Criminal Artefacts

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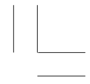
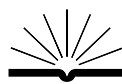


Dawn Moore

Criminal Artefacts: Governing Drugs and Users



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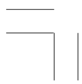

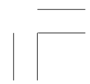

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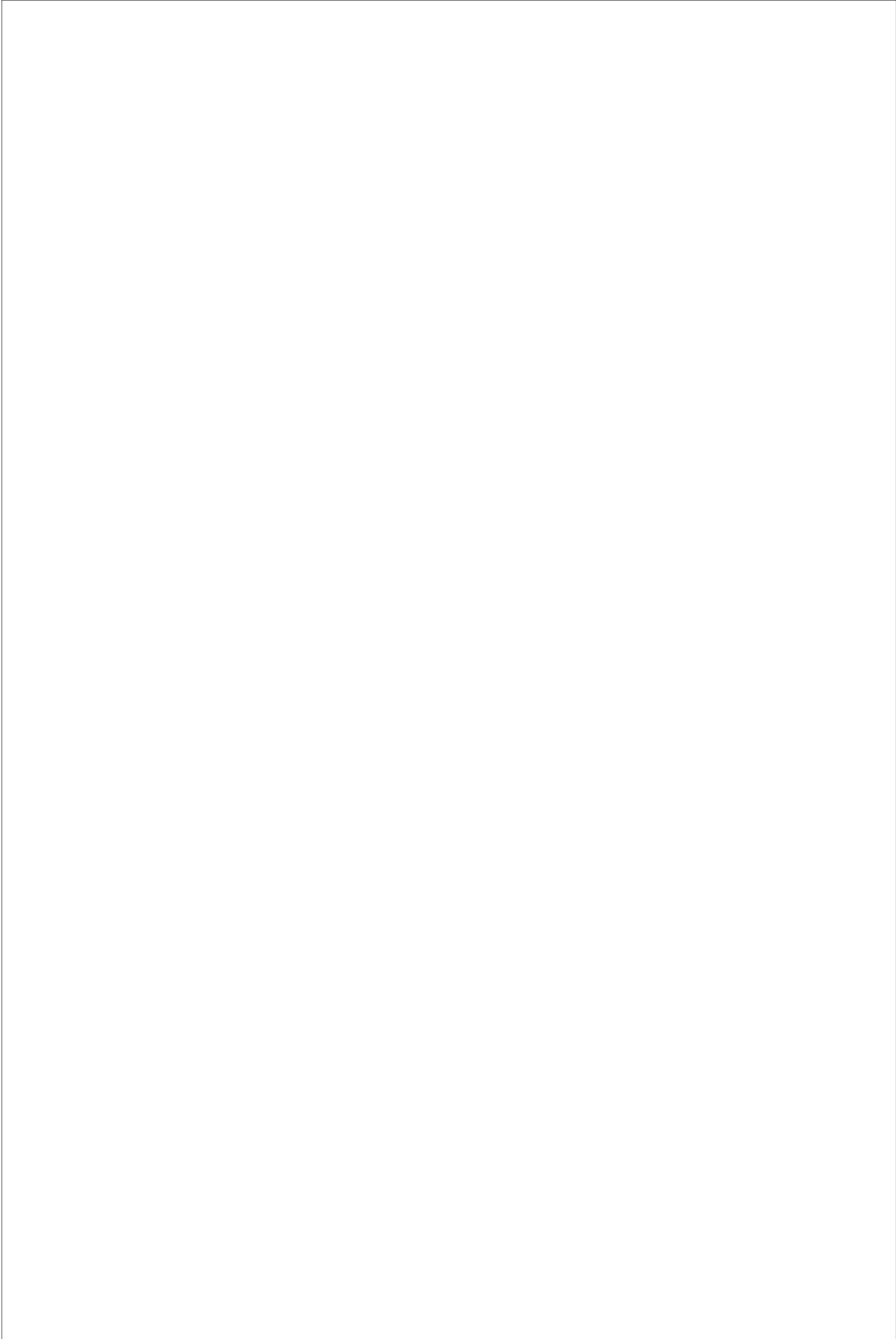
This book is for Karl.

I worked with Karl for about six months while he was incarcerated in a treatment prison. He was awaiting deportation. Karl grew up in Canada, spoke only English, and never, for lots of reasons that don't really matter, became a Canadian citizen. He lived on the edge his whole life, grew up poor, dropped out of school, got busted (many times), and had an enduring heroin habit. He loved dogs and had bad headaches. Karl was terrified of his impending deportation. He feared going to a country where he couldn't speak the language, didn't know the street culture, had no one to trust and no one to cover his back. We fought Karl's deportation and lost. He was taken out of the country in the middle of the night and put on a plane to somewhere he hadn't been since he was an infant. One week after his plane landed, Karl was killed, beaten to death in a drug deal gone wrong. There was no one to tell about Karl's death except those of us at the prison. I guess we were the closest to family he had. That was the winter of 2001, the year I started researching this project. Karl has stayed with me ever since.

Karl's problem was never the smack, it was all the rules.



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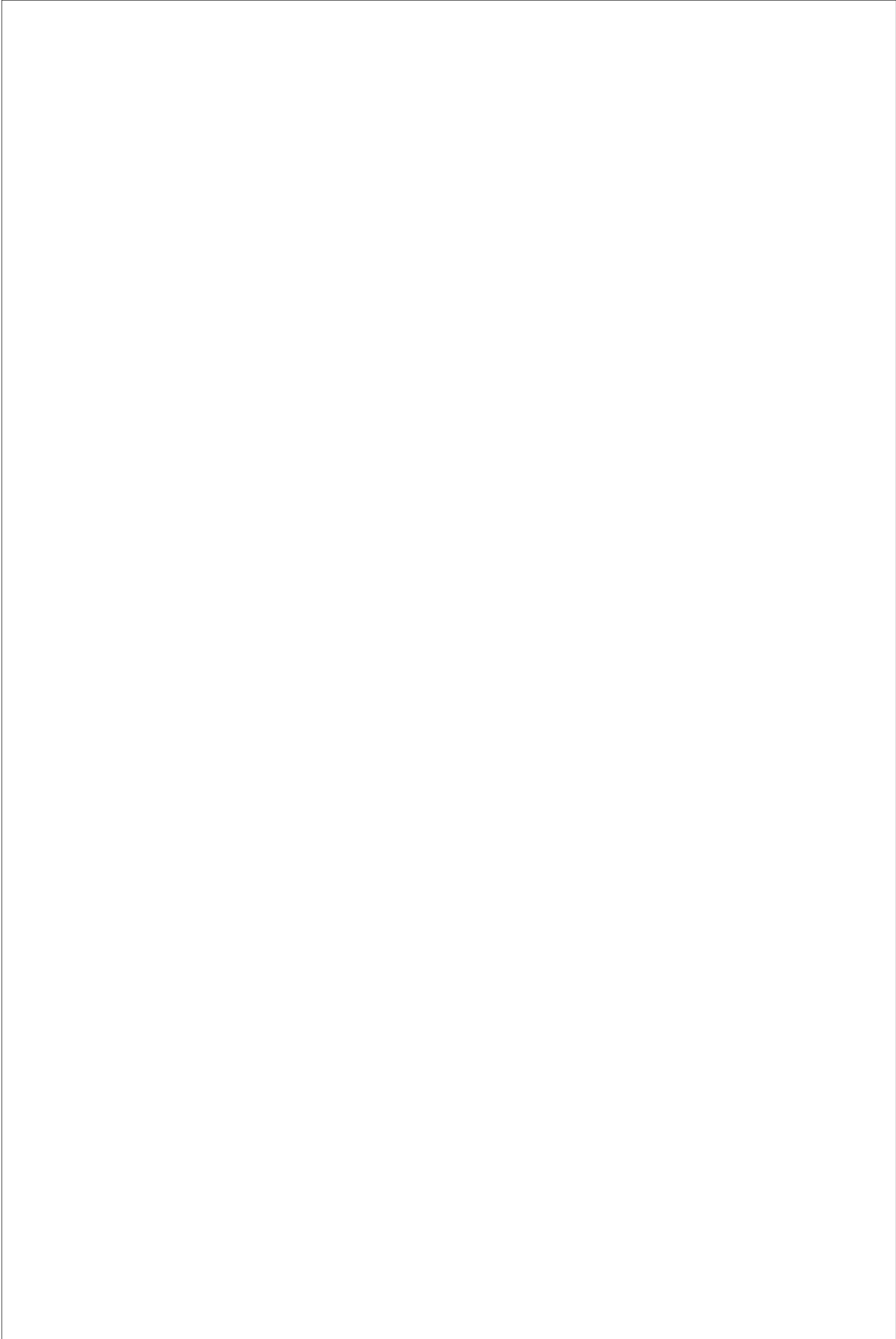

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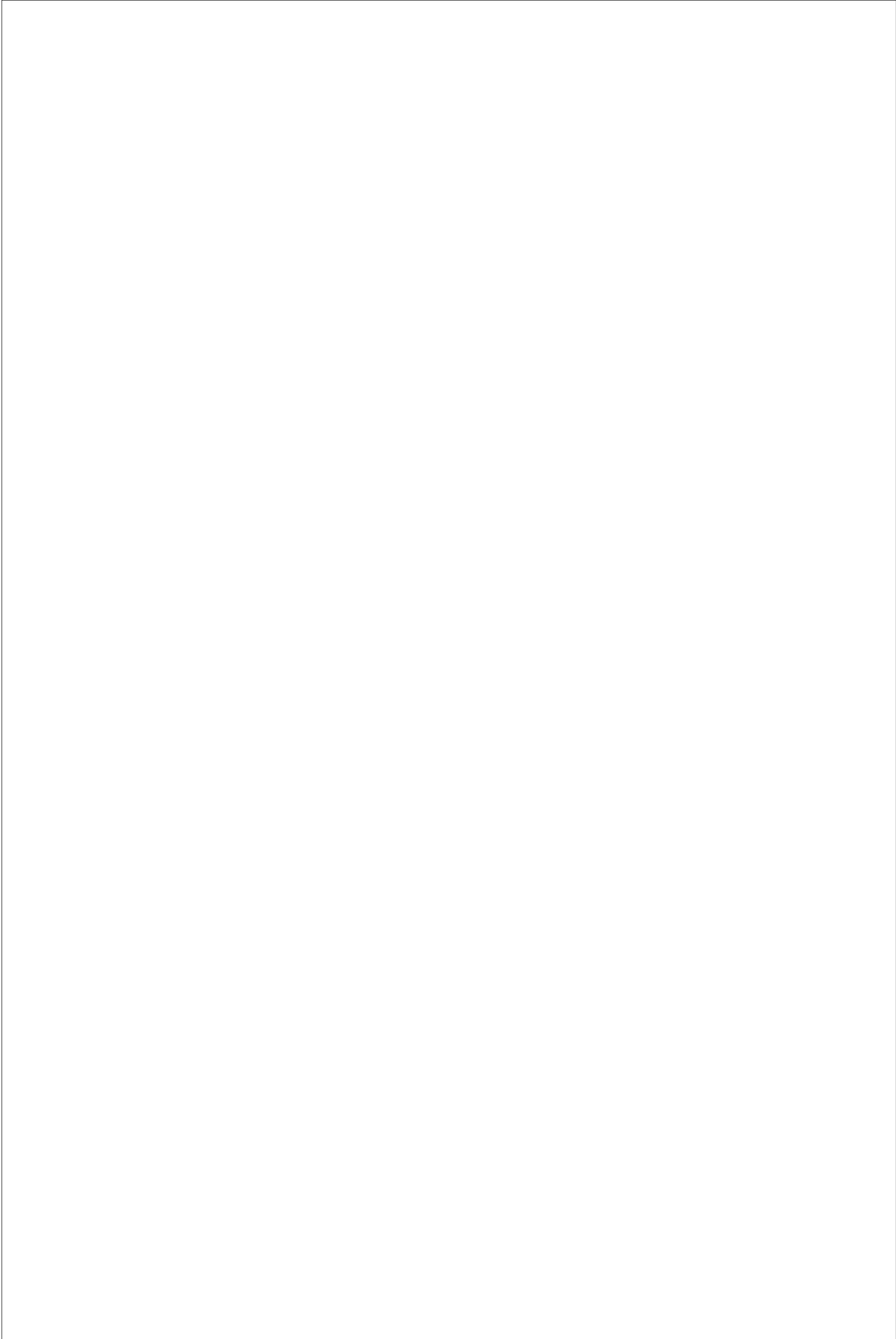
Acronyms

AGB	Alex G. Brown
AA	Alcoholics Anonymous
ANT	actor-network theory
CBT	Cognitive Behavioural Therapy
CDSA	Controlled Drugs and Substances Act
CSC	Correctional Services Canada
CSO	Community Service Orders
CJS	criminal justice system
DOJ	Department of Justice
DTC	drug treatment court
MLA	Members of the Legislative Assembly
MPP	Member of Provincial Parliament
NDP	New Democratic Party
OCI	Ontario Correctional Institute
OMCS	Ontario Ministry of Correctional Services
OMPSS	Ontario Ministry of Public Safety and Security (the Ministry)
OPSEU	Ontario Public Sector Employees Union
OSAPP	Offender Substance Abuse Pre-Release Program
PCC	psychology of criminal conduct
PO	probation officer
PPSDM	Probation and Parole Service Delivery Model
RCMP	Royal Canadian Mounted Police
SCNMUD	Special Committee on Non-Medical Use of Drugs
SOC	Stages of Change
SSCID	Senate Special Committee on Illegal Drugs
TDTC	Toronto Drug Treatment Court
THC	Tetrahydrocannabinol
TJ	therapeutic jurisprudence
WOD	War on Drugs
VDTC	Vancouver Drug Treatment Court
YCJA	Youth Criminal Justice Act



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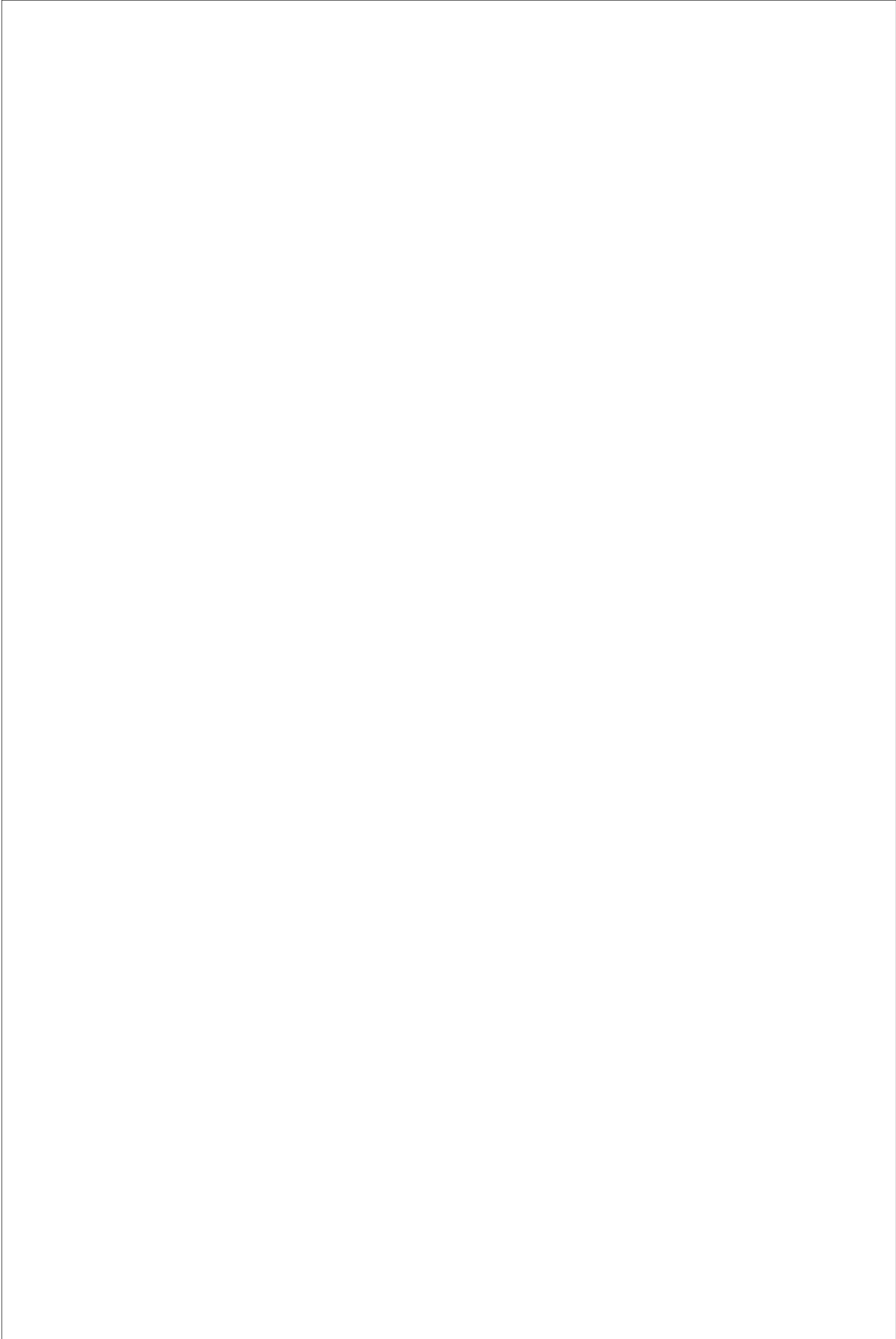

1 Introduction

There is something about crime and drugs, something to which we ought to pay attention. Eighty percent of people incarcerated in Canadian federal penitentiaries are said to have some sort of substance abuse problem that correlates with their criminality.[1] The federal and many of the provincial penal authorities offer in-house addiction treatment programs to those serving both custodial and community sentences. Addiction treatment orders are the most popular requirements placed on offenders given conditional sentences. Six drug treatment courts are currently in operation, and more are scheduled to open. The federal prison service has an entire research institute dedicated to studying and devising cures for addiction. The drug user turned criminal addict is a fulcrum of criminal justice, sitting at the centre of both the cause of and cure for crime.

This book is about the criminalized drug user. Depending on the questions you ask, this person proves tricky to know. In mainstream criminology, where the bulk of research on the intersection of drugs and crime lies, researchers tend to ask questions concerning either the descriptive correlations between differing variables (i.e., is there a link between crack use and crime) or the effectiveness of varying treatments of the drug-using criminal (regenerations of the what-works debate) (c.f. Harrison et al. 2001; Incardi 1981; Leukefeld 2002). This administrative epistemology largely drives contemporary thinking about the "crime problem" and shapes criminal justice responses, many of which are based on the assumption of an assured drug/crime nexus in which the link is etiological, with drugs as the cause and crime as the effect.

Moving beyond questions like "does drug use cause crime?" and "how can we cure criminal drug addicts?" critical criminologists have taken us a long way down the road to questioning the inevitability and truth of the drug/crime nexus and ensuing claims that "rehabilitating" the drug-using criminal is necessary, right, and humane. Even as addiction is presented as the heart of crime, there is good reason to believe that drugs and their use are

no more readily linked to criminality than are socio-structural issues, histories of trauma, learning disabilities, the shape of one's head, and/or the amount of serotonin in one's brain (Keane 2002; Marez 2004; Mitchell 1990; Peele 1989). It is clear that the link between drugs and crime is spurious and that the war on drugs has racist, sexist, colonialist, and class-based effects (Boyd 2004; Carstairs 2005; Courtwright 2001; Giffen, Endicott, and Lambert 1991; Musto 1973, 2002; Sheptycki 2000). It is also clear that the wedding of medical/therapeutic and legal powers that comes with attempts to cure people in conflict with the law of an array of pathologies or criminogenic tendencies tends to obscure structural factors implicated in criminality and also lays open the possibility for the heavy hand of social control to come down on the offender, functioning to criminalize, pathologize, and further oppress those who are already marginal (cf. Kendall 2000; Proctor and Rosen 1994; Sim 1990). What is not clear is how the criminal addict emerges as the prime cause of crime and why drugs and their use continue to appear as such appealing actors in bids to eradicate criminal behaviours. My project is to address these issues.

While there is a sizeable body of literature condemning the War on Drugs (WOD) (Acker 2002; Boyd 1984; Campbell 2000; Comack 1991; Courtwright 2001; Erickson and Smart 1988; Jensen and Gerber 1993; Mosher 1998; Marez 2004; Reeves and Campbell 1994; Sheptycki 2000; Sloman 1979), some of it concerning attempts to cure the criminalized addict (Boyd 2004; Carstairs 2005; Fisher, Roberts, and Kirst 2002; Nolan 2001; Peele 1989), to date, little of this literature locates drug control within the broader context of governing.[2] The criminal addict is of interest not only because the WOD is unjust and there is good reason to be concerned with attempts to coerce people into treatment, but also because she is a many-headed personage playing multiple roles simultaneously through a number of different, even unrelated, strategies. She is a threat to dominant morality (Carstairs 2005), the vehicle on which to fix enduring beliefs in the curative promise of therapy (Nolan 2001), the dark other who serves as a foil for white, middle-class existence (Reeves and Campbell 1994) and the icon of human loss and deviance (Boyd 2004). The criminal addict is one of the touchstones of criminal justice whose existence is so wholly unremarkable, so completely taken for granted, that questions are rarely raised about why she is a feature on the landscape at all. But in paying attention to this, in seeing the criminal addict as a contingent creation, a strange feature of criminal justice, it is not only possible to begin to develop an alternate critique of drug control, one that gets at the very foundations of drug policy and drug laws, but also to gain important insights into a system whose functioning depends in part on constituting such figures as problems of order in need of solutions.

Using a blend of methodologies, I chart the rise of criminal justice addiction treatment from the 1950s to the present day and offer close analysis of

two contemporary sites: the drug treatment courts and a probation program. My study shows that the lurking spectre of the criminal addict in iterations of criminal justice is not inevitable, true, or natural. Instead, I reveal the criminal addict as a social artefact whose existence depends on particular arrangements of structural factors, clinical knowledges, cultural understandings, and legal practices. Birthed through these constellations and other factors, this figure is the target of governing strategies that work to make her up in particular ways and then try to remake her into a new, healthy, non-criminal, normalized person. The criminal addict identity is a strategy of governing whose "discovery" marshals an array of intervention techniques and knowledges that, located in the criminal justice system (CJS), have a good deal to tell us about the ways in which practices of justice are themselves made and remade.

Even as I describe this character as a governable identity, the criminal addict is also revealed here as a being capable of action. That is, people who find themselves constituted as criminal addicts in conflict with the law take their own actions in negotiating the governing strategies introduced through that identity. Acquiescence, compliance, and resistance are all strategies used by these people to manage or care for themselves in a system that would see them changed.

This text starts with an interest in the criminal addict as a particular problem of, and solution to, crime through the latter half of the twentieth century and into the twenty-first. The foregrounding of criminal addiction and the ensuing rise of drug abuse treatment programs is understood as a constellation of rationalities, actors, culture, knowledges, power, and selves. Or, in simpler terms, there are connections between drugs, drug users, the state, and official agents (both legal and therapeutic) that escort the criminal addict into the criminal justice spotlight and help to keep her there. Treating the criminal addict is one way for criminal justice actors to maintain their intentionally benevolent project of changing offenders even as the political landscape shifts. Cultural and clinical actions attributed to the drugs themselves also play a notable role in fixing the criminal addict as a feature of change-oriented criminal justice initiatives. Personalities are attributed to drugs (both as a general category and as specific entities) through both cultural and clinical factors. These personalities help to shape the ways in which drugs are responded to in the CJS. Thus, part of understanding the criminal addict as an artefact of governing involves developing an understanding of how drugs themselves are artefacts that contribute to governing strategies.

The notion that we can find particular individual pathologies attached to crime guides much of Canadian penal practice and ensures that crime in this country is squarely understood as a product of particular individual pathologies, of which substance abuse is arguably the most salient. This

fetishization of the psychology of criminal conduct (Andrews and Bonta 1998) is worthy of critical investigation as part of the process of crafting a broader understanding of the criminal addict as a social artefact. I argue that the particular brand of psychological intervention that has come to epitomize Canadian punishment is well understood as a socio-political and cultural enterprise that quests after scientific truths that can only be found in certain historical and political moments. I am interested in unveiling the conditions under which these particular truths are made possible.

This orientation sets the project apart from other critical work done in the area. In Canada, there is an important movement comprised of critical criminologists who work to challenge the assumptions of mainstream criminology by revealing criminal justice practices as oppressive, discriminatory, abusive, and myopic. A good deal of this work is interested in the criminal addict. Giffen, Endicott, and Lambert's (1991) venerable history of Canadian drug law is perhaps the most fundamental and important text in this regard. Through careful historical study of the birth and evolution of Canadian drug laws, Giffen et al. weave a tale of "panic and indifference" in which a system of control is devised that uses drugs as a means of dominating varying undesirable populations (the Chinese, blacks, women) and a wide range of behaviours and relationships (i.e., sex, parenting, employment). Giffen's work, although theoretically barren, leaves the clear impression that the drugs/addiction/crime link is very much a political, and largely repressive, project.

These same views are echoed by contemporary critical criminologists concerned with drugs. Boyd's (2004) work on women and drugs reveals class, gender, and race bias and points to patriarchy, colonialism, and amplified social control as driving forces behind all manner of developments around drug control. In other work, the so-called "war on drugs" is revealed as a tool of disenfranchisement, and attempts to cure addiction through the CJS are considered vengeful and hyper-punitive (Boyd 1984; Fisher et al. 2002; Jensen et al. 1999; Mitchell 1990). Anderson (2001) and Fisher et al. (2002) flag specific concerns about mandating people in conflict with the law to treatment through the advent of treatment courts.

Critical criminologists have also done a good deal of work to challenge assumptions that any criminal justice initiative coupled with therapeutic goals is, by definition, benevolent, right, and good. Much of the important critical analysis in this regard comes out of work done on mental health and women. Building on the anti-psychiatry movement, scholars argue that the wedding of law and therapy results in the amplification of control, works to responsibilize and pathologize individual (women) instead of vying for broader structural understandings of particular behaviours, and reinvents age-old gendered stereotypes (Burstow 2005; Chunn and Menzies 1990;

Dobash, Dobash, and Gutteridge 1986; Kendall 2001). For these scholars, contemporary moves readily apparent in Canada to "reaffirm rehabilitation" (Cullen and Gilbert 1982) mean an explicit rejection of social explanations for criminal behaviour in favour of individualized narratives of the causes of crime. Responding to drug control, the intersection of law and therapy, or a wider range of other, important concerns with contemporary criminal justice practices, the critical criminology project calls for a reorientation of the criminal justice enterprise around issues of structural and social inequality as a means of alleviating the deep flaws of the current system.

Although I am sympathetic to the claims of critical criminologists that structural issues and determinates ought to be foregrounded in considering explanations and remedies for crime, I think it is worthwhile to step outside these claims about justice and to look curiously at these moments in which drugs and crime intersect to place the criminal addict at centre stage. I want to see the criminal addict as a social artefact, a relic of our time whose existence and treatment is not only remarkable in its own right but also has broader things to tell us about the ways in which we iterate and attempt to solve social problems. I want to respond to my above description about the current and repeated entrenchment of the criminal addict in criminal justice by asking: "how did this come to be?" and "how does it manage to flourish?"

These are important questions, given that we live in a time many would characterize as "post-rehabilitative," where the penal branch of the criminal justice enterprise is depicted as having reached a state of ennui vis-à-vis the welfarist project of changing people and is now capable of little more than basic warehousing and crude practices of control (Bauman 2000; Garland 1996, 2001; Garland and Sparks 2000). In the face of claims that penal welfarism died alongside social welfarism (Rose 1996b), it is pertinent to ask how it is that, in Canada (and virtually every other Western penal jurisdiction), criminal justice systems still try to cure people and why the criminal addict plays such a formidable role in this. To do this means to complement extant critical accounts of intersections between criminal justice, therapy, and drug addiction by revealing how our current practices became possible.

My inquiry starts not with an eye to revealing systems of structural oppression but, rather, with an eye to particular problematizations. Foucault (2001, 171) describes problematization as a methodology by which one explores "how and why certain things (behaviours, phenomena, processes) became a *problem*" (emphasis in original). The intent of such a method, he explains, is not to negate or deny the experiential reality of a certain phenomenon (i.e., madness or addiction) but, rather, to understand its genealogy: how did a certain constellation of things, behaviours, and ideologies

come to be known as "mental illness?" In understanding how something comes to be seen and maintained as a specific kind of problem, it is also possible to understand how certain practices emerge as solutions to that problem, as governing strategies.

Following Foucault, my goal here is not to erase the lived reality of addiction or to challenge claims that there are, in fact, people who struggle with dependency on certain substances; rather, it is to look at how and why the problem of crime came to be framed through a causal narrative carefully bound to drugs and addiction. In other words, how did the trouble with crime become the trouble with addiction? This particular problematization results in calls for therapeutic responses. In querying how and why this came to be, it is possible to understand the criminal addict as a condensation of mentalities of governing, expert knowledges, individual actions, and cultural factors.

To explore the governance and knowledge aspects of this problematization, I use the governmentality framework set out by Foucault (1991a; Dean 1999; Gordon 1991). O'Malley, Valverde, and Rose (forthcoming) define governmentality as a perspective

> that sees [political power] not as universal, but as always operating in terms of specific rationalizations, directed towards certain ends, with certain styles of refection on its bases and its limits. An analysis of "governmentalities" then, seeks to identify these different styles of thought, their conditions of formation, the principles and knowledges that they borrow from and generate, the practices that they consist in, the ways in which they are carried out, their contestations and alliances with other arts of governing.

As a method of analysis, governmentality guides the researcher to study rationalities and practices of the "conduct of conduct." In so doing, it is possible to unveil the ways in which governance works as a means of shaping the conduct of selves and the conduct of others. The point here is to view political power as a broad spectrum, stemming from and flowing through a wide range of relationships and actions. Such a viewing, according to Foucault (1991a, 91), reveals

> that practices of government are, on the one hand, multifarious and concern many kinds of people: the head of a family, the superior of a convent, the teacher or tutor of a child or pupil; so that there are several forms of government among which the prince's relations to his state is only one particular mode; while, on the other hand, all these other kinds of government are internal to the state or society. It is within the state that the father will rule the family, the superior the convent etc.

The kind of state power described through the governmentality framework does not only reflect state-centric sovereignty; that is, it is not only about the Machiavellian power of the state to rule. Studying governmentalities is meant to break open the notion of rule, thus enabling us to see that a range of actors and practices are recruited into broader governance projects.

Through studying mentalities, it is possible to see how particular technologies of governing are constituted. Ewald's (1991) study of insurance and risk mentalities is instructive here. Ewald shows how the rise of actuarialism through the nineteenth-century insurance industry lays open the possibility of governing through the notion of risk. The ability to calculate the chance of misfortune leads, according to Ewald, to a new way of thinking about governing people. The rise of actuarial assessments and notions of risk and certainty meant that people could be governed in relation to their risk levels rather than in relation to more definite codes of what they ought or ought not do. More important, actuarialism also meant that people could be encouraged to govern themselves through managing the levels of risk around them. By the end of the nineteenth century, the governing practices of insurance are invested much more broadly, becoming, according Ewald (210),

> the principle of a new political and social economy. Insurance becomes social, not just in the sense that new kinds of risk become insurable, but also because European societies come to analyze themselves and their problems in terms of the generalized technology of risk. Insurance at the end of the nineteenth century signifies at once an ensemble of institutions and the diagram with which industrial societies conceive their principle of organization, functioning and regulation.

The impact of the mentality of actuarialism on projects of rule does not stop in the nineteenth century. Risk technologies and discourses are familiar features of contemporary criminal justice (Ericson and Haggerty 1997; Feeley and Simon 1992; Hannah-Moffat 2001) as well as broader projects of governing through individual responsibility (O'Malley 1996). In revealing the relationship between technologies and governmentalities, it is possible to see the relations of power that would otherwise remain hidden. Ewald's study on the rise of actuarialism depicts actuarial technology as a particular governing strategy that is able to effect subtle but complete governing on an everyday level. Taking Ewald's work into the contemporary realm, Hannah-Moffat (2001) interrogates the use of actuarial risk assessments on women prisoners. She shows how these technologies work to create an amoral affect within the system, suggesting that the work of securing, controlling, and treating prisoners is the product of cool mathematical calculation rather

than moralized, subjective, biased valuation. The effect is that prison governance is constituted not as the oppressive hand of the state, which comes in and places a woman in maximum security, but, rather, as an actuarial risk assessment that reveals her as high risk – a revelation that sets off an entire governing regime that is presented as "risk management" rather than as "punishment." Thus, the woman prisoner, in Hannah-Moffat's estimation, is governed through the language, technologies, and rationalities of risk and actuarialism.

The governmentality framework assists in understanding, then, how and why particular practices and mentalities of rule emerge within certain contexts. Jonathan Simon's (1993) study on parole in California is another case in point. Simon charts the rise of parole from the nineteenth century onwards. He aptly describes how changing political and social climates ushered in shifts in practices and mentalities. For Simon, parole shifts from being a means of keeping people occupied through assigning them work to, in the post-Second World War era, a rehabilitative model designed to make them better people. Contemporary practices of parole are managerial rather than rehabilitative. According to Simon, all these changes are to be understood against their respective economic and social backdrops.

A similar approach is helpful in my project. The criminal addict first emerges on the penal landscape in the decidedly welfarist post-Second World War era. This era, marked generally by a turn towards "cradle-to-grave" mentalities of governing that took up social service delivery and citizen-building projects, saw the rise of a particular rehabilitative ideal in Canadian punishment. Bolstered by the concomitant rise of the medical model in Canadian penal systems (Ekstedt and Griffiths 1988), criminal justice officials were deeply concerned with addressing the causes of crime through largely "psy"-based interventions,[3] which were carried out on people in conflict with the law. Alongside electro-shock therapies, yoga classes, and individual psychotherapies, prisoners were treated for addictions through the advent of "therapeutic-community" prisons. Reflecting the mentality of the times, these institutions offered holistic treatment for prisoners with addictions, attempting to make them both drug/crime free and good citizens. While criminality was understood as driven largely by individual factors like addiction, social factors were also considered. The political terrain shifted in the 1980s as welfarist ideals fell away, making space for decidedly neoliberal regimes. Somehow, as my introductory observations reveal,[4] the ethic of changing people survived this shift in mentalities. The project of curing the criminal addict is still a feature of Canadian punishment. While the goal stays, however, the technologies by which it is to be achieved change to match shifting mentalities. Attempts to work on the criminal addict today are notably different from those utilized in the 1970s. Social explanations

are erased, leaving individual pathology to stand as the sole cause of crime. Holistic responses are replaced by initiatives shaped by a mantra of efficiency and effectiveness.

The criminal addict's ability to endure these shifting governmentalities is understood in light of shifting expert epistemologies. Foucault links power and knowledge, seeing them as two sides of the same coin. The role of expertise in governing strategies is a good example of this. Foucault charts the rise of expertise in particular realms (psychiatry, medicine, punishment) and shows how, in exercising and acting through these knowledges, the exertion of power is made possible. Pasquino (1991) takes this notion as a means of understanding the rise of criminology as a discipline. Studying the work of Enrico Ferri, the acclaimed "father of criminology," Pasquino shows how criminological knowledge reimagines the target of criminological intervention. Before the "science" of criminology emerges, the person who commits a crime is "homo penalis" – a person who is worthy of punishment as a result of engaging in criminal behaviour. Developing criminological expertise (hugely facilitated by the birth of the prison and the ensuing ability to study its captives) meant that homo penalis became "homo criminalis" – the delinquent. The shift from being someone who commits an act to being someone whom the act commits (i.e., to being defined by the act) is made possible by criminological expertise that takes as its starting point the notion that "criminals" exist. And if criminals exist as a type and can be known, then they can also be worked on and changed (i.e., normalized). Acting through knowledge of the criminal and the nature of criminality lays open the possibility of a whole range of power relations. If there are criminals, and if these people are criminals because they are somehow sick, then other people can work to cure them. There must, then, be relations, programs, interventions in which some people (experts, practitioners) work on other people (offenders) in order to make them different people. Without criminological expertise, these new relations of power would not be possible.

Attempts to cure the criminal addict are driven by psy epistemologies. The addict's endurance is attributable, in part, to the ability of these knowledges to shift with the political landscape, allowing the nature of his character and, thus, the prescription for his cure to change with the times. The criminal addict of the 1970s is a very different, much more social creature than is the criminal addict of the 1990s. Both characters are in need of clinical treatment as a means of alleviating their criminal tendencies, but, in the 1970s, reflecting broader welfarist sensibilities, this treatment is far more socially oriented than are the responses that emerge in the 1990s, when the advent of cognitive behavioural therapy allows all troubling human behaviour to be whittled down to a handful of problems solved through quick and standardized interventions.

Governing sites are a meeting point for different kinds of knowledges that amalgamate to work on the individual. The strategies deployed through these regimes are articulations of a certain kind of power exerted over the individual. For Foucault, this power is productive rather than repressive. Foucault (1977) notes the rise of disciplinary power, a governing strategy that is meant to incite conduct just as much or more than it is meant to stop it. If some power is productive, then certain mentalities of rule work to build people up and encourage them to behave in certain ways. The woman rendered "high risk" through actuarial assessment may find herself held in repressive conditions in a prison, but, at the same time, governing practices in the form of prison programs, disciplinary regimes, surveillance, and psychological interventions all work to encourage her to do certain things, behave in certain ways, and become a certain kind of person. The power of the prison lies in its ability to make people.

The initiatives I describe do not deploy strategies of brute force or repression nearly as much as they offer "opportunities" for people in conflict with the law to "choose to change." The process of curing the criminal addict is meant, by and large, to be generated in the mind of the individual herself. The clinical and legal actors around her are merely guides on her own, individual path to self-realization, improvement, and change. The system, in this sense, works to build her up much more than it attempts to break her down.

In studying power, Foucault (1980, 97) rejects the idea that we ought to claim that this institution or that person has power and that others do not; instead, he counsels a relational view of power:

> Analysis should not concern itself with power at the level of conscious intention or decision; … it should not attempt to consider power from its internal point of view and … should refrain from posing the labyrinthine and unanswerable question: "Who then has power and what has he in mind? What is the aim of someone who possesses power?" Instead, it is a case of studying power at the point where its intention, if it has one, is completely invested in its real and effective practices. What is needed is a study of power in its external visage, at the point where it is in direct and immediate relationship with that which we can provisionally call its object, its target, its field of application, there – that is to say – where it installs itself and produces its real effects.

Seeing governing through this lens not only means that we are able to chart practices of governing carried out by one person, group, or institution in relation to another but also that we can see the ways in which we are encouraged to govern ourselves. Foucault (1978) understands practices of the

self, the ways in which we care for ourselves, as features of broader governmental rationalities. Viewed this way, simple practices like getting a flu shot, going to therapy, or engaging in an exercise regimen are all part of what many would characterize as neoliberal practices of self (Rose 1998). The ways we take care of ourselves are derivations of the governing structures within which we live. The healthy, fit, and well-adjusted self of 2006, for example, is as much political obligation as personal choice (Cruickshanks 1996). After all, what are the fat, sick, and neurotic in contemporary parlance if not irresponsible, bad citizens?

What Foucault calls "practices of the self" are fundamental to attempts to cure the criminal addict, who is worked on to become self-sufficient and self-regulating. The people caught up in the programs I study are not locked away in dry-out cells for weeks on end; rather, they are encouraged to develop their own practices of self, such as developing "internal incentives" to increase their personal motivations to change their substance-use habits.

If power is constituted in relationships, then the people who are targets of the exertion of power can resist it. Even though neither he nor many of those who use his work develop the point (with the notable exceptions of Bosworth [1999] and Sawicki [1991]), Foucault is clear that, in every relation of power, there is also the possibility for resistance. Power is not a zero-sum game. In *Discipline and Punish* (1977), he uses the example of the scaffold, suggesting that, even as the execution is a profound moment of the exertion of state power, the potential for resistance still exists. The people could tear down the scaffold and call for the liberation of the condemned. In my research, acts of resistance are revealed to be closely tied with notions of self-care. The probationers and drug treatment court (DTC) clients who are part of this study engage in varying actions as ways of managing themselves. In some cases, these actions are subversive, taking the form of rejecting the governable identity of addict; in others, refusals of micro-governing strategies (such as being directed to live in a particular shelter) emerge as ways of maintaining a sense of individual selfhood within a broader normalizing project. In all instances, these negotiations of power are mediated by pre-existing desires and dispositions and are articulated as practices of self-care. Ultimately, the bodies and minds of the people subjected to these initiatives are the busiest sites of power.

While many of the relations in these sites are well understood through the lenses of governmentality and the care of the self, Foucault's method does not allow for careful attention to the day-to-day interactions in which these strategies of rule are carried out. I turn to ethnomethodology to complement my analysis. Following the urban tradition of the Chicago School, ethnography of drug use tends to focus on street-level interactions. Becker's ground-breaking *The Outsiders* (1966) is the most notable, but there are others,

including Lindesmith (1965), Waldorf and Reinarman (1975), and, more recently, Bourgeois (2003), Denton and O'Malley (2001), and Acker (2002). From these scholars I adopt an ethic that involves sympathetically studying marginalized and maligned populations such as drug users. This body of scholarship argues for the need to see communities and people through the actualities of their day-to-day lives rather than through a prejudging lens that imbues their actions with normalized assumptions (e.g., drug use is bad, all drug users are functioning at diminished capacity, and so on). These scholars approach drug users with a research ethic that assumes a clear respect for all people. The result is research that reveals the intimate ties in drug-using communities (Becker 1966; Waldorf and Reinarman 1975), the sharp intellect required to participate in the drug trade (Bourgeois 2003), and the deleterious effects of drug control and medical intervention on the lived experience of the user (Lindesmith 1965).

The discovery of, and work done on, the criminal addict occurs by in large through the daily goings on of the courts and probation offices. To help explore these interactions, I draw most extensively on the ethnomethodology of Erving Goffman. In his study of the inner workings of an insane asylum, Goffman (1961) attributes the power of the mental hospital to take near total control over an individual's life to the micro-interactions of its daily routine. Through the strategic harvesting of case histories, the management of relatives, and careful interactions with the soon-to-be patient, Goffman shows how the hospital works to make people up as mental patients not in accordance with any real "need" guided by an illness but, rather, in accordance with the institution's ability to constitute and then govern an individual:

> The psychiatric view of a person becomes significant only in so far as their [psychiatrists'] view itself alters his social fate – an alteration which seems to become fundamental in our society when, and only when, the person is put through the process of hospitalization (128).

Goffman reveals the mental patient as a sociological phenomenon rather than as a scientific truth. For Goffman, this phenomenon can only be viewed in observing the minutiae of everyday life. In looking at a site from the bottom up, it is also possible to see how, for example, patients try to negotiate and resist the governing authority of the hospital officials and the disciplinary effects of the hospital itself. The routine happenings of the hospital are sites of near constant power negotiation, all of which are mediated by the mental patient role.

If Foucault's method flags the importance of noting relations between projects of rule and projects of self from the top down, Goffman gives us a

means by which to invert this gaze, studying the same relationships but from the bottom up (see Hacking 2004). The benefit for this work is a much richer account of the small negotiations and interactions that inform the broader practices of working on the criminal addict. It is possible to see not only how, for example, the rise of cognitive behavioural therapy serves to revive the project of change vis-à-vis the criminal addict (by responsibilizing this character in her own recovery) but also how she uses the same language used to govern her as a means of offering a counter-narrative of herself and her criminal justice status.

Crafting this analysis troubles assumptions about the criminal addict by showing this individual as a condensation of particular factors rather than as a medical/legal condition. The map of governing in this site so far appears as a vertical stripe. Governmentalities and psy expertise are at the top and criminalized drug users at the bottom. A good part of my project interrogates this line, searching out its composition and charting the ways in which actors move along it. But the rise of the criminal addict does not depend only on the relationships between drug users and governing/expert authorities. There is a third group of actors in this site whose contributions bear consideration: the drugs themselves. There is something particular and important about drugs that drives these developments. Drugs (both specific substances as well as the general term) are prominent actors in our society. Our relationships with our children are shaped in part by fears about what drugs will do; entire neighbourhoods are characterized by the presence or absence of particular substances; social ills, individual pathologies, and, of course, crime are all caused by drugs. Drugs have particular personalities shaped by both culture and scientific knowledges. These personalities (crack is evil and volatile, marijuana is disinhibiting but relatively benign) participate in establishing criminal justice responses to particular substances and their use. Some drugs are thought to be more dangerous than others. Users are infected with a sense of danger because of what the drugs "do" to them. In popular, clinical, and criminal justice parlance, crack use and crack users are more criminogenic than are marijuana users and pot heads. These distinctions are reflected in the Controlled Drugs and Substances Act, which sets higher penalties for any infraction associated with crack.

I take up actor-network theory (ANT) as a means of accounting for the actions of the drugs themselves. ANT scholars (Callon 1999; Latour 1987, 1993; Law 1999) set out a post-humanist methodology that places all actors involved in a particular scientific action within a network. Latour, for example, states clearly that his area of study is the relations between *collectives*, not humans. By using this notion of collective, Latour is able to include in his analysis objects that may be "soulless" but that nonetheless act within the network. In deprivileging humanity in the constitution of truth, Latour

shows how objects themselves have character and influence within a given setting. Latour (1993) uses several examples to illustrate this point, but perhaps the most salient, given my particular concerns in *Criminal Artefacts*, is his example of how expanding knowledge about the effects of brain chemicals influences conceptions about mental illness. As he suggests, "as for the unconscious subjects stretched out on the analyst's couch, we picture them differently depending on whether their dry brain is discharging neurotransmitters or their moist brain is secreting hormones" (4). Likewise, in *Criminal Artefacts*, the drugs themselves as well as the individuals who use them are all considered part of a collective. This approach allows the researcher to work to destabilize the assumed hierarchies of power within a site. Rather than observing how projects of rule are designed and carried out on subjects of rule, Latour's approach blurs the channels of power, recognizing how each person and thing involved in the network is active and influential and is influenced by every other thing. Returning to Latour's example of the person on the analyst's couch, the utility of this approach is clear. All of the "things" involved in this site – the analyst, the brain and its chemicals, and the individual subject – are acting, and each action influences the other actors and the network as a whole. The network does not distinguish between humans and non-humans, and it unhinges assumed notions about fixed divisions. Using this approach, it is possible to see how things, machines, microbes, and drugs have generative capabilities that affect the other actors in the network, playing an active role in whether or not the goals of the network (e.g., to invent a machine, to cure a disease) are realized.

My project is not identical to the science studies projects taken up by ANT scholars. I am not studying laboratories and quests for scientific innovation per se. This being the case, I do not use a strict ANT methodology; rather, I borrow from ANT the notion of inanimate action in order to show how and why understanding the personalities of drugs is important in understanding the rise of the criminal addict. The ANT lens, which allows for the contributing actions of inanimate objects, enables me to consider how these clinical and cultural properties shape criminal justice responses.

The actions attributed to drugs are not shaped only by clinical epistemology. Drugs have a distinctive cultural existence that serves to fix their links to crime as well as to inform the ways in which we understand and respond to the criminal addict. For example, the elevation of opiates such as heroin on the drug schedule is, I argue, as much a reflection of the substances' cultural resonance as it is of their clinical properties.[5] In fact, in most instances, it is through cultural, not clinical, means that we "know" drugs. The effects of these cultural notions are easily viewed in the sites I examine in *Criminal Artefacts*. The cultural impact of notions of drugs and the ways in which cultural products mould different drug personalities are

fundamentally important to the ways in which the CJS responds to drug users. To show this, I borrow tools from cultural studies, particularly from Klein (1993) and Szasz (1985). Both these scholars place drugs at the forefront of attempts to understand social relations. For Szasz, the effects of drugs shape their "ceremonial chemistry," or the cultural rituals that surround their use or avoidance. The drugs drive people's reactions to them. In his study of cigarettes, Klein submits that the nature of these substances has a cultural importance that has resulted in a global response to their use. The point is not to set up a deterministic chain but, rather, to say that the ways in which substances are understood culturally shape the ways in which they are clinically understood and responded to. In Canada, much of the push behind the early forming of drug laws came not from governing mentalities or clinical observance but, rather, from the popularized writings of Emily Murphy. Her work vocally and unwaveringly demonized specific substances, situating them as the causes of racial degeneration and threats to the Canadian moral order (Carstairs 1999, 2005; Giffen et al. 1991; Murphy 1922). Today, drugs are everywhere in contemporary culture, from news reports to popular songs. Given their cultural importance, a study that attempts to understand the elevation of the criminal addict ought to pay attention to the "personalities" of drugs. These cultural understandings are all that much more important in light of the fact that the people who design and implement interventions and policies aimed at the criminal addict are not outside of culture. Cultural influences are evident in the ways in which judges, lawyers, therapists, and probation officers understand the drug use of people in conflict with the law. In beginning to reveal these influences, I hope to broaden our understandings of the networks of influence that shape governing initiatives.

I also find the notion of the network helpful in understanding the knowledge relations that a governmentality analysis would view through a hierarchic lens. Where Foucault's primary interest lies in power, Latour starts from the question of truth – a starting point that, when followed through the network approach, also serves as a useful guide to understanding microrelations of power. Truth is a feature of knowledge; and knowledge and power, as Foucault points out, are one and the same. While Foucault is a strong advocate of watching the minutiae of everyday life, he spends considerably less time thinking about humans interacting with humans on the same level than he does thinking about humans interacting with the state or with experts. In using Latour's method, it is possible to see how different human interactions function within a governing strategy. I find this approach particularly useful in Chapter 4, where I map out the knowledge relations of experts. Seeing expert actors and knowledges uncoupled and circulating within a governing network (in this case, the drug treatment courts) is a useful exercise in understanding the kinetics of power and the ways in which law and psy work in concert to exert power over the addict.

This image of the network serves as a broad theme throughout *Criminal Artefacts*. Latour advocates the network approach because it functions to remove imaginative barriers from the research site. In Latour's world, if you see an engine, for example, as existing only in the realm of science, then you miss the opportunity to see all the other factors that affect that engine's invention: the social "need," the economic viability, and the ability of the investors to change their interests. Latour argues that we cannot view things, scientific or otherwise, within boxes that assume that there are divides between the natural and the social. Latour's (1993) claim that "we have never been modern" suggests that the boxes are historically specific artefacts, that nature and science do not "naturally" stand outside each other. As such, an attempt to understand any phenomenon is well served by opening an inquiry into all spheres of influence, by viewing action within a network that can have multiple, indeed, potentially countless, influences.

Criminal Artefacts is about the networks that exist between three phenomena: drugs, the user, and the state. I show that governing initiatives are messy, that they draw upon and are driven by a variety of sources and forces. Governing the criminal addict is not solely a result of governing mentalities articulated through legal authority and expert knowledge; rather, it is a result partly of these factors and partly of others, including culture, science, and individual selves.

The mixed methodology I deploy here belies the scholarly compulsion to carefully align one's self with a particular theoretical tradition to which one must stay "true" in one's research. Following scholars like Valverde (2005) and Cole (2001), I am not interested in orienting my work as "Foucauldian," "Latourian," "Goffmanesque," or otherwise. These scholars offer methods, not theories, of understanding the social world. As such, it should be possible (and this is Valverde's argument) to borrow from an array of methods in order to do research. My approach is to use these perspectives in so far as they complement each other. Foucault's strengths in noting power relations and understanding the ways in which broader projects of rule filter down to the individual is complemented by Goffman's method of ethnographically mapping human relations as a means of understanding those broader projects. The relations observed through these methods are more richly understood when placed within a network of relations à la Latour. Within the network, other factors and actors (such as the generative capabilities of drugs) come into focus through their cultural and scientific resonances. However, the Latourian approach, because it tends to ignore hierarchies, is not particularly well suited to seeing power relations. And it is for this reason that I return to a Foucauldian methodology.

Ultimately, this is a book about practices of governing. I seek to contribute to bodies of criminological scholarship that challenge the "necessary rightness of the status quo" (Garland 2001). I build on work of scholars like

Bosworth (1999), Cruickshanks (1996), Doyle (2003), Hacking (1999), Hudson (1987), O'Malley (1996), Rose (1998, 1999), and Valverde (2003a). All of these scholars use the careful research of particular social phenomena as a means of destabilizing systems of order. The points of disruption vary. Doyle (2003) uses communications technology as his entry point for rupturing contemporary thinking about how we view crime. Hacking (1999) is interested in revealing assumedly natural identities, like the abused child, as social products whose discovery has the remarkable effect of reorganizing the past. What draws these scholars together is not their substantive areas but, rather, their common interest in systems of rule and how they come to be – their interest in the conduct of conduct. Locating my project in relation to this work means that I am interested in participating in the disruptive project. Looking at the criminal addict offers another avenue for challenging the seeming inevitability of what is. Thus, this text is not only about the criminal addict but also about strategies of governing. The criminal addict presents an opportunity to explore the roles played by therapists, judges, and lawyers in their attempts to make people better. She lays open for study governing mentalities and disciplinary epistemologies, and she is a handy site in which to see how these interact. Further, her strong cultural presence lays bare the often obscured and/or ignored connections between governing and culture (Garland 2001). *Criminal Artefacts* is about multiple sites and strategies of governing; it is about the different ways criminal justice systems attempt to maintain order without exerting extreme, obvious, or austere force.

Part of the messy actualities (O'Malley 2001) of everyday life are the difficulties of crafting genealogical research of the kind I describe in relation to the CJS. Criminal justice institutions are closed institutions, difficult to gain access to at any level. To study regimes for curing the criminal addict, following the method I set out above, I need to be able to study history, culture, and science as well as the actual practices of cure. The first iteration of *Criminal Artefacts* was a tight genealogy of the treatment programs offered by Correctional Services Canada (CSC). I imagined doing a history of the programs offered by the CSC and then spending time in the prisons watching their implementation and interviewing the prison officials involved in their make-up and delivery as well as the prisoners who were subject to them. After several months of negotiations with the CSC, it became clear that they were not comfortable with granting me the kind of access I required. In fact, they eventually refused to grant me any access at all.

Luckily, the Ontario Ministry of Public Safety and Security (OMPSS, as it was then known; throughout, I refer to it as "the Ministry") was just getting its probation treatment program under way, and officials were happy to grant me access to the probationers involved in the program, although I could not sit in on program sessions. The second iteration of this project,

then, was organized around compiling a genealogy of the Ontario system and then observing, at least in part, the mechanics of power through interviews with probationers in the treatment program. This approach worked well in so far as I was able to piece together the important historical narrative of the rise of addiction treatment in Ontario (which, as it turns out, ended up being the main generative location for these initiatives), and I was able to talk to people who had experienced the kinds of interventions I was interested in studying. At the same time, there were two problems with this approach. First, because the Ministry did not grant me access to the actual program or to any of the probation officers delivering the program, I felt that an important piece of interaction – the actual practices of governing – was not captured. At the same time, the interview portion of the study coincided with a major labour dispute in the Ontario Public Service, the results of which were less than felicitous for this project (below, I discuss these events in greater detail). All was not lost, however! When approached, the Toronto and Vancouver DTCs were happy to grant me limited access. Through the courts I could watch governing interactions and also interview practitioners, although I was not granted access to court clients.

A pessimistic read of this folly of events is that the project ends up looking like a patchwork quilt of research, a little from here and a little from there, cobbled together in a vain attempt to form a coherent whole. To be sure, the lack of obvious continuity between the sites is a weak point, but this is not a fatal flaw to the project and, in some ways, constitutes a strength. This is a study of "slices" of criminal justice interventions with the criminal addict. The genealogical analysis describes the broader socio-political and cultural context within which both the treatment courts and the probation program emerge. The sites themselves give perspective on different aspects of these interventions. The treatment courts are instructive with regard to the use and circulation of expert knowledges and expertise, and the interviews with probationers provide insights into practices of the self. At the same time, the two sites are also responding to the same problem: criminal addiction. The courts and the probation program both work through the notion of the drug/crime nexus, focus on the individual, and rely heavily on the incorporation of psy into their intervention practices. Far from a patch-work quilt result, what I produce here is a triangulated account of interventions on the criminal addict that looks at these initiatives from a number of different perspectives. *Criminal Artefact* is not a deep chronicle of a particular initiative but, rather, a broad survey offering rich analysis of particular moments of intervention.

Methods and Sources

I begin my research post-Second World War for several reasons. Most important, the post-Second World War era in Ontario, as in other jurisdictions

in the Western world, witnessed the high-water mark of the welfare state. The economic boom, coupled with increasing faith in medicine and the psy disciplines, all contributed to the rise and maintenance of state practices concerned with the social welfare of citizens. Punishment was not the only system that underwent notable changes during this time. Moves towards decarceration and increased psy programming characterized the mental health sector as well as the criminal sector (Simmons 1982). Likewise, concerns about crime spurred the creation of a variety of social intervention programs aimed at directing individuals into socially desirable behaviours (Valverde 1995). The fact, then, that the 1950s mark the success of welfarist mentalities makes this time period a logical point to begin this inquiry.

I choose Ontario because it is comprised of the largest English-speaking population in the country. Ontario has the biggest penal system and, thus, the most resources to develop new initiatives. It is also the province in which, since the Second World War, some of the most significant developments in penal drug policy have emerged. Ontario had its own research and treatment centres, and it ran experimental treatment programs linked with the penal system. The high level of activity around penal drug treatment that characterized the province in the 1950s continues today. Ontario was the first province to host a DTC, and it continues to run and develop penal treatment programs. My focus on Ontario does not preclude the extension of my observations to other jurisdictions. I show in Chapter 2 that, while it serves as a case study, the trends and developments found in Ontario are mirrored elsewhere.

The historical aspects of *Criminal Artefacts* are based on archival sources from the post-Second World War period in Ontario, an archive that is not particularly rich. While the holdings at the Archives of Ontario include several files related to punishment in the province dating from this period, for the most part, these files deal with administrative issues such as obtaining funding sources or training support staff. There are, however, some files that do speak directly to issues of treatment within the provincial penal system, or indirectly, through discussions about best practices, law reform, and resource allocation. I began the archival research process by requesting a list and description of all files located at the Ministry of Correctional Services and Attorney General, beginning in the 1950s. The Archives of Ontario is interdicted, through the Freedom of Information Act, from releasing any files that either identify individual offenders by name or that are fewer than twenty years old. As such, all files I requested were first screened by archival officers and dated no later than 1980.

Based on the descriptions of file content provided by the archives, I requested access to twenty-four different files, including minister's correspondence, minutes and files of subcommittees, pamphlets and training materials relating to specific institutions, and minister's and deputy minister's

speeches and reports. I went through every file provided by the archives, making notes on archival material and photocopying pieces of particular interest.

In order to supplement the patchiness of the archival data, I also relied heavily on the Hansard transcripts of provincial legislative debates covering the fifty-year time period. Using the Hansard index, I checked every reference made about punishment, corrections, and drugs from 1950 to the present within the legislative debates. In addition, I read the Ministerial Estimates for every year available. Estimates are a ministry's report of activities. They appear before the Legislature (and, later, before the Justice Sub-Committee) typically every one-and-a-half to two years. From the mid-1990s onward, it is possible to conduct archival research from the Ministry's website. Press releases, yearly business plans and ministers' speeches are all posted on the website as well as news updates and general information about the different branches of ministerial services.

To further supplement the archival data from Ontario, I also conducted interviews with seven key informants. These interviews focused on the informants' experiences of working as government or non-governmental employees. I identified individuals of interest based on their past involvement with the Ministry, current accessibility, and recommendations from other informants. I then contacted them, provided a brief account of the research project and the potential for publications coming out of it and asked whether they would be interested in becoming involved. Names of all participants are withheld in the interests of protecting anonymity. However, I do this recognizing that, given the high-profile positions held by some participants, no one who took part in the study could be offered full confidentiality. All participants signed consent forms, in which they acknowledged they were fully informed of the nature and purpose of the research as well as of their rights as research participants. They were also given information sheets detailing this information. In general, the interviews focused on the individuals' perceptions of general trends within the field as well as of specific experiences around various initiatives and programs.

For another part of the research, I conducted interviews with ten individuals who had completed Ontario's Substance Misuse Orientation Program for probationers. These interviews were qualitative and were guided by an open-ended questionnaire. Interviewees were solicited from the program through a presentation made by me (typically in the last program session) regarding the research. Interested participants were asked to complete a form, giving their first names and the means by which they preferred to be contacted (i.e., directly, via phone, or through their probation officers). I followed up with phone calls to those who agreed in order to set up interviews in the probation office. At the outset, I anticipated interview-

ing upwards of forty men; the 2002 labour disruption meant that most of the programs were cancelled soon after the study started. Many offices opted not to re-offer the program after this labour disruption. In the end, I completed interviews with ten probationers. When participants arrived for interviews, they were given consent forms and briefed regarding their rights as research participants as well as regarding the purpose of the study. They were also given an information sheet that detailed the same. If the participants consented, interviews were tape-recorded using a micro-cassette system and later transcribed by a research assistant. All identifying information has been erased from the transcripts, and the tapes are kept in a locked cabinet. I attended a training session for probation officers that was focused on how to deliver this program. I also studied the training manual and interviewed the program developer.

Criminal Artefacts also draws on research from the drug treatment courts in Toronto and Vancouver. As of December 2005 (when I completed this research), these were the only two treatment courts in operation, although funding has now been secured for four additional courts across the country (Ottawa, Edmonton, Winnipeg, and Regina). I conducted courtroom observations over a six-month period, from July 2002 through January 2003, in the Toronto court. A research assistant observed the Vancouver court from March through July 2005. Court is in session in both jurisdictions twice a week. In both courts, all the members of the court (including the court "clients") were made aware of the research. Before I began my work, I met with the presiding judge in each court to explain the purpose of my research. The judges circulated my proposal to the other members of the treatment court team. I circulated an information flyer, which included a brief synopsis of myself and this project, among the clients. My research assistant and I kept research journals of court observations, and these were updated after every court visit.

In researching the courts, I also conducted interviews with key informants, including the judges, duty and Crown counsels, treatment court liaisons, treatment coordinators, parent-child advocates, and several of the therapists. Like the interviews conducted with key historical actors, these interviews were semi-structured and were tailored to the individual's role in the court. There are only a limited number of individuals who might be identified as "key players" within the court. Thus, the sample here was nonrandom and exhaustive (with the exception of the therapists). I interviewed every key player and solicited all of the therapists in the Toronto court.[6] Four of the eight therapists responded to my solicitation and agreed to participate in the research project. Again, as with the historical interviews, anonymity was not guaranteed. Because some of them (i.e., the therapists and lawyers) are low profile, I have refrained from using their names and identify

them only numerically. I was denied access to the court clients and was, therefore, unable to interview them.

All aspects of this project involving research with human beings were presented to and approved by the Ethical Research Review Board of the University of Toronto.

Chapter Summaries

I start with a genealogy of addiction treatment in the CJS. Chapter 2 gives an overview of therapeutic initiatives through the second half of the twentieth century, locating the addict as a central and re-emerging figure therein. I argue that the criminal addict is a useful character in current criminal justice initiatives. This entity is able to shift from the pathological welfarist subject in need of holistic interventions to the ultimate neoliberal criminal who suffers from poor individual choice making based on a curable individual pathology that is directly and etiologically linked to crime. My evidence suggests that it is largely through the work of mid-level practitioners (a mix of psychologists, bureaucrats, and program designers) that the criminal addict manages to endure considerable shifts in political sensibilities. By adopting liberal psy technologies like cognitive behaviouralism, these actors are able to maintain the overall goal of curing the offender.

Chapter 3 uses actor-network analysis to study the generative action of drugs, which emerges in attempts to work on the criminal addict. I argue that both cultural and clinical notions of drugs shape particular understandings that support the notion that drugs are criminogenic. I show that both the personalities of the overarching term "drugs" and the specific substances marijuana, crack/cocaine, and heroin shape the ways in which criminal justice officials respond to their use.

Chapters 4 and 5 focus on the day-to-day attempts to cure the drug addicted criminal. Chapter 4 takes the drug treatment courts as a case study of the ways in which addicts are worked upon. I show that, in the treatment courts, law and psy actors and knowledges circulate within a formalized network. The liberated flow of knowledges and actors in this site serves to exacerbate the rationalities and practices of care and control carried out on the court "clients." Through this network, typically legal actions, such as placing someone in prison, are directed by therapists for therapeutic purposes and vice versa. The power of these knowledge exchanges raise concerns about the protection of the criminal addict both as an accused person and as a therapeutic client.

The final chapter concerns the practices of self performed by the criminal addict. I draw on data from the DTCs as well as interviews with probationers to reveal the constitution of the addict identity as a strategy of governing. Having people in conflict with the law accept this identity mobilizes an

entire strategy of intervention that centres on practices of self-care as a means of achieving addiction recovery. The addict identity traps people in this strategy. People caught deploy a range of self-care practices, some of which reflect those directed by governing authorities and others of which serve to maintain counter-selfhoods or to subvert the governing strategy.