

BOOK REVIEW/COMPTE RENDU

Dawn Moore, *Criminal Artefacts: Governing Drugs and Users*. Law and Society Series. Vancouver: University of British Columbia Press, 2007, 208 pp. \$32.95 paper (978-0-7748-1387-7), \$85.00 hardcover (978-0-7748-1386-0)

Criminal Artefacts is a book about practices of governing the “criminal addict,” a figure who Dawn Moore defines as “so wholly unremarkable, so completely taken for granted, that questions are rarely raised about why she is a feature on the landscape at all” (p. 2). According to Canadian Correctional Services, almost 80 percent of those incarcerated are said to have substance abuse problems that correlate with their criminality, a claim that frames an increasing number of addiction treatment orders placed on offenders in Canada, the establishment of several in-house addiction treatment programs in federal and provincial prisons, and the operation of six drug treatment courts (DTCs) in Ontario and British Columbia. In *Criminal Artefacts*, Moore seeks to challenge the correlation between drug use/addiction and crime. She allies herself with critical criminologists who are skeptical of the supposed “criminogenic” properties of drugs, but Moore’s aim is to explore how and why the criminal addict has become a key target in efforts to eradicate crime in Canada and to examine the practices, or governing strategies, that have been deployed to accomplish this goal.

Moore begins with an important question: If we live in a period many characterize as “post-rehabilitative” — that is, a period in which penal welfarism is dead, alongside social welfarism — how is it that criminal justice systems continue to try to treat and cure addiction? In her answer to this question she challenges the “new punitiveness thesis” and “new penology” theory that depict the present-day criminal justice enterprise as capable of little more than basic warehousing and crude practices of control. Moore rejects these “metatheories,” arguing that they obscure subtle but significant points of continuity and change in penal practices. She pursues an alternative analytic framework in *Criminal Artefacts* that avoids normative claim-making about more or less humane penal regimes and is attentive to the “messy constellation of practices and rationalities” that constitutes them. To this end, she borrows conceptual tools from Foucault, Latour, and Goffman.

Using Ontario as a case study, Moore argues that the Canadian criminal justice system has continued to engage in a “project of change” since the 1950s. Through an analysis of archival data and interviews with key informants from Ontario’s Ministry of Correctional Services, she describes the introduction of recovery-oriented treatment programs in Ontario prisons during the postwar period which were based on the assumption that “the criminal addict is a sick individual who, in order to be rehabilitated, is in need of total intervention” (p. 33). The aim of total intervention — which included education and training, individual and group psychotherapy, art and music therapy, and “encounter sessions” amongst other techniques — continued to guide correctional methods in Ontario until “the bleak 1980s,” characterized by economic recession and the rise of conservative politics. The “get tough efficiency” of the 1990s led, in turn, to the systematic rationalization of correctional services in Ontario. The introduction and widespread adoption of Cognitive Behavioural Therapy (CBT) during this period of political and economic change is significant according to Moore. Championed as an effective and efficient intervention capable of addressing a variety of “problematic behaviours,” Moore argues that cognitive behaviourism sustained the project of change through economically lean times and a shift in political sensibilities.

Moore goes on to argue that directing curative intervention at addiction rather than criminality is politically strategic. If addiction is the root of criminality, then widespread social change is not necessary to eliminate the crime problem; all that is necessary is getting people to stop using drugs. Through her observations of Toronto and Vancouver’s drug treatment courts and her analysis of Ontario’s Substance Misuse Orientation Program for probationers (notably titled “Change Is a Choice”), Moore offers a detailed analysis of this logic in practice. Developed as part of a broader therapeutic jurisprudence movement, drug treatment courts aim to “close the revolving door on crime” by curing addiction (p. 93). They bring together legal and therapeutic experts, who work as a team to monitor court clients’ progress in drug treatment. Ontario’s substance abuse probation program attempts to address “those criminogenic factors known to correlate highest with recidivism” (p. 131). Based on the influential Stages of Change theory of addictive behaviour, the program is designed to help offenders recognize their behaviour as addictive and thus foster their motivation to change. Moore demonstrates that in both of these initiatives, the elimination of crime is not the main goal. Instead, the therapists, judges, and probation officers involved seek to re-make the criminal addict into a drug and alcohol-free subject capable of self-regulation.

In this sense, *Criminal Artefacts* makes two key, interrelated arguments about the shape of criminal justice in neoliberal societies. Moore argues that addiction has become the pervasive criminogenic factor it is today because it can be easily identified (through standardized testing and urine screens, for example), and efficiently targeted (through specialized interventions and programs). Seeking to prevent addiction, rather than crime, preserves the benevolent face of criminal justice in Canada, where broader, socially oriented interventions have suffered a sharp decline in popularity. Moore maintains, however, that the rehabilitative project is alive and well in Canada, albeit in neoliberal form. She suggests that interventions like Ontario's probation program and DTCs challenge the punitive turn hypothesis, or the idea that neoliberal states have eschewed the aim of reforming offenders in favour more austere forms of punishment. In making this second argument, however, Moore does not address the fact that the interventions she studies target only a small minority of so-called criminal addicts. This is despite the fact that she reports DTCs are highly selective in their choice of clients, enrolling only those who are highly motivated and likely to "do well" in the program. The question that *Criminal Artefacts* leaves unanswered, therefore, is what becomes of those who are not identified as having the potential to become rational, self-regulating, drug-free subjects and whether the answer to this question lends any support to the punitive turn hypothesis.

Criminal Artefacts is an important book for the simple fact that it offers unparalleled insight into current practices of governing the criminal addict in Canada. More than this, *Criminal Artefacts* is an elegant and concise study of the criminal justice system in action, from the postwar period to the present day; focusing on the criminal addict, the book offers a close look at the therapeutic/rehabilitative project and its evolution in the wake of neoliberalism. Moore bases this discussion on solid theoretical and empirical ground and, as a result, *Criminal Artefacts* will be an important source for critically minded sociologists, anthropologists, and criminologists interested in drug law and addiction, as well as theoretically minded counsellors, therapists, and legal professionals. It provides readers with useful background information on the rise of therapeutic initiatives to treat drug and alcohol addiction within the Canadian criminal justice system. It also offers a unique analysis of the role that cultural perceptions of drugs and their users play in the formation of governing strategies. The book is most compelling, however, due to Moore's critical analysis of new and relatively unexplored criminal justice interventions like DTCs. Here she calls our attention to the fact that legal and therapeutic norms — such as procedural fairness and client

confidentiality — are routinely compromised in the name of curing addiction. This has particularly serious implications for some offenders, like pregnant women who have been mandated to attend drug treatment by DTCs because of their particular “health problems,” even though sanctioning a pregnant woman’s drug use in the interests of foetal health constitutes a rights violation under Canadian law. Moore’s intention is not to engage in a debate about whether governing strategies like this are better or worse than others, but her book will speak to anyone concerned about the forms of punishment and control that are currently being exercised in Canada in the name of therapeutic justice.

DALHOUSIE UNIVERSITY

FIONA S. MARTIN

Fiona Martin is an Assistant Professor in the Department of Sociology and Social Anthropology. Her research focuses on the social significance of different drug-taking practices and current policy debates around drug treatment for pregnant and parenting women. She recently relocated to Canada from Australia, where she collaborated in a federally funded research project on young injecting drug users which explored the social networks and social meanings that inform key moments in drug-using trajectories. She is currently publishing a series of articles on young women injecting drug users’ experiences of pregnancy and motherhood. f.martin@dal.ca