

PUBLIC CRIMINOLOGY IN AN AGE OF AUSTERITY: REFLECTIONS FROM THE MARGINS OF DRUG POLICY RESEARCH

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The idea of academics as democratic underlabourers derives from John Locke's famous *Essay Concerning Human Understanding*. Locke equates the role of the philosopher with that of a groundskeeper or custodian whose task is 'to clear the ground a little and remove some of the rubbish' lying in the way of truths revealed by scientific knowledge. There is a certain irony that this was the assumed role of a thinker as preeminent as Locke, whose contributions to political philosophy alone rival those of scientific luminaries like Newton as among the most important ideas of the Enlightenment. Locke's position has been criticized as sorely understating philosophy's essential contribution to humanity (Winch, 2008).

Philosophy is much more than a method tasked with purely negative objectives like the Lockean imperative to remove impediments to the advance of science. Surely its role is more positive insofar as the philosopher is in a position to facilitate or work toward a better understanding of the world in her own terms. Arguably, moreover, Locke's apparent lack of hubris, and corresponding defer-

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ence to strict empiricism, is less of an admission of the limits of philosophy than a demonstration of its power. The scientific masters he was there to serve would surely never have ascended from the depths of mysticism without the power of revolutionary philosophical ideas.

FOR PUBLIC CRIMINOLOGY? A CRITICAL PERSPECTIVE

The role for ‘public criminology’ is similarly fraught with contradictions, challenges, and trenchant criticisms that are not the primary focus of this paper. Nonetheless, a brief review of arguments presented in the emerging literature on public criminology is warranted to situate the author’s orientation as one who has not previously contributed, identified, nor thought about the issues raised in the same terms before.

The role of criminologists as democratic underlabourers has been articulated variously as one that advocates for scientifically informed ‘justifiable action.’ The primary role is to challenge or question the conventional wisdom in criminal justice, to debunk myths and scare tactics, to evaluate and reframe hegemonic, prejudicial cultural images of the criminal (Loader and Sparks, 2010; Uggen and Inderbitzen, 2010). Put otherwise, the task is largely to attempt to “cool things down”—to appeal to rationality and scientific method, and to create new institutions that might insulate crime policy from the heat of politics and populist demands.

One might justifiably contend that in some cases it would seem more appropriate to ‘heat things up’ a little—domestic violence, for example, abuse of children, the environment, and other crimes committed by the powerful which are often downplayed or neglected by the criminal justice system. Notwithstanding this objection, it does not

preclude commitment to a calm and calculating bureaucratic ethos that fosters use of expertise and evidence-based knowledge, which presumably is optimal for meaningfully informing criminal justice policy and practice.

Loader and Sparks (2010), like Latour (2004), are attentive to the importance of maintaining a skeptical orientation to those espousing promises of ‘evidence-based’ policy, or the desire to replace politics with “calculative devices.” The idea of criminology as a civic enterprise has been rightly challenged by those wary of extending the complicity of academia in serving the technocratic aims of a neoliberal state.

All claims about crime are political in nature, suggesting what is needed is neither better science or management, but a better understanding of the forces that shape these discussions in the public sphere. Being ‘political’ does not mean acting more like politicians, or even more like activists. Wacquant (2011) is unequivocal that it is imperative for the social scientist to maintain independence from the state and political pressure groups, for otherwise engagement is bound to become service, if not servitude, to outside vested interests.

The democratic underlabourer must be committed first and foremost to generating knowledge, rather than scoring political points. The task is to interpret ‘facts’ and other hard-won knowledge and bring it to bear on political issues that are matters of public concern. This role ought not be reduced to simply giving evidence. Academics must maintain the freedom to be critical and be at liberty to refuse to take the world for granted. We can and should be skeptical about institutional arrangements based on ‘common sense,’ or what everybody knows.

The trade-off is that criminologists must put aside illusions of possessing knowledge that trumps other types of claims in public policy debates (Loader and Sparks, 2010). There is a need for more humility in what can be accomplished, coupled with more certitude in asserting our own principles—including, most importantly, to follow our own instincts, rather than conforming to any particular style of engagement or label (Wacquant, 2011).

Such labels are inevitably restrictive, and they fail to capture the fluidity of academic work. Since every social science discipline is ‘public’ by necessity, such assertions are redundant, one might similarly argue. Far from a call to action and political engagement, such developments, for Wacquant (2011), are more like intra-disciplinary turf wars, which confuse the territory marking and politics of the profession with the real world politics and problems of society.

The formation and development of ‘public criminology’ is inseparable from the “field of power” (Bourdieu and Wacquant, 1993) in which academics operate—i.e., within a neoliberal context of degraded work conditions, marked by the devaluation of teaching and research that do not correspond with managerial priorities (Côté and Allahar, 2011). Neglect of institutions is problematic, Wacquant (2011) continues, given the proliferation of alternative knowledge producers.

The influence of ‘think tanks’ has transformed the policy landscape, acting as selective magnifiers that function to buffer politicians from alternative perspectives. Staffed by semi-scholars (e.g., high ranked police as ‘research fellows’), these coalitions capitalize on administrative authority, political connections, visibility, and access to sympathetic journalists.

Against such organizations, specializing in production of digestible soundbites and executive summaries of the kind sought after by state managers, how can so-called ‘public criminologists’ compete? (Waquant, 2011).

New emerging online quasi-scientific journals—with often dubious credentials, editorial boards, and funding sources backed by right-wing political organizations—now seek to level out the playing field by neutralizing critical research and advocacy in the field of power that counts. Cuts to social science research serve a similar agenda, as these reinforce the status quo by limiting resources and the visibility and reach of opposition.

To illustrate, despite the mounting evidence of harms due to drug laws and policing, versus the effectiveness of harm reduction programs, the latter initiatives receive a tiny fraction of the total funding marked for drug use by the Canadian government. Research also receives a thin portion of the budget, with harm reduction programs and research combined accounting for one-tenth of the tax dollars devoted to funding for drug law enforcement (see De-Beck et al., 2007; Hathaway and Tousaw, 2008).

Accordingly, the contexts of production, validation, and reception to academic work require more frank articulation and reflection by criminologists, if we hope to develop a more politically engaged, conducive, and coherent public role. It is important to remain humble, as Wacquant (2011) advises, and follow our own instincts, rather than attempting to conform to a particular style of engagement, or label such as ‘public criminologist.’

Intentions of this sort are not unique to criminology. Nor are they distinctive to the social sciences. Rather they recur throughout the history of science. And typically (predictably) they have not generated much interest or dis-

cussion outside of academia, nor among scholars outside our own respective disciplinary boundaries.

To be clear on my position, I am all for academics assuming an active role in public policy discussions. But it is important that we do not take for granted what that role entails and be as honest as we can be about related challenges and prospects. One must guard against developing too lofty aspirations. At the same time nonetheless, when opportunity comes calling we are professionally and publicly obliged to ‘make it count.’

CONFESSIONS OF A CANADIAN DRUG POLICY OBSERVER

The foregoing observations are consistent with my own experience as a sociologist whose work has, on occasion, been cited or presented in drug policy discussions outside standard academic literature and fora. Similar concerns were raised by Hathaway and Tousaw (2008) in their commentary on the controversy over supervised injection in the city of Vancouver. In particular, they argue for a clearer articulation of the values that inform drug policy discussions. Advocates for law reform in academic circles, accordingly, need not play down the humanistic values and respect for rights informing their position in support of harm reduction programs and initiatives like InSite.

Avoiding moral arguments as a tactical concession, harm reduction has made inroads on pragmatic grounds alone as a necessary step toward drug policy reform in many jurisdictions where confronting prohibition is seen as too politically contentious. Harm reduction is a tactical form of criticism that accepts official definitions of ‘the problem’ but not the remedies employed by status quo supporters. It may therefore be described as a stepping stone towards the more humane enforcement of our drug

laws on the way to more significant or meaningful drug policy reform (Hathaway, 2001).

Maintaining an aura of value neutrality has undoubtedly been useful, or politically expedient, allowing for some common ground that benefits drug users by sidestepping ideological disputes (Reinarman, 2004). Yet, 25 years since setting forth an official mandate to develop more pragmatic drug policies in Canada, support for harm reduction is no less marginal in practice. Indeed, along with funding cuts to harm reduction programs, public health initiatives like InSite in Vancouver have been disavowed explicitly by the Harper government as condoning drug abuse and fostering addiction.

It appears that no amount of data or sidestepping value-laden arguments will resolve the fundamental ideological division between those who seek to challenge oppressive anti-drug laws and those who seek to maintain the war on substance users. With clear evidence that the war on drugs is ineffective, costly, inhumane, and harmful to the user and society, the choice to stay the course as a societal response is ultimately a moral choice with drastic consequences.

A CONSTRUCTIONIST FRAMEWORK

“Public criminology,” criminology in general (and every social science discipline, more broadly, for that matter) is concerned with better understanding social problems and, less often, though not rarely, advocating for solutions. My training in the social constructionist tradition informs my understanding or approach to social problems as being products of collective definition or *claims making*—as opposed to facts about conditions to be determined through assessment of objective evidence *per se*.

From this standpoint, theoretically, even scientific evidence brought to bear on arguments concerning social problems should be seen as part of the claims makers' efforts to persuade (Gusfield, 1981). The constructionist perspective is primarily concerned with what people say about the putative conditions, rather than the so-called facts or truth about conditions, which are the subject of contested or competing sets of claims. Whereas the prevalence of substance use may or may not change, these kinds of facts are less important, for example, than the fact that people understand drug use as a social problem.

Often independently of changes in the actual conditions or objective situation, certain drugs or 'types' of users are targeted as problems by authorities, or segments of the general population in society. From the temperance movement to the reefer madness era(s)—to drug panics about LSD, PCP, and crack, heroin and ecstasy (and model airplane glue)—a wide variety of substances, at one time or another, have generated disproportionate attention and concern.

The target of drug panics, and the ways we understand drugs, have undergone significant transitions throughout history. These are often a reflection of the way we understand drug problems as belonging to a certain type. Different types of problems call for different solutions. Thus it is noteworthy that 'the problem' has been variously defined and understood as a sin or moral failing, as a criminal behaviour, and as a sickness or disease requiring medical attention. Constructionist analyses focus on examining rhetorical styles and strategies to further understanding of the specific nature of the claims making process through which social problems are constructed (see Best, 1987; Ibarra and Kitsuse, 1993).

Gusfield's early work in this tradition emphasizes the influential role of science and scientific experts in legiti-

inating official definitions of drug problems. Writing forty years ago, he observed an evident transition in the US toward what he described as a more rational style of drug policy discourse:

The rules of the game now demand that ideas be set forth in the language and tactics of rational debate and analysis.... It is a game of persuasion. The expert assumes importance in this game because he or she assumed an informed and impartial position. As knowledge is disseminated, it sets limits to the public acceptability of ideas (1975, p. 13).

Research by experts in the drug field can serve to challenge the factual basis for maintaining status quo arrangements and are subversive in the sense that they "...break down the public appearance of a united and consensual society on the question of drug use" (p. 12). Four decades afterwards, however, although the more outrageous claims of the past seem less appropriate than ever in the context of informed drug policy debate, the wealth of scientific evidence continues to have little actual impact on criminal justice policy (see also Blumstein, 1993; Erickson, 1998; Hathaway and Erickson, 2003).

Notwithstanding his assertions to the contrary, moreover, Gusfield (1975, p. 13) acknowledged that in matters of drug policy it appears that "...knowledge makes less difference than conventional theory will admit." More specifically, he pointed out that "...scientific knowledge is only one of a number of factors that bear upon the symbolic and instrumental character of official public action." Recognizing that most claims about social problems incorporate both moral and rational themes (Best, 1987), academic researchers participating in these forums are encouraged to consider using a fuller range and interplay of rhetorical devices (Hathaway, 2002).

Since claims making inevitably involves making certain choices about the kinds of arguments considered most persuasive in light of the specific audience and circumstances, different types of claims have currency in different contexts. Arguably, however, as democratic underlabourers, criminologists ought to be more open about the value commitments that inevitably guide our research and advocacy (see also Gouldner, 1968). Sacrificing deeper moral warrants in exchange for an illusion of neutrality that is rarely respected outside academic circles, and increasingly distrusted by social scientists within them, appears politically shortsighted in this democratizing context. The moral and the empirical are inexorably entangled, for the interpretation of empirical reality ordinarily entails employing certain moral standards (Putnam, 1993).

The following case study seeks to shed light on the value of critical engagement with ideological commitments that underpin the war on (certain) drugs—and, by extension, other forms of crime control, state violence and oppression that raise questions about what is meant by *justice*. With respect to Public Criminology, to be candid, the closest I have come to influencing public policy came early on in a career that is primarily devoted to academic teaching and research—when time allows the latter (which is rarely). In May 2001 I was invited to a hearing to testify in Ottawa as an “expert witness” before the Senate Special Committee on Illegal Drugs. Excerpts from this testimony and other work submitted are cited in the September 2002 report of the Committee entitled, *Cannabis: Our Position for a Canadian Public Policy*.

THE TESTIMONY

The bulk of testimony was derived from data gathered through structured interviews conducted with adult mari-

juana users recruited through an ad in a Toronto free newspaper seeking experienced cannabis users. Study data were presented to the Committee indicating that, even at high use levels, the experience of problems is a relatively low occurrence. In addition to this research, other findings were submitted in the form of academic papers which presented qualitative data from the author's MA thesis—and more ideologically contentious points developed in my recently completed and, at that time, unpublished doctoral work. Excerpts from the studies examining use patterns occupy approximately a single page in total—which amounts to mere footnote—of the 627-page final report on cannabis produced by the Senate Committee.

My other work, presenting more polemical assertions, is not directly cited in the 2002 report. However, (unexpectedly) the Chair of the Committee requested it be outlined in my presentation, so it would be included in the official testimony (in addition to my presentation of the data derived from structured interviews with marijuana users). Thus the testimony is comprised of observations based on an array of social scientific methods. The specific forms of analysis included the use of tables and statistics, inductive qualitative research, and more explicitly interpretive polemical inquiry.

This paper focuses on aspects of the submitted testimony that were deemed by the Committee of sufficient interest to be included in their final report. The invited presentation was prepared for in advance of the Senate hearing in May 2001. New data were presented from a recently completed study that examined use patterns and experiences of marijuana users in the city of Toronto.

SURVEY DATA ON DEPENDENCE

Survey data were presented on a range of drug effects, including self-perceptions of both benefits and problems, utilizing standard measures of dependence and abuse (for further details on the study, see Hathaway, 2003). The findings are interpreted as evidence supporting a non-pathological perspective on marijuana use as rational insofar as, for respondents (n=104), the perceived benefits of using outweigh any adverse consequences they experienced. The most common reasons for using marijuana were for relaxation and enhancement of activities followed by coping with stress and anxiety.

The data showed that there was no significant relationship between levels of consumption reported by respondents and any indicator of dependence or abuse. Users generally acknowledge the potential adverse outcomes and adapt their use levels when problems are experienced. Some participants were worried about developing dependence or respiratory problems in the future. To address these health concerns, the data are interpreted as indicating needs for harm reduction education, and replacing criminal sanctions with a public health approach.

Excerpts from this testimony appear in Chapter 7 of the Senate Report (2002) which examines cannabis effects and consequences. In a section on the topic of cannabis dependence, under the sub-heading *Studies on long-term users*, the following findings appear. Nearly one-third of respondents reported having ever experienced three or more symptoms of cannabis dependence. This is the standard threshold for a diagnosis of dependence, based on the DSM-IV criteria for substance use disorders. When asked about more recent use, however, only half of the group diagnosed 'dependent' had experienced three or more symptoms during the *past year*.

Accordingly, as cited from the transcripts of the hearing:

In light of this finding, the most frequently encountered problems with cannabis have more to do with self-perceptions of excessive use levels than with the drug's perceived impact on health, social obligations and relationships, or other activities. Lending support to the highly subjective nature of his (sic) evaluative process, no significant correlation were found between amounts nor frequency of use and the number of reported DSM-IC (sic) items. For those whom cannabis dependency problems progress to the point of seeking out or considering formal help, however, the substantive significance of perceived excessive use levels cannot be overlooked (p. 158).

The selection of this excerpt, from all the testimony given, suggests that the Committee found the evidence persuasive. The statistical analysis presented indicates that diagnosing cannabis dependence is not easy. Standard diagnostic tools are better at detecting more objective indicators of dependence and abuse that correspond with serious drug problems. Cannabis-related problems tend to be subjective; they are not necessarily related to use levels, nor to the kinds of symptoms found with other kinds of drug use, such as problems with health or meeting social obligations.

The selected findings and interpretation given have important implications for informing harm reduction and treatment services for users with cannabis-related problems. These observations based on findings from a quantitative study were considered interesting enough for the Committee to cite them verbatim in their eventual Report.

In addition to my oral testimony at the hearing, I was invited to submit published articles and works in progress that could be of interest to the work of the Committee. The

documents submitted for their consideration included research papers from a qualitative study which conducted interviews with experienced users who were committed to continuing their marijuana use.

IN-DEPTH INTERVIEWS WITH USERS

Marijuana use is argued to have undergone transition from a practice documented within deviant subcultures to one now widely tolerated throughout most western cultures (Hathaway, 1997a,b). With diffusion of the practice in the general population, particularly among the middle classes, it has become more personal or individually determined. Accordingly, more research is needed to develop a better understanding of how marijuana use develops in the context of conventional everyday behaviour.

Based on unstructured interviews with 30 adult users, this research examines motivations and use patterns. My emphasis was on exploring its use for work and leisure, among other patterns that challenge the assumption that using marijuana is a substance use disorder, or motivated by involvement in a deviant subculture. Excerpts from this study appear in Chapter 6 of the Senate Report, which is on users and uses of cannabis.

In a section labeled use patterns and circumstances, under the sub-heading *Trajectories of use*, the Senate noted the following findings. It is reported that new research shows experienced, long-term users regulate their use independently of other users, integrating marijuana use into their daily lives. As cited in the Report from the article submitted (Hathaway, 1997b):

...moving from a pattern of use that is dependent on one's level of participation with other users to one that is independently regulated marks a crucial transition in the marijuana user's relationship to the drug. (...) their

continuing use of the drug does not necessarily suggest an inability to commit to adult roles. Instead, adapting one's marijuana use to suit an otherwise conventional way of life appears to make the practice significant on a more personal level than that previously fostered through affiliation with marijuana-using groups (Senate, 2002: p. 116).

Thus it was important, in the eyes of the Committee, to recognize perceptions and experiences of users which do not correspond with the perspective that use patterns are determined by involvement in a deviant subculture. Other testimony from the written work submitted, which was not included in the 2002 Report, was nonetheless brought forward at the hearing by the Chair. Accordingly, the witness gave an impromptu summation of the arguments developed in the submitted work in progress (see Hathaway, 2001), followed by a final round of questions from the Committee.

MORAL WARRANTS FOR REFORM

Notwithstanding recognition of his role as 'expert witness' and commitment to developing new evidence-based knowledge, today's disputes about drug policy, according to the witness, are fundamentally moral arguments which cannot be judged according to professional standards of rationality or harm. Whereas liberal reformers commonly concede the immorality of prohibited conduct and then go on to discuss the excessive costs of preventing it, efficiency-based arguments have had little success in reducing the scope of criminalized conduct in practice.

Where decriminalization has occurred—as in the case of contraception, abortion, and consensual sexual relations between adults, for example—it has resulted from a shift in moral judgements as opposed to regard for cost-efficiency assessments. Where moral judgements remain un-

challenged, as with illicit substance use, movement toward decriminalization has been negligible. By contrast a rights-based orientation, with commitment to upholding legal equality and fairness, calls on constitutional protections that put the onus on state regulators and enforcers to justify infringing on personal freedoms.

A fundamental precept of the liberal tradition is that only threats to public safety justify state intrusion or coercion. Intervention must be limited to behaviour that is threatening to civil order or public security, and repressive action by authorities is limited so as to minimize disruption of citizens' rights. The scope of criminal law is restricted such that acts may be made criminal only if they inflict concrete harm on assignable persons. This means that it is never proper to criminalize an act solely on the grounds of preventing harm to the actor or because the act is seen as offensive by others.

To say that a person has a right to use drugs is not to assert such a right should be exercised. To assert the existence of such a right is rather to make a legal-political claim that the conduct must be protected from coercive prohibition by the state. Respect for the right to use drugs preserves individual experience from a cultural hegemony rooted in an absolutist conception of public morality. Accordingly, reformers should be more explicit about promoting arguments that challenge prohibition by seeking to uphold constitutional protections—such as the “right to life and liberty and security of the person” which is guaranteed in Section 7 of the *Charter*.

Invoking social norms of tolerance and respect for personal freedom, advancing the drugs debate in Canada and other western nations is, arguably, contingent on developing more liberal normative interpretations of protected rights and freedoms. ‘Rational’ assessments of the problem, utilizing ‘value-neutral’ arguments and scientific

data, are accordingly in need of a rhetorical foundation that denounces prohibition as a morally objectionable intervention in the private lives of individuals. Although such a strategy is boldly out of step with the noted trend toward more use of scientific arguments, a human rights perspective is as viable in western culture as the continuing commitment to criminalizing substance users and appeals to value neutral warrants for reform.

To illustrate the argument, a 1997 landmark court case that challenged the legitimacy of existing marijuana laws (*R. v. Clay*) was examined by the witness in the written work submitted. Considering both factual and constitutional assessments of arguments presented to the Court, more weight was ultimately given to upholding normative standards than to the weight of scientific evidence submitted. To find guidance on questions concerning the enforcement of morality, it is essential that we must look beyond conclusions based on ‘science’ to larger normative debates in law and politics about power and autonomy, equality and freedom, and other social values that give meaning to the evidence about what kind of arguments ultimately matter.

Drawing on insights from constructionist theory about the role of claims making in shaping social problems, the above case study of the Clay trial indicates that arguments for law reform based on rationality are limiting because they lack a foundation of accepted principles from which to maneuver in legal-political arenas. Whereas evidence-based arguments have certain advantages in the context of ostensibly rational debate, the underlying issue of personal autonomy is ultimately central to drug policy debates.

As a matter of strategy, it is thereby essential to articulate an understanding of the ‘problem’ in which freedom to pursue one’s own ends, including use of drugs, without

undue interference takes on primary significance. From this standpoint, it is argued that challenging anti-drug laws requires commitment to developing a morally invested rights-based perspective on drug policy in Canada.

INTERPRETATION AND DISCUSSION

To summarize in general terms, the testimony given is that marijuana users are responsible and rational, and that it is important to respect their motivations, perceptions and experiences of use. Criminal justice policy development would benefit from further recognition that drug users have rights, and that drug users have voices worth hearing. The persistent ‘us’ versus ‘them’ point of view overlooks the obvious, but nonetheless worth raising, objection that drug ‘users’ are parents, siblings, sons and daughters. Put otherwise, drug users are first and foremost people too. Academics accordingly have an obligation to challenge and compel the powers-that-be to listen.

The data that were shared at the hearing by the author, in a ‘value-neutral’ way (as protocol suggests is an expectation of any ‘expert witness’), are combined with arguments informed by more polemical moral-legal judgments and assertions. The research that the witness was invited to present might be considered more ‘objective’ than the qualitative study (which was not discussed directly at the hearing but nonetheless included in the subsequent Report). Evidently in-depth interviews with 30 cannabis users (who were friends and friends-of-friends of the researcher as a student) were no less convincing or persuasive than the data from the later, larger survey using quantitative methods.

Both types of data naturally have strengths and limitations. The latter are considered more reliable and valid, and representative of users in the general population. The

qualitative data are more detailed and descriptive; they are considered more subjective, open to interpretation, and subject to the biases of the interviewer. Despite the limitations of the study, still the interviews gave a voice to marijuana users who would not otherwise be ‘heard’ by interested politicians. This suggests the qualitative research was at least as equally compelling, in the view of the Committee, as the survey data and statistical analysis presented by the author in his primary report.

One might also argue that the qualitative data were neither more nor less persuasive, but rather served to complement the findings from the survey. In turn, the survey data, in combination with the interviews, gave a fuller picture of marijuana users than either method alone could provide. Furthermore, the more polemical statements by the witness (which he viewed as secondary and submitted as appendices) seemed to correspond with the aims of the Committee, and they requested that he put them ‘on the record’ at the hearing.

Sentiments like these are ordinarily avoided by academics taking part in drug policy discussions. They are not informed by hard or even soft facts, as such evidence is often understood in social scientific terms. These are rather claims informed by values and commitments to the rights and freedoms and constitutional protections ostensibly observed in Canada and other jurisdictions influenced by democratic principles. From this perspective, prohibition is an affront to human dignity and a violation of fundamental human rights.

No amount of scientific reasoning or argument can influence these principles of fundamental justice. They are essentially contested ideological commitments, of the kind in opposition that justify the drug war. It needs to be asserted that these values are not just viable, but *more* legitimate than those that seem to favour prohibition. They

have the moral weight of deeper values and convictions that are necessary to challenge overreaching drug laws.

Value-neutral arguments and scientific data are in need of a rhetorical foundation based on values that ultimately give meaning to the work of criminologists. In this light, it is noteworthy that the Senate Committee argued for developing a set of guiding principles to inform drug policy discussions in the future. As concluded in the final report of Committee (2002, p. 50):

...public policy on illegal drugs, specifically cannabis, ought to be based on an ethic of reciprocal autonomy and a resolve to foster human action. It ought to defer to criminal law only where the behaviour involved poses a significant direct danger to others. It ought to promote the development of knowledge conducive to guiding and fostering reflection and action.

Therefore the ideological arguments submitted were consistent with their overall objective to consider democratic principles and values in addition to scientific evidence or facts. From my own perspective as an academic advocate for meaningful drug policy reform, this is an indication of endorsement for the view that academics on the outside or the margins of these fora ought to be encouraged by the prospect of employing a broadening array of rhetorical resources in stating policy positions as independent ‘experts.’ Avoiding moral warrants for reform is less authentic, and thereby less strategic in some ways, than being open to engaging in discussions about values.

In today’s austere neoliberal context, it is increasingly important that social scientists endeavour to develop and articulate foundations for inquiry informed by left-liberal ideological commitments. As democratic under-labourers, public criminologists ought to be as humble as John Locke was in asserting their role as independent academics. While it may amount to sorting ‘rubbish,’ that role gives

us the freedom to be open about having certain values, and an array of powerful tools at our disposal.

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