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Criminal Constructions of Drug Users

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INTRODUCTION

Criminology, in its reliance on legalistic definitions of drug users and abusers, its study of the poor and powerless "users," and its exoticization and differentiation of the objects of study, has helped construct particular images and definitions of drug users. The concepts of drug users and subcultures have been reified, appearing as if they are real entities. Arguably, such images and connotations are produced largely through the media (Brownstein 1996; Reinerman and Levine 1997). But less recognized is the role that researchers and scholars play in the production of these images. This chapter seeks to identify how some academic research, criminology in particular, may contribute to the creation of drug-user identities.

Scholars are increasingly recognizing criminology's role, or at least complicity, in the actual production of criminal categories and images. Criminology's foundation in individualization and differentiation (Garland 1985, 115) and its corresponding methodologies has encouraged a particular constructed view of the world and the criminals inhabiting it. Critics have argued that criminology's reliance on government funding subjects its "agenda" to the influences of legislators', policy-makers', and practitioners' current concerns (Maguire 1997, 141). Milakovich and Weis (1975) even argue that to predict the findings of any study, one need only know the agency conducting it, the method of funding, and the implicit values to be upheld. Or more insidiously, the social scientist cannot help but simply defend the reality of his or her world—thus reproducing that reality under the guise of

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social science (Taylor, et al. 1973, 33). Regardless, the conclusion of many critics is that much knowledge is an artifact of the way it was produced.

Because any account of a phenomenon can disqualify other accounts (Miller 1993), presenting only certain patterns of drug use within particular contexts could well ignore the infinite other possible presentations. Thus, criminological practice creates certain truths about drugs and drug users (Goode 1972). The focus on causation and identifying differences, coupled with a historical tradition of fear and misunderstanding of certain drugs, has led to pathological images of drug use in much criminological writing.

By no means is criminology, or more generally academia, singularly responsible for the construction of images of drugs or drug users. First, criminology is obviously no monolithic entity engaged in a narrow and closed study. Within the field, there are many different approaches to the study of drug use. Nor has the discipline remained static over time. There have been, however, some discernible approaches in enough of the mainstream publications to justify an analysis of how criminology may be influencing the construction of drug-use images.

Second, criminology is not constructing these images in a vacuum constrained only by methodology and personal choice. Researchers are working and living within a cultural milieu characterized by prevailing assumptions about illicit drugs and users. In other words, when researchers think of "drug users," they are already prejudiced by certain cultural connotations—addiction, disease, violence, hedonism, and so on—associated with the term. The nature of this context and the resulting constructs serve as the subject of this chapter.

Nor do the constructed objects passively accept their identities. Certainly, the law, media, public, and drug users themselves have all played important roles in the development of drug subcultures. The interaction between media and criminal justice officials in creating images of drug users and drug panics has been well-documented by researchers (Brownstein 1996; Reinerman and Levine 1997). Moreover, Becker (1963) and others have noted the importance of moral entrepreneurs in constructing the identities of deviants.

The intervening effects of criminological research and theory in the study of drugs, however, have been underinvestigated. Phillipe Bourgois (1995, 18) points out that "under [a] . . . microscope everyone has warts and anyone can be made to look like a monster." By submitting drug users to the scrutiny of field observation and/or surveys, researchers call attention to and emphasize a distortion of the users' personal foibles and idiosyncrasies, thus perpetuating the myth that drug users are somehow pathologically different from other individuals. This chapter explores how and why criminology, as practiced in the United States, produces these images of drug use and users.

RESEARCH METHODS

The criminal justice system's current shift toward "know-nothing managerialism" (Cohen 1992, 19) has fostered a return to emphasis on simple measurement of phenomena (i.e., the predominance of numbers as a descriptive medium; Maguire 1997). Various instruments developed to measure drug use such as the Arrestee Drug Abuse Monitoring Program (ADAM), the National Household Survey on Drug Abuse (NHSDA), Monitoring the Future, and the Drug Abuse Warning Network (DAWN) present little more than trends in the magnitude of use. Thus, reliance on the criminal justice system, which assumes any increase in use is bad and any decrease is good, will lead mainstream criminology farther away from any understanding and closer to mere descriptives of broad trends.

Causation
difference

moral
entrepreneur

historically Additionally, the task of the "expert" criminologist has included not only explaining deviance but also reforming it. Viewing any illicit drug use as behavior in need of correction, criminological research is usually only interested in finding what makes drug users different from nonusers in order to stop all illicit drug use. When viewing the object of study through the legalistic definition of drug abuse, criminology often fails to appreciate the subjective distinctions between use patterns as understood by the users.

Cit Eve Sedgwick's (1990) work on homosexuality suggests a means for considering drug research. She notes that the study of homosexuality is problematic because there are few people or institutions studying it that see homosexuality as a positive, much less prized, trait. Studies rarely provide advice on how to make sure one's kids turn out gay. On the other hand, there is an "unimaginably" large number of institutions endeavoring to prevent it (Sedgwick 1990). Similarly, with a few notable exceptions in the growing approach of harm reduction, very few researchers are concerned with how to encourage responsible drug use. Instead, drug use is studied with the goal of prevention and the eradication of certain drug users.

This is why Sedgwick is wary of studies of homosexuality. As long as cultural norms view homosexuality as pathological, any causal model—for instance, the nature/nurture debate—will be engaged under the assumption of pathology. This influence of culture prevents any science from being truly "objective" or value free. Thus, researchers can transform learning theory into epidemiology: "'Heroin use—like marijuana, alcohol, cigarettes, slang, clothing fads and popular music—spreads within groups of closely associated youths by a process of peer emulation and influence' [Hunt and Chambers 1976, 3]. Or to put the matter a bit differently, drug use spreads like an infectious disease" (Wilson and Herrnstein 1985, 371).

One might be hard pressed, however, to find this "disease model" applied to the spread of popular music or clothing fads. Infectious disease is reserved for explaining illicit drug use.

In their discussion of control theory, Gottfredson and Hirschi (1990) likewise allow prejudicial assumptions to taint their analysis. These assumptions lead them to take the drugs and crime relationship out of its political and legal context by simply connecting the two through an underlying shared trait. According to the authors, "Crime and drug use are connected because they share features that satisfy the tendencies of criminality. Both provide immediate, easy, and certain short-term pleasure" (41, emphasis added). Yet, all recreation can be described this way. Recreation is defined as nothing more than any play or activity "that amuses oneself." Monday Night Football or "Must See TV," renting movies, and going to the opera all satisfy the basic human urge for amusement, yet these activities are conspicuously absent from the discussion. An implicitly problematic explanation is reserved for recreation (or any desire) conventionally defined as deviant.

Is drug use somehow more recreational because it is more effective or more fun? Certainly, the process of acquiring, preparing, and consuming drugs is more difficult and requires more planning than going to the movies. Hirschi and Gottfredson allow cultural definitions of drug use as hedonism to taint their discussion and then further perpetuate this definition under the mantle of social science.

This desire to explain drug use—to search for its causes—results in a continuous stream of publications showing whatever statistically significant (though rarely robust) differences between users and nonusers that can be found. In fact, journal editors are unlikely

to publish studies that do not find significant differences (Spender 1981). One feminist editor of a journal points out the problem in the study of females:

It becomes very difficult to have findings of 'no difference' reported in the literature, because if the purpose of research is to find where [the objects of study] are deficient, and the deficiency cannot be located, then the experiment can be classified as a failure (rather than as a 'break-through' to a reconceptualization of the problem). (Spender 1981, 192)

Studies failing to find differences between users and nonusers fail to find causation, which is the primary mission of criminological theory. The publication of only those studies that find "significant" differences continues to construct the separate categories of users and nonusers according to a growing array of tested variables. Assuming their own cultural expressions and identities as the norm, dominant groups, including criminologists, then construct these discovered differences as dysfunction (Young 1990, 59). Illicit drug users then become identified as the problematic "Other."

Thus, the literature is filled with studies demonstrating differences between drug users and nonusers without ever really telling us very much about the users or their subjective experiences. For instance, social learning theory has been tested countless times by the study of adolescent marijuana use (Akers and Cochran 1985; Akers et al. 1979; Winfree et al. 1989; Bahr and Hawks 1993). The studies repeatedly find that one of the best predictors of marijuana use is the extent of association with other marijuana users. Although these studies may help in testing theory, for example, by comparing the effects of social control variables versus social learning variables, they are of little use for a better understanding of the subjective experiences of drug users and they serve to enhance the mirage of the users' Otherness.

Studies investigating the differences (or the causes of use) between drug users and nonusers also develop a system of *auxiliary* traits (Becker 1963) that seem to distinguish between the two. Users are identified, not because they use certain drugs of interest, but also because the discovered differences purportedly leading them to use the drugs provide further secondary characteristics of users. The predictors of use are then seen as secondary social and psychological characteristics of users.

So now, users under study are different from nonusers on as many variables for which the researcher can fit into the statistical model and find significant results. These auxiliary traits then come to further distinguish users from nonusers. Marijuana users are not distinct just because they use marijuana but also because they share other characteristics such as low self-control (Gottfredson and Hirschi 1990), impulsivity (Wilson and Herrnstein 1985), or retreatism (Merton 1938).

In this way, research and the public policy it supports has defined certain users of certain substances as the Other. This serves the dual purpose of defining everyone else's legitimized substance use as normal and safe while also providing a dangerous Other. Fighting to eliminate (or cure) this Other makes us feel safer. "It is only by exaggerating the difference between within and without, above and below, male and female, with and against, that a semblance of order is created" (Douglas 1966, 4). Meaning is the result of difference and relationship (Storey 1998, 74). Good and moral cannot exist without bad and immoral, or clean without dirty, and so on.

According to Manderson (1995), illicit drug use may represent the violation of boundaries (e.g., the hypodermic needle's cross between the outer and inner worlds) or exclusion.

Manderson suggests that the drug subculture represents an "unwanted construction," which makes the uninitiated uncomfortable. "There is always a certain unpleasantness occasioned by being present at an alien ritual" (Manderson 1995, 803).

These seemingly unwanted constructions are, rather, *necessary* to counteract our fear of actual similarity with "drug users." The Other is not opposed to and facing the subject. It is next to it, too close for comfort (Young 1990, 144). "... [T]he most dangerous Other is always the one least distinguishable from oneself, the one that might really *be* oneself" (Lenson 1995, 8, emphasis in original). It is precisely because anyone can suddenly become a drug user, by the simple act of having his or her recreation labeled as such, that constructing the drug-using Other is so necessary. It establishes one's own identity in contrast, and in the process legitimates one's own means of fulfilling desire. We have reified a drug subculture and exoticized it. In the process of exoticizing, we have distanced ourselves so far as to make ourselves uncomfortable—both because we no longer understand it and because we sense its actual impending closeness.

Moreover, there is a considerable imbalance of studies involving impoverished or powerless groups of drug abusers. Criminological research, in general, focuses on the less powerful segments of society, the young more than the old, and the poor more than the wealthy (Pepinsky and Jesilow 1984). High school drug use surveys and the Arrestee Drug Abuse Monitoring Program in jails focus on the less powerful, more marginalized drug users. It seems quite unlikely that wealthy "respectable" community members, having more to lose, would come forward about their drug use when surveyed by the National Household Drug Abuse survey.

Additionally, the crack scare of the 1980s and the AIDS epidemic led to a further concentration of studies on residents of the inner cities. Primarily urban minorities use crack, and indigent heroin addicts have been the concern for studies about needle sharing and AIDS epidemiology. In reality, however, this is a small minority of the illicit drug-using population. Studies such as Beck and Rosenbaum's (1994) ethnography of mostly middle class ecstasy users are exceptional for their rarity.

The linkage between particular drugs and feared or rejected groups or political causes has historically served as a powerful theme in the American perception of drugs. David Musto (1973) chronicled how (White) American culture, in previous moral panics over some drugs, developed a fear of illicit drugs through their association with undesirable subgroups of society. Cocaine was linked to Blacks, marijuana was linked to Mexican immigrants, and opium was linked to Chinese immigrants. Research focusing on such groups of drug users is both a product of and a contributing force to an historically based cultural milieu associating illicit drug use with poor minorities.

This focus on isolated inner city drug markets allows researchers to make broad generalizations, such as "illicit drug markets are criminal by definition. They are essentially organized around the distribution and use of illicit substances. *In this environment, there is no meaningful definition of community*" (Wilson 1996, emphasis added). When "this environment" refers to socially and economically isolated, culturally disorganized communities, it may very well be true. Such a description, however, would be unrecognizable to members of Adler's (1993) cohesive networks of drug-dealing business partners and friends. For that matter, most drug users in better environmental circumstances would disagree entirely with this characterization of the "drug market."

Racial
Association

There are a number of reasons why research focuses inordinately on addicted and powerless drug users. In the case of harder drugs like cocaine and heroin, many researchers just do not believe controlled use is common or even possible:

The National Commission on Marijuana and Drug Abuse reported in 1973 that 90 percent of Americans disagreed with the statement, 'You can use heroin occasionally without ever becoming addicted to it.' The existence of hundreds of articles about heroin addiction, as opposed to only a few on any other pattern of use, attests to the research community's agreement with that view. (Zinberg 1995, 147)

With titles of books on heroin such as *It's So Good Don't Even Try It Once* (Smith and Gray 1972), researchers do not seem to agree with this view so much as they have perpetuated it. Researchers and professionals are the sources of the information used by the media and public. Although researchers are increasingly recognizing that the number of controlled heroin users may equal or even exceed the number of addicts (Kaplan 1983), historically, researchers simply assumed almost all heroin use was or became abusive (Zinberg 1995).

Most important, the research methods used influence the study population. Many studies use data from Drug Use Forecasting (DUF) or Arrestee Drug Abuse Monitoring (ADAM), which track drug-use trends of arrestees. Using a population already overrepresented by the poor and minorities inevitably leads to studies reflecting such distortions. Other studies identify their population through services such as needle exchange programs, publicly provided drug treatment, or other services used primarily by the addicted and poor.

To find and study middle- and upper-class illicit drug users is difficult because they are understandably hesitant to come forward about their use. Usually, such individuals are found once they have entered treatment for drug-abuse problems. (Exceptions, of course, do exist. See, for example, Siegel 1977, and Beck and Rosenbaum 1994, to name just two.)

Finally, some criminologists may be hesitant to acknowledge and study successful individuals who are controlled users of illicit drugs because they present, according to the U.S. Office of National Drug Control Policy, "a highly contagious" example to potential drug users (White House 1989, 11, emphasis in original). Zimring and Hawkins (1992, 16) point out that it is the nonaddicted drug users "who are most conspicuously thumbing their noses at the state authority."

Grace (1986) suggests that social scientists rarely verbalize any explicit discursive assumptions (about illicit drugs and users). That is, there seems to be little reflexive acknowledgment of the discourse's own kind of coincident biases toward the objects of study. Instead, sometime in the past "someone began talking as if such and such things were true. In good time others followed the lead, accepting some of the same terms and metaphors and adding more of their own, until eventually a full-fledged jargon of the familiar sort came into being" (Grace 1986, 20). The turn-of-the-century moral crusades against opiates, cocaine, and marijuana set the foundation for popular perceptions of and professional inquiry into illicit drugs and drug use. Criminologists have simply built upon it.

In his seminal work on *Orientalism*, Said (1978) suggests that a scholar is just a specialist in a particular field of knowledge already constructed historically and culturally by an entire society. Before criminology or sociology began studying illicit drug use, American culture had already developed a fear of drugs—particularly when associated with disadvantaged and feared groups. The anecdotes of the early 1900s, telling of violent crimes committed by kids while high on marijuana and of violent black males who could not be

Other
ness

stopped by bullets while high on cocaine, helped to build a tradition suspicious of unconventional drugs. Therefore, studies of disadvantaged minority drug users and studies aiming to "correct" the drug-use problem speak to a common sense notion of drugs held by the general public and its professionals. New continuing studies of the same style further reinforce and restate cultural norms that were almost a century in the making.

LANGUAGE AND THE DRUG USER

Drugs, and even more so drug users, have been constructed through legal and cultural processes. In popular media as well as academic research, people who use legal drugs are not called drug users whereas those who use illegal drugs are. Someone who smokes tobacco is a *smoker*, but someone who smokes marijuana is a *drug user*. Though both substances are recognized as drugs, one *smokes* cigarettes, whereas someone else *uses* marijuana.

The academic literature often uses drug use and abuse interchangeably when discussing illegal drugs. Legal definitions of drug abuse—any use of illegal drugs—have come to provide the analytical definitions for many researchers, regardless of the actual behavior patterns under study. Scholars talk of certain populations being at a "higher-than-average risk of drug use" (Zimring and Hawkins 1992, 198, emphasis added). "Risk" emphasizes only the potential dangers of drug use and is generally reserved for proscribed drugs.

Language plays a most important role in society and culture. It constructs reality (Grace 1986). Criminologists, while in the process of studying a reality, actually play a role in creating it through the discourse of the field and use of language. The contexts of discussions involving drugs or drug users influence their conceptual elements and thus their very meaning. The issue here is not so much "faulty" research on drug use as it is the importance of how drug use is talked about even if it is not the object of study per se.

For instance, a criminological essay about domestic abuse off-handedly mentions the importance of arresting "drug dealers, thieves, and rapists" (Hirschel et al. 1992). The idea of drug users now includes, at least peripherally, murderers and rapists. Likewise, a textbook on criminal justice lists the "basic rules of society: do not murder, rob, sell drugs, commit treason" (Cole and Smith 1998, 404). Again, selling drugs is associated with the most serious predatory crimes and even treason against one's country.

In a discussion of peacemaking methodology, Caulfield and Evans (1997) list the "core issues" related to "drug-oriented behavior" including "alienation, a drug-oriented culture, an addiction-based culture, instant gratification, cure-alls via over-the-counter medication, and economic structures that place more value on drugs than on employment with a realistic minimum wage" (106–107). Doubtlessly, such variables are associated with drug abuse and some drug use, but the absence of any benign or even neutral "causes" of drug use represents cultural assumptions rather than any attempt at a thorough listing of variables associated with drug use.

Another example is provided in Wonders's (1999, 118) discussion of an aspect of "positionality," through which we attribute meaning to things that then take on those given meanings:

If the state claims that young people who use drugs are criminal (rather than 'ill,' as is done in many other industrialized countries), then the state has played an active role in shaping the identity of teenagers and others who used drugs—it has changed who they are.

addiction
metaphor
in
culture

While describing how the state imposes a criminal meaning on drug use, Wonders charitably offers up an alternative identity—sick person. In her own discussion of positionality, she has criticized one definition and suggested another (a dubious improvement for the user) to take its place. Rather than merely being a criminal, a drug user may now be sick instead. This is exactly how scholars can unreflexively construct identities of their objects of study—even while being critical of how others are doing it. These are studies in which drug use is not even the focus of study, yet it is talked about in ways that conform to popular images of illicit drug use, thereby further reifying those images.

Supporting the continued prohibition of illicit drugs, Wilson (1990, 28) argues that if illicit drugs are legalized, “to the lives and families destroyed by alcohol we will have added countless more destroyed by cocaine, heroin, phencyclidine (PCP), and whatever else a basement scientist can invent” (emphasis added). In a sentence, Wilson manages to perpetuate particular images of the illicit drug scene (even if made licit). It is probably not accidental that marijuana or LSD was not mentioned in the list of illicit drugs that will destroy lives. Again, the “hard” drugs, like heroin, cocaine, and PCP stand in as representatives for the whole gamut of illicit drugs.

More important, the imagery of a “basement scientist” connotes something unsavory or dirty about the class of drugs to which he refers. Although pharmaceutical companies are responsible for the development and current production of the majority of abused drugs, Wilson clearly identifies drugs of abuse as illicit/underground drugs.

The use of this imagery draws on cultural preconceptions about illicit drugs and concurrently adds new dimensions to the connotations of “drugs.” Drug users are not just people who ingest chemical entities that alter their physiology, they are symbolically associated with disease, the subterranean, and low self-control. “The images which we associate with drug use have taken on profound emotional significance partly because of the kinds of things they have come to symbolize and partly because this symbolism is fraught with ambiguity” (Manderson 1995, 800).

DIRECTIONS IN RESEARCH

Of course, not all research perpetuates the hegemonic notions of drug-user pathology. Much critical work has challenged these images of drug users, and the growing literature on harm reduction suggests new directions for research on drug use. Works such as Reinerman and Levine’s (1997) edited book *Crack in America* and Beck and Rosenbaum’s (1994) study of Ecstasy users help expose the myths and panics surrounding certain types of drug-use behaviors, as well as class, race, and other biases underlying these reactions. Grossman and associates (1974) have identified some positive character traits associated with marijuana use among college students. They found that openness to experience and creativity were associated with moderate marijuana use, where as nonusers were more authoritarian and “narrow in interests.”

Deconstructing pathological motivations behind certain legal and public reactions to specific drug-use behaviors also allows a more informative critique of public policy. Moreover, recognizing the positive motivations behind drug use and the pathological motivations behind the unequally enforced prohibition against some drug use helps balance the conversation. Identifying healthy drug-use patterns can inform our approaches to dealing with destructive drug use. Perhaps there are no good or bad drugs, only good or bad relationships

with drugs (Weil and Rosen 1998). Doubtless, there is a relationship between components of unhealthy drug use and unhealthy policy responses to drugs.

With its focus on pathology and correction, research runs the risk of essentially having nothing to say to the large number of people who do choose to use drugs regardless of the messages. Research itself, then, may actually contribute to drug-related harm through its sheer irrelevance (see Cohen 1993, 68). The growing movement toward harm reduction is based on the recognition that many policy and research approaches to some drugs may indeed be responsible for some of the problems with which those drugs have been associated.

In harm reduction, drug use is viewed as neither right nor wrong. It is simply one of a multitude of behaviors in which people engage. Though some proponents of harm reduction may view abstinence as an ideal, they focus on the more immediately realistic goal of reducing the harms related to the use of substances. Recognizing that we cannot eliminate drug use altogether, harm reductionists aim to minimize its potential dangers (Rosenbaum 1996, 10). That is, harm reduction focuses on decreasing risk and severity of adverse consequences of use without necessarily decreasing the actual level of consumption (Single 1997).

Risk reduction programs in Europe and Australia are based on a morally neutral view of drug use. Rather than condemning the use of certain drugs, the programs seek to discover how unhealthy relationships can be avoided while perhaps encouraging healthier drug use. Drug users themselves have built much of the harm reduction movement. In fact, it is the users who have historically shared the norms, traditions, and mores that have helped others minimize the negative consequences of drug use (Becker 1963; Zinberg and Harding 1982).

Research must seek appreciation for the subjective realities of drug users themselves. The challenge lies in finding ways to conduct research with and learn from illicit drug users without objectifying or pathologizing them (Whiteacre and Pepinsky 2002). Peacemaking criminology and its emphasis on balanced conversation, or drawing out the voices least heard (Pepinsky 1998), can provide a foundation for new approaches. Drawing out the voices of drug users suggests looking for ways to allow them to tell their own stories. It becomes a discourse of drug users rather than about them (Whiteacre and Pepinsky 2002).

Until the cultural constructions of drug use and drug users are recognized and dealt with, there is little hope for meaningful policy reform. Without new methodologies and approaches in research to build links with drug users of all types rather than just those in prison or treatment, policy will continue to reflect the assumptions of prejudice and ignorance.

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