of powerful, incompetent and politically motivated public servants. Both discourses utilised address the political terrain of Belize as they are constructed as political discourses to assault and defend in a bid to disarm entities locked in a power relation. But the entities locked in the power struggle are not comparable entities in the exercise of power in the social order. What then is the minimum attainable outcome for the public servants serving up this discourse? Is it a new operational methodology that ensures the sustainability of the illicit enterprise at the IND?

In spite of the battle of the discourses both groups in their testimonies didn't present prosecutable evidence in support of their discursive positions and it's still to be determined if they will do so. The outcome of this discursive game before the Senate Committee is the continued sustainability of the working organised crime alliance at the IND between the TCOs of Belize, the ruling politicians and public servants. The sustainability of this illicit enterprise is the paramount concern of those in the alliance.

Transnational Crime, Ruling Politicians and Public Servants: The Power Relations

The operational space afforded transnational crime organisations (TCOs) in Belize by the politicians and agents of the state/public servants has afforded TCOs the opportunity to operate within the spaces of the state institutions and the political realm thereby deepening their presence in and their power wielded over the social order of Belize. This operational presence in the spaces of the state and political realm where the rule of law and sovereignty is implied to be hegemonic creates a terrain where the implied hegemonic power of the state and law is relentlessly challenged. TCOs create an alternate social order driven by alternate power relations with its own apparatus and instruments of normalisation. The heavily policed norms of the TCOs' social order are then in conflict with those of a state and a social order premised on the rule of law. In Belize it must be understood that there are a number of social spaces external of state institutional spaces where the TCOs exert power over and in some of those spaces they exert hegemonic power. The contested spaces of Belize namely the border zones with Mexico, Guatemala and the Caribbean Sea and specific areas within the urban expanse of Belize City are all under the control of the TCOs namely the MTTOs,

their partners and gangland affiliates. In these spaces the state is a visitor, a partner of the MTTOs as it doesn't exert hegemony over these spaces. This reality is expressed via the power relations between the TOCs, the politicians and the public servants of Belize as indicated in the audit report of the IND. What is now apparent is that the operational presence in the contested spaces of Belize which includes its major port and airport of the TCOs is now linked to an operational presence within the state spaces and an operational presence within the oligarchs of Belize. For all intents and purposes the TCOs have now penetrated operationally the social order of Belize: the state institutions, the political space, the oligarchy at the apex of the social order and the diffused spaces of the workers, the poor and the underclass and by their strategies of normalisation they are erecting an alternate social order parallel to that of the licit social order.

The alternate illicit social order of the TCOs is then constituting individuals through its operational discourse and its attendant worldview who range from being rejecters of the licit order in pursuit of the Gangsta ideal to a range of individuals who utilise an entire gamut of strategies of bridging both worlds through various methods of compromise or shades of grey. The pressures to react to the presence exerted by the illicit order through the conceptualisation of a range of choices on offer for individual action testifies to the power exerted over the social order of Belize by the TCOs potently illustrated by the testimonies of those who appeared before the Senate Committee. What must be realised is the operational reality that the TCOs are not interested in replacing the licit order with an illicit order as they need a supplicant licit order to maximise the profits of the illicit order. A specific task is then placed on the shoulders of the ruling politicians and the agents of the state/public servants of Belize. Theirs is the task of ensuring that the licit order of Belize maintains the necessary level of vibrancy and relevance to the social order to maintain some semblance of the operational impact necessary to maintain the licit order needed by the illicit order. But there are power relations between both orders as actors on both sides dream of the personal benefits of hegemony summed up as the drive to warlordism which constitutes a rocky road. The balancing act of politicians in this constantly evolving force relation between two orders and the international power relations impacting Belize is by far the most problematic of the entire terrain of power of Belize. Ruling politicians must balance the drive to win elections again and again,

their personal desires for power, wealth, pleasure etc. and the need to serve two diametrically opposed masters. This is a minefield that has gravely damaged TCOs in the past and some view with alarm getting into bed with politicians. But operational alliances are necessary between the illicit and licit orders and there is little choice in the matter. The issue for Belize in light of this is what strategies you utilise to minimise the grave risks posed to the TCOs especially the MTTOs by an alliance with ruling politicians?

From the audit report and the testimonies to the Senate Committee it is apparent that the hegemony the ruling politicians wield over the public servants enables and facilitates TCOs' enterprises in Belize. In addition, the domination of the state infrastructure by the ruling politicians in a structure of government patterned on the United Kingdom model facilitates the quest for hegemony over the contested spaces of the Belizean social order by TCOs. The hegemony of ruling politicians over the agencies of the state create malformed state institutions incapable of formulating and applying the mechanisms and apparatuses of power necessary to dominating the spaces in the social order. Hegemonic politicians are only interested in their political hegemony expressed via victory at the polls and a pliant population until the next election. To attain this end, you utilise political instruments forged under colonial domination now married to mass voter mobilisation. Central to this is the use of the national security apparatus primarily the police to police political dissent and unrest. In Belize there is then no mechanism to ensure power relations are managed to ensure that individuals of the social order are dominated, docile and disciplined through policing themselves which is demanded by the model of government in place as of independence from colonial domination. Contested spaces are produced by this malformed state where without the need for working alliances with the ruling politicians and the agents of the state the TCOs of Belize entered, now dominate and are expanding the expanse of these spaces in the Belizean geography. To this reality must now be incorporated the operational alliances between the TCOs, ruling politicians of Belize and agents of the state/public servants of the state of Belize within agencies and spaces of the state. Compromised spaces of the Belizean state are all encompassing including the security apparatus which is tactically necessary as TCOs view this as simply buying insurance to cover the expected betrayal of politicians. The aim is to attain a position of dominance

where ruling politicians are moved to do nothing relevant and meaningful in spite of political pressure both local and international. To do this you exert hegemony over the oligarchs of the social order as the politicians are subservient to the oligarchs at the level of the idea hence worldview. Whilst the politicians are already immersed in the power relations of the illicit enterprises of the TCOs effectively silencing those who are not. These power relations then constitute bi-polar actors of the state agencies and political realm as they straddle two realms that are supposedly anathema to each other: the lawful, licit/illicit, illegal, the sacred and the profane. Which is reflected in the individuals and the nature of human action in the social order.

Belize is now integrated into the trafficking networks of the TCOs present in Belize especially the MTTOs as a result of these dire failings of the government model adopted with independence. The state form cobbled together and transplanted/grafted to/on a colonial social order alien to its genesis and devoid of the discursive apparatuses necessary to drive this state form has resulted in the evolution of a Frankenstein monster in Belize. But this gravely bi-polar state form is evolving under the impact of the alliance between TCOs, the ruling politicians and the agencies of the state with a model already in existence that is illustrative of one possible evolutionary path in the Caribbean basin i.e. the Dominican Republic.

The discourse of corruption commonly utilised in the Caribbean to explain the failure of the state and the politicians to effectively deal with the impact of TCOs on the social order of Caribbean states cannot explain this complex reality. This discourse cannot recognise the malaise of a state form that evolved in a European context being copied and transplanted on a social order that has not evolved the necessary discursive apparatuses to drive this state form and never will. The state form transplanted in its malformed and dysfunctional operational condition cannot exercise the hegemony it demands over the power relations of the social order. The reality is that the power relations coupled to this externally imposed state form are not produced by the social order it was grafted onto. It's not then humans being corrupt but the state being incapable to exert hegemony over the power relations thrown up by the social order hence the endemic gun violence. The discourse of corruption is but another mask peddled by the politicians, academia and others for failure to see and admit the underlying reality. This is not

a case of a failed state for the state form imposed never functioned much less to fail. Sovereignty and law was never hegemonic much less for us to become lawless. International power relations after independence was the first potent reality that illustrated the weakness of the state caused by arrested development. The second was the fracturing off the social order by the discourses of voter mobilisation utilised by the politicians and the present potent reality of the assault of TCOs and their alternate social order beckons to a new bi-polar social order rooted in the operational existence of a licit and illicit social order and the boundary along which they interact and rub up against each other with the humans that traverse these perceptual and discursive domains in tow. Simply living in Hell!