

# WAR ON DRUGS

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## INTRODUCTION

The term 'drug' has now been given a new connotation. It was used originally to mean 'medicine'. The term 'drug' means not only medicine, but also the fatal narcotics that include cocaine, heroin, brown sugar, and many other specifications. All these drugs have their evil effects on the mind and body cells of the addicts. The young generations, particularly teenagers, are the worst victims of evils of Drug Addiction.

## Meaning of Drug Addiction

Drug Addiction (also called substance use disorder) is a brain disease. The addict becomes dependent on the drug. The addict uses it, despite having full knowledge of its harmful effects on health. It is considered a brain disease because it changes the structure and functioning of the brain. There is an uncontrollable desire or craving to consume the drug. Addicted people often engage in compulsive behavior to obtain the drugs. The addicts find it impossible to control the drug intake. In case of drug abuse, people start taking drugs in larger doses than the recommended doses. The addict is not able to discharge his day-to-day responsibilities in an efficient manner. It affects both the physical and mental health of the addict. Very often, addicts witness extreme changes in body weight. Very often, the addict stops socializing. Sometimes, drug addiction is also referred to as drug dependency since the addict develops dependency or addiction for a particular drug.

## Causes of Drug Addiction among Youth

The reasons why a young person gets addicted to these harmful drugs are many. Curiosities, desire for pleasure, social excommunication, mental gap, lack of self-reliance are some of the reasons why these youth become a drug-addict. Lack of self-confidence, that is inferiority complex, has been marked as cause of one's becoming a drug addict.

Peer pressure, excessive stress, lack of parental involvement in child's activities, are among the leading causes for drug addiction among youth and teen people. The problem of drug addiction is all the more serious because the addicts are mostly young school or college going boys and girls, the future citizens of a country, on whom will depend in future its welfare and the welfare of its people. So, it is imperative to see that such young boys and girls may be no means fall victims to drug addiction.

## EFFECT ON SOCIETY

In our society, the menace of drug abuse and addiction is fast catching up the youngster and teenagers. Every day there are reports in the newspapers how the racket of drug traffickers is caught. There are international gangs operating in drug trafficking as it gives ready and big money.

There are other drugs which the addicts inject in their veins. There are outlets where such drugs are available by the backdoor. The addicts know their supplier. The addiction to drugs is also a growing menace. It has negative effect on the mental and physical health of the individual. The drug addict is not looked upon with respect in the society. One who gets addicted to it cannot do without it.

He gets badly upset if he does not get his dose and do anything to have the kicking dose. People addicted to drugs have been found to be selling out everything to fulfill their urge – without their dose they lie listless and lost. One got into the habit and the addiction, no inhibitions; no restraints can stop the addict.

They lose the joy of life in seeking this false 'Kick'. They lose money and health. They often pilfer money from home or seek it by unlawful means.

Drug problem is the leading cause for the increase of violence in the society. The drugs addicts find it tough to behave normally in social environment. A person who abuses drugs loses his confidence and self-esteem.

## Teen drug abuse

Teenage girls and boys easily fall a prey to such menaces, knowing not that they are risking their health and running their lives. Young boys and girls who seek company outside their homes easily get caught by the drug dealers. Once caught, they become a part of the racket.

## DRUG ABUSE IN INDIA

June 26 is celebrated as International Day against Drug Abuse and Illicit Trafficking every year. It is an exercise undertaken by the world community to sensitize the people in general and the youth in particular, to the menace of drugs. The picture is grim if the world statistics on the drugs scenario is taken into account. With a turnover of around \$500 billion, it is the third largest business in the world, next to petroleum and arms trade.

About 190 million people all over the world consume one drug or the other. Drug addiction causes immense human distress and the illegal production and distribution of drugs have spawned crime and violence worldwide. Today, there is no part of

the world that is free from the curse of drug trafficking and drug addiction. Millions of drug addicts, all over the world, are leading miserable lives, between life and death.

India too is caught in this vicious circle of drug abuse, and the numbers of drug addicts are increasing day by day. According to a UN report, One million heroin addicts are registered in India, and unofficially there are as many as five million.

What started off as casual use among a minuscule population of high-income group youth in the metro has permeated to all sections of society? Inhalation of heroin alone has given way to intravenous drug use, that too in combination with other sedatives and painkillers.

This has increased the intensity of the effect, hastened the process of addiction and complicated the process of recovery. Cannabis, heroin, and Indian-produced pharmaceutical drugs are the most frequently abused drugs in India. Cannabis products, often called char as, bhang, or ganja, are abused throughout the country because it has attained some amount of religious sanctity because of its association with some Hindu deities.

The International Narcotics Control Board in its 2002 report released in Vienna pointed out that in India persons addicted to opiates are shifting their drug of choice from opium to heroin. The pharmaceutical products containing narcotic drugs are also increasingly being abused. The intravenous injections of analgesics like dextropropoxyphene etc. are also reported from many states, as it is easily available at 1/10th the cost of heroin. The codeine-based cough syrups continue to be diverted from the domestic market for abuse Drug abuse is a complex phenomenon, which has various social, cultural, biological, geographical, historical and economic aspects. The disintegration of the old joint family system, absence of parental love and care in modern families where both parents are working, decline of old religious and moral values etc. lead to a rise in the number of drug addicts who take drugs to escape hard realities of life.

Drug use, misuse or abuse is also primarily due to the nature of the drug abused, the personality of the individual and the addict's immediate environment. The processes of industrialization, urbanization and migration have led to loosening of the traditional methods of social control rendering an individual vulnerable to the stresses and strains of modern life. The fast changing social milieu, among other factors, is mainly contributing to the proliferation of drug abuse, both of traditional and of new psychoactive substances. The introduction of synthetic drugs and intravenous drug use leading to HIV/AIDS has added a new dimension to the problem, especially in the Northeast states of the country. Drug abuse has led to a detrimental impact on the society. It has led to increase in the crime rate. Addicts resort to crime to pay for their drugs. Drugs remove inhibition and impair judgment egging one on to commit offences.

Incidence of eve teasing, group clashes, assault and impulsive murders increase with drug abuse. Apart from affecting the financial stability, addiction increases conflicts and causes untold emotional pain for every member of the family. With most drug users being in the productive age group of 18-35 years, the loss in terms of human potential is incalculable. The damage to the physical, psychological, moral and intellectual growth of the youth is very high. Adolescent drug abuse is one of the major areas of concern in adolescent and young people's behavior. It is estimated that, in India, by the time most boys reach the ninth grade, about 50 percent of them have tried at least one of the gateway drugs. However, there is a wide regional variation across states in term of the incidence of the substance abuse. For example, a larger proportion of teens in West Bengal and Andhra Pradesh use gateway drugs (about 60 percent in both the states) than Uttar Pradesh or Haryana (around 35 percent). Increase in incidences of HIV, hepatitis B and C and tuberculosis due to addiction adds the reservoir of infection in the community burdening the health care system further.

Women in India face greater problems from drug abuse. The consequences include domestic violence and infection with HIV, as well as the financial burden. Eighty seven per cent of addicts being treated in a de-addiction center run by the Delhi police acknowledged being violent with family members. Most of the domestic violence is directed against women and occurs in the context of demands for money to buy drugs. At the national level, drug abuse is intrinsically linked with racketeering, conspiracy, corruption, illegal money transfers, terrorism and violence threatening the very stability of governments. India has braced itself to face the menace of drug trafficking both at the national and international levels. Several measures involving innovative changes in enforcement, legal and judicial systems have been brought into effect.

The introduction of death penalty for drug-related offences has been a major deterrent. The Narcotic Drugs and Psychotropic Substances Act, 1985, were enacted with stringent provisions to curb this menace. The Act envisages a minimum term of 10 years imprisonment extendable to 20 years and fine of Rs. 1 lakh extendable up to Rs. 2 lakhs for the offenders. The Act has been further amended by making provisions for the forfeiture of properties derived from illicit drugs trafficking. Comprehensive strategy involving specific programmes to bring about an overall reduction in use of drugs has been evolved by the various government agencies and NGOs and is further supplemented by measures like education, counseling, treatment and rehabilitation programmes. India has bilateral agreements on drug trafficking with 13 countries, including Pakistan and Burma.

Prior to 1999, extradition between India and the United States occurred under the auspices of a 1931 treaty signed by the United States and the United Kingdom, which was made applicable to India in 1942. However, a new extradition treaty between India and the United States entered into force in July 1999. A Mutual Legal Assistance Treaty was signed by India and the United States in October 2001. India also is signatory to the following treaties and conventions:

- 1961 U.N. Convention on Narcotic Drugs.
- 1971 U.N. Convention on Psychotropic Substances.
- 1988 U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
- 2000 Transnational Crime Convention.

The spread and entrenchment of drug abuse needs to be prevented, as the cost to the people, environment and economy will be colossal. The unseemly spectacle of unkempt drug abusers dotting lanes and by lanes, cinema halls and other public places should be enough to goad the authorities to act fast to remove the scourge of this social evil. Moreover, the spread of such reprehensible habits among the relatively young segment of society ought to be arrested at all cost. There is a need for the

government enforcement agencies, the non-governmental philanthropic agencies, and others to collaborate and supplement each other's efforts for a solution to the problem of drug addiction through education and legal actions.

## ILLEGAL DRUG USE AND CRIME

This section of the paper briefly presents the various kinds of links between drugs and crime that may explain the coincidence of these two behaviors. The types of crime associated with the legal status of certain drugs are discussed, including possession, production and purchase of illegal drugs – all of which are indictable offences. Three theoretical models, originally proposed by Goldstein to explain the drugs-violence nexus in the United States, are then examined; these models have since served as a framework to analyze the relationship between drugs and crime. The first model suggests that crime is linked to the psychopharmacological effects of certain drugs; in other words, it refers to intoxication by drugs which are recognized as undermining judgment and self-control, causing paranoid thoughts or distorting inhibitions and perceptions. The second model refers to economic-compulsive crime and suggests that drug users commit crimes in order to get money to buy drugs. Thirdly, the systemic model suggests that crime among illegal drug users is linked to the drug market. Goldstein acknowledged that this tripartite conceptual framework represents possible relationships between drugs and violence and that many other factors may contribute to a person's drug use and criminal activity.

### Link between the Legal Status of Certain Drugs and Crime

#### Canadian data

In Canada, it is an offence under the Controlled Drugs and Substances Act to possess, produce, traffic in, or import or export certain drugs.

Persons who engage in these activities face legal consequences linked directly or indirectly to their drug use. Consequences directly linked to drug use are simple possession offences, while those indirectly linked are all offences related to the production of or trafficking in illegal drugs.

In 2000, Canadian police departments reported a total of 87,945 offences under the Act).

(See Table-1).

Three-quarters of those offences involved marijuana, 68% of them possession. The number of police-reported incidents involving marijuana also increased from 47,234 in 1996 to 66,171 incidents in 2000.

**TABLE 1**  
**NUMBER OF POLICE-REPORTED INCIDENTS BY TYPE OF DRUG, 1996 TO 2000**

	1996	1997	1998	1999	2000
Marijuana	47,234	47,933	50,917	60,011	66,171
Cocaine	11,478	11,468	12,183	11,963	12,812
Heroin	1,287	1,235	1,323	1,323	1,226
Other drugs*	5,730	5,957	6,509	6,845	7,736
Total	65,729	66,593	70,922	80,142	87,945

\*"Other drugs" include other illegal substances such as PCP, LSD and Ecstasy as well as controlled substances such as barbiturates and anabolic steroids.

Source: R. Logan, "Crime Statistics in Canada, 2000," Jurist at, Statistics Canada, Canadian Centre for Justice Statistics, 85-002-xie, Vol. 21, No. 8, 2001, p. 11.

Although the figures confirm the existence of crime directly and indirectly related to the use of illegal drugs (possession versus trafficking, importing and production), there are nevertheless certain significant limits as a result of which the number of offences associated with illegal drug use is underestimated. For example, in Canada, the number of incidents determined through the Uniform Crime Reporting Survey reflects only the most serious offence committed at the time of a criminal incident. Consequently, if a criminal incident involves a robbery and a drug possession offence, only the robbery will be entered in the database.

Research has also clearly shown that a large percentage of crime is never reported to or investigated by police. This is all the more likely to occur with crimes related to illegal drug use. Individuals involved in these types of activities are usually consenting; as a result, they are generally not inclined to report the incidents to police. Moreover, police do not necessarily investigate incidents reported to them. It is not enough for police authorities to be aware of the incident; officers on duty must establish that the situation in question is a criminal justice matter. Briefly put, the police can choose various interpretations and actions; these can include: deciding to do nothing because they believe the situation does not require legal intervention; forwarding the case to a social assistance agency; arresting the individual involved; etc.

Although statistical fluctuations may in some instances indicate changes in the number of crimes committed, the research shows that police resources and strategies adopted in the fight against drugs very much influence official crime statistics. For example, there is every reason to believe that the sharp decline in the number of drug-related offences observed in Canada between 1981 and 1983 may be explained in part by the introduction of the Charter of Rights and Freedoms in 1982. By restricting police search and seizure powers, the Charter appreciably reduced the number of police actions related to drug possession. Similarly, the introduction of alternative measures in 1997 that police officers could use when dealing with adult offenders instead of laying formal charges appears to have had a downward effect on the number of charges laid by police.

Many studies which compare data obtained through self-revealed crime surveys and arrest statistics as well as drug testing programs and surveys of arrestees have shown that only a small percentage of all offences reported by drug users have resulted in arrests. In a Canadian study conducted in Toronto in 1994, only 5% of cocaine addicts interviewed said they had been arrested for cocaine possession. That percentage is very similar to the percentage recorded in Canada's Alcohol and Other Drugs Survey 1994,

in which only 7.7% of respondents who reported that they had previously used illegal drugs indicated that they had been in trouble with the law.

Finally, the figures in Table 1 pertain solely to offences under the Controlled Drugs and Substances Act; they do not include other types of crime also associated with illegal drug use, such as violent crimes resulting from disputes between dealers and drug buyers, wars waged among criminal organizations over control of the drug trade, and acquisitive crimes committed primarily by hard drug addicts to pay for illegal drugs and maintain their lifestyle.

### **Foreign data**

Statistics similar to those gathered in Canada on crime related to drug use, trafficking and the production of illegal drugs are published the world over. In 1998, marijuana was the substance most commonly cited in drug-related arrests in member states of the European Union. That year in France, 85% of drug arrests involved marijuana. It should be noted, however, that in 1997, a little less than one-half of those arrested for drug use in France were retained for questioning, and the vast majority of users were released.

In Australia, 80% of drug arrests between 1993 and 1996-1997 were for marijuana offences. The vast majority of cases involved possession of illegal drugs rather than trafficking (71% in 1996-1997). It should also be noted that the majority (78%) of people imprisoned for a drug offence in 1996 were convicted of trafficking, not possession or use. According to 1998 British statistics on drug-related offences, 76.1% of those convicted, released on bond, fined or charged with multiple drug offences were involved with marijuana; most were arrested for possession. In the United States, although 80.5% of all drug arrests were for possession, 40.5% were related to marijuana.

Finally, in the Netherlands, 81% of all arrests for drug offences in 1996 were related to hard drugs (any drug other than hashish and marijuana), and in 1998, all offences were related to trafficking, because the Netherlands does not normally prosecute people for using drugs. These data show that, with the exception of users in the Netherlands, many drug users have come in contact with the justice system without necessarily committing an offence other than an offence directly related to their drug use (i.e., possession or use of narcotics). The caution regarding the reliability of the Canadian statistics stated above also applies to foreign data. According to some studies in France, statistics on arrests of drug users must be used with caution, as it is difficult to determine with any certainty the extent to which observed changes reflect changes in the drug user population and whether the changes are in fact linked to changes in police and gendarmerie activities. For example, the data on arrests for drug use between 1993 and 1998 show significant increases of 30% in 1997 and 9% in 1998. Many factors may explain that increase, among them changes in the approaches used by police and gendarmerie, reorganization of police departments, and normalization of marijuana use.

One possible explanation is that a 1995 circular on court-ordered treatment issued by the Ministry of Justice led public prosecutors to instruct the police to “systematically report users.” Perhaps those instructions led to the sharp increase in the number of drug-use arrests recorded in 1997. The link between drugs and crime highlighted in this section pertains directly to drug use and drug possession. Trafficking in, importing and producing illegal drugs are forms of crime driven by different motives, such as the need to get money to buy drugs to satisfy a drug addiction. This point is discussed in greater detail in section C.

### **Theoretical Models**

#### **Psychopharmacological link**

Many people associate drug intoxication with crime, sometimes even violent crime. This so-called psychopharmacological link implies that people may commit crimes or sometimes violent crimes after using certain substances recognized as undermining judgment and self-control, generating paranoid ideas and/or distorting inhibitions and perceptions. Although all drugs that have an impact on the nervous system may cause these kinds of reactions, the scientific literature suggests that some drugs are more strongly associated than others with violence of this type. Those drugs include alcohol, PCP (phencyclidine), cocaine, amphetamines and barbiturates. Inversely, heroin and cannabis are generally associated with a weaker desire to use violence to resolve disputes. The following table is a summary of the main properties of illegal drugs that have been analyzed in relation to violence.

**TABLE-2**

#### **MAIN EFFECTS ASSOCIATED WITH THE USE OF CERTAIN ILLEGAL DRUGS**

Marijuana	Marijuana is generally associated with a reduced desire to use violence.
Heroin	Like marijuana, heroin generally has the effect of lowering the desire to use violence. In some cases, however, it appears that disturbed or impulsive behaviours may occur during a period of withdrawal.
Cocaine	Cocaine's main property is that it stimulates the central nervous system. Cocaine abuse can cause paranoia, although that reaction appears to be infrequent among cocaine users as a whole. Some report that cocaine use can also cause irritability and anxiety in users, especially at the end of a period of intoxication.
PCP	PCP is recognized for its many properties (hallucinogenic, analgesic and anesthetic). Like cocaine, it stimulates the central nervous system. Empirical studies are particularly incomplete for this drug; however, PCP is second to alcohol as the drug most often associated with violence.
LSD	Like PCP, LSD is known for its hallucinogenic properties. It can therefore cause strange and violent behaviour.

Amphetamines	The main property of amphetamines is that, like cocaine, they stimulate the central nervous system. Amphetamine abuse can thus cause paranoia, irritability, anxiety and even toxic psychosis.
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Sources: S. Brochu, "La violence et la drogue," *L'intervenant*, Vol. 16, No. 3, April 2000; D.C. McBride, "Drugs and Violence," in J. Inciardi, ed., *The Drugs-Crime Connection*, Sage Publications, 1981; N. Boyd, *High Society. Legal and Illegal Drugs in Canada*, Toronto: Key Porter Books, 1991.

However, evidence supporting this model is limited. The few empirical elements are drawn from research which presents numerous methodological problems and does not really help to understand the specific effects of certain drugs. Indeed, many recent studies have challenged the notion that psychoactive drugs stimulate violent behavior in any systematic manner. This psychopharmacological model of the link between drug use and crime is based in particular on research data showing that a large number of arrestees and inmates had used drugs on the day they committed the crimes for which they were incarcerated. The following paragraphs present research findings which show that many criminal acts, some of them violent, are committed in Canada each year under the influence of a drug. According to data from Statistics Canada's 1997 survey *Homicide in Canada*, 50% of accused persons had used alcohol or illegal drugs before committing their crimes. Another Canadian study conducted in 1999 – based on a questionnaire distributed to all new inmates incarcerated in federal penitentiaries– showed:

- slightly more than half (50.6%) of the inmates had used drugs and/or alcohol on the day they committed the offence for which they were incarcerated
- among this group, approximately 16% had used illegal drugs only and 13% had used a combination of the two; and
- significant differences in the types of crimes committed by type of drug used (i.e., alcohol and illegal drugs).

There was a rather clear distinction between acquisitory crimes and violent crimes in the prevalence of use of drugs and alcohol. While homicides and, more pronouncedly, assaults and wounding were predominantly alcohol-related, crimes such as thefts and break and enter showed a higher prevalence of drug use on the day of the crime.

Similarly, self-report surveys in the United States have also indicated a link between criminal activity and the use of alcohol and illicit drugs. According to self-reports from a 1991 survey with a sample of 14,000 State and 6,600 Federal prison inmates, 24% of Federal inmates and 49% of State inmates reported that they were under the influence of alcohol or illicit drugs at the time of their current offence. In State prisons, 32% of inmates reported they were under the influence of alcohol, and 31% reported they were under the influence of drugs (including 14% who were under the influence of both) when they committed their current offence.

This closer link between alcohol use and violent crime has been demonstrated in a number of studies. In 1991, the Research and Statistics Branch of Correctional Service Canada pointed out that "violent offences were more often committed under the influence of alcohol or both alcohol and drugs, rather than under the influence of drugs alone." In one of the analyses on drug-related homicides in New York, Goldstein contended that very few murder victims are killed by people driven mad by illegal drugs and that homicide related to psychopharmacological factors is generally committed by people under the influence of alcohol. An analysis of 218 homicides in New York, committed in 1998 and presumed to be related to drugs, showed that only 14% involved the psychopharmacological factor and that 74% were related to systemic violence resulting from the illegal drug market and related drug trafficking.

The 1999 study by Brochu et al. also gathered useful information for analyzing the link between the psychopharmacological effects of certain drugs and criminal behaviour. The study, which dealt specifically with illegal drug use and crime, produced the following main findings:

- 28% of the inmates questioned said they had committed all or at least most of their crimes under the influence of an illegal drug;
- nearly 44% of inmates who reported that they had previously used illegal drugs believed that their drug use had increased their criminal activity, whereas 51% thought their drug use had had no effect on their criminal activity and nearly 5% contended that it had contributed to a decline in their criminal activity; and
- nearly 80% of inmates who used illegal drugs on the day they committed the crime for which they were incarcerated (16% of inmates in the study) stated that their drug use had facilitated their acting out. Of those, 83.1% reported that their drug use had altered their judgment, 33.6% that it had made them more inclined to fight, and 37% that it had made them more aggressive and violent.

Although some of these findings offer invaluable information for understanding the meaning that inmates attach to their drug use and crimes, such as the data on drug use on the day of the crime, they are insufficient to show a causal relationship between drug use and criminal activity. In other words, nothing in these findings clearly demonstrates that the criminal act would not have been committed if the individual had not been under the influence of drugs. Moreover, the findings based on the link that the offender sees between his or her drug use and his or her crimes should be significantly clarified. In the view of various researchers, some inmates prefer to associate their criminal behaviour with their drug use. This enables them to attribute responsibility for their actions to an outside cause, i.e., drugs. Although for many inmates this association is indisputable, research has shown that some individuals use it as an excuse for their behaviour and to unburden themselves of part of the weight of the offence.

A 1998 study of the entire Canadian population also tends to show that this view of the matter is widespread. According to the survey results, three-quarters of respondents admitted that drinking could serve as a pretext for using violence. According to Brochu, "while the general pharmacological characteristics of the most common [drugs] are quite well known, understanding of the specific mechanisms promoting violent behaviour appears extremely deficient." This may be explained by the complex nature of the variables involved, which include:

- type of drug used (simultaneous use of more than one drug must also be considered);

- method of use;
- dosage (drugs are recognized as having variable effects depending on the user's weight, height, sex and other characteristics);
- the user's predisposition (moods, expectations of drug use, general health, etc.) and
- social environment (local atmosphere, companions, etc.).

The psychopharmacological model is powerless to explain why most drug users do not commit crimes of violent offences. This deficiency forces recognition of the fact that the reasons for violence and criminal activity go beyond the properties of the drugs themselves.

Although many studies indicate that some people used illegal drugs the day they committed their crime, there is little empirical evidence in the scientific literature to establish a direct link between crime, violence and the psychopharmacological effects of drugs.

## **2. Economic-compulsive link**

### **a. Substance abuse and criminal activity**

Before moving on to crime and violence caused by the illegal drug market, this section examines another aspect that may explain the link between drug use and crime, i.e., the economic compulsive link, which assumes that drug users commit crimes to finance their drug use. More specifically, according to this explanatory model of the drug-crime relationship, the compelling and recurrent need for drugs and their high price lead some users to commit crimes to obtain the money they need to buy drugs. This model focuses on individuals who have developed a dependence on expensive drugs and assumes that the large amounts of money associated with frequent use of certain illegal drugs constitute an incentive for criminal action. This explanation of the relationship between drugs and crime is well supported in the literature and the media. Many people attribute a great percentage of crime to this economic-compulsive link. The offenders themselves promote this association by swearing to anyone who will listen that the single cause of their involvement in crime is their heavy [drug] use. For many, this statement is indisputable. For others, some doubt persists because, in some instances, there is a clear benefit to be gained in accepting the label of addict: referral to a treatment centre instead of incarceration.

Many statistical studies support the theory of a link between addiction to illegal drugs and criminal activity. In his 1994 report, the Chief Coroner of British Columbia stated that law enforcement agencies generally admit that many chronic drug users commit crimes to support their dependence. At the time, police officers in British Columbia estimated that 60% of crimes committed in the province were motivated by, although not directly linked to, drugs. Furthermore, a report published in 1995 by the Ontario Association of Chiefs of Police stated that most crimes against property (such as theft, break and enter, and fraud), as well as prostitution, are committed by drug users in order to feed their habit. According to one study conducted by Forget in 1990, more than one-third of the individuals interviewed at the Montreal Detention Centre said that they had committed their crimes for the purpose of buying drugs. Similarly, the 1999 study by Brochu showed that nearly two-thirds of federal inmates who had used drugs on the day of the crime for which they were incarcerated reported having committed their crime in order to get money to buy drugs.

That was the case for inmates who had committed the following crimes: theft (more than 83%); robbery (78%); fraud (70%); and break and enter (68%). The study also appears to confirm a strong link between the use of expensive drugs and the commission of criminal acts. Approximately 68% of cocaine users who answered the questionnaire reported that they had committed their crimes in order to get the money they needed to buy drugs. ([61]) Once again, it is important to interpret this information carefully. As discussed above, some offenders (consciously or not) use this strategy to justify their behaviour and reject responsibility for their action.

Regular use of illegal drugs such as heroin and cocaine is expensive. The amount spent by addicts on drugs varies from report to report. However, researchers agree that drug addicts have three main sources of income: social assistance, acquisitive crime, and the illegal drug market. A study conducted in Quebec in the 1990s found that expenses related to daily cocaine use could amount to \$43,000 a year. In a more recent study of opiate users in Toronto, a sample of heroin users reported spending an average of \$3,133 on heroin in the 30 days preceding the study.

Most respondents (89.7%) in the sample who had already been arrested said that they were arrested primarily for illegal activities either related to their drug use or activities in which they were trying to get drugs or get money to buy drugs. In a British study based on four regions of the United Kingdom, the majority of arrestees who said that they thought that their drug use and crime were connected also said that the two were connected because they needed money to buy drugs (70%). Another study of heroin addicts in Amsterdam found that some heroin users do commit crimes in order to buy drugs but that acquisitive crime accounts for only about one-quarter of their total income. Heroin addicts in Amsterdam derive most of their income from social security. Social assistance is also the main source of income, apart from illegal activities, for opiate users in Toronto.

Research has also shown that drug users' criminal activity varies greatly with the relationship they have with drugs. The periods when users are dependent on a drug are often accompanied by increased criminal activity, whereas periods when they have no such dependency see an appreciable decline in such activity. Studies of arrestees in the United States, the United Kingdom and Australia have shown a strong relationship between illegal drug use and illegal income.

Arrestees who reported spending £100 or more on drugs reported ten times the number of offences as those who reported no expenditure on drugs. They also reported four times the mean number of offence types committed in the last 12 months, eight times more than the mean illegal income, and almost twice as many arrests. The relationship that users are likely to have with drugs and crime is thus influenced to a large degree by their drug use profile. To afford a better grasp of these subtle points, researchers have proposed a typology consisting of three categories of users: experimenters or occasional users; regular users; and dependent users. With regard to occasional users, the research tends to show that most will never use illegal drugs regularly. In the vast majority of cases, moreover, they will never adopt a deviant lifestyle and will generally choose legal ways of financing their illegal

drug use. In most cases, crime will be a means of last resort. Instead, it is the amount of available money that will dictate the purchase and use of drugs by these individuals. Many studies suggest that only occasional users who have already adopted a deviant lifestyle prior to using drugs will likely commit offences to meet their needs. These offences may help finance their drug use, but most will do it for the adrenaline rush and because they want a taste of life on the edge. This explanation of the relationship between drugs and crime seems particularly appropriate for young people.

For dependent users, dependency will very often have the effect of increasing their involvement in crime. However, it must be understood that this involvement will to a large extent be determined by their circumstances, the drug they use, their lifestyle, their attraction to certain types of activities, and their economic and social resources. Research on the lifestyle and economic behaviour of heroin addicts in Amsterdam has indeed shown that 21% of the study sample reported not committing any crime prior to or during the research. Furthermore, among the group of drug users who said they were involved in criminal activities, it was found that “[i]n total, acquisitive crime accounts for 24% of the total income. The most important source of income is social security.”

Although few studies have focused on the criminal involvement of more affluent addicts, research has nevertheless shown that users who were not involved in any form of crime at the time they became dependent and who have enough money to pay for their drug habits generally do not resort to criminal activities. Criminal activity is thus not an inevitable outcome of drug use, even for individuals who have developed a dependency on a high-cost drug.

Furthermore, crime is not the only means by which dependent users pay for drugs. Users may increase their usual money-earning activities while reducing their overall spending. Some occasional users will work overtime to make up the shortfall, while others will moonlight. They may also borrow money from friends or family members and even use resources intended for people in need (e.g., soup kitchens and shelters for the homeless) in order to reduce the amount they spend on their own meals and accommodation and thus free up money for drugs. According to Brochu, many users prefer to stop using drugs rather than get involved in crime, and few falls into a form of crime that conflicts with their basic moral values (e.g., prostitution or selling drugs to minors).

### **b. Types of crime committed by drug users**

A number of studies have shown that the type of crime which stems from the need for money created by dependence on certain drugs is generally acquisitive and non-violent. Although addicts who need money may at times engage in violent crime, the research tends to show that this type of crime is quite rare and that when it does occur, it very often springs from the context in which the crime is committed. While some of these acts may be intrinsically violent, e.g. muggings or armed robbery, the violence may often result as the by-product of other factors in the social context in which the crime is perpetrated, e.g. when a victim returns home or wakes up during a break and enter, the resistance of the intended victim, the intercession of bystanders; such unanticipated occurrences may lead to an escalation in what could have been completed as a non-violent crime. The crimes most often committed by individuals who have developed an intense dependency on a drug and who do not have the financial and social means to obtain it are drug trafficking, prostitution, theft of property, break and enter, and fraud. In general, the crimes favoured by users are those not requiring any particular expertise and for which there is a minor risk of prosecution. It should therefore not be surprising that the crimes they most often commit are theft within the family or in the workplace, shoplifting, and the theft of small items (e.g., bicycles and contents of automobiles). Nor will it be surprising that most major drug users get involved in reselling illegal drugs in exchange for either money or drugs. Women tend to engage in prostitution to a greater degree than do men. The difference may be attributable in particular to “the fact that it is difficult for women to gain access to other types of crime (e.g., trafficking) and the fact that they are economically dependent” as well as by the “traditional role of women as perceived by men.”

That being said, beyond these figures and the impressions conveyed by the police and others, there is no existing empirical data that researchers can use to determine the percentage of crimes committed out of a need for money caused by drug dependence. Furthermore, the economic-compulsive model largely disregards some research findings, including the fact that: a number of drug users, even those who are dependent users, do not commit crimes other than those directly related to their drug use; and many drug users got involved in crime before they used drugs.

### **Systemic link**

Violence is an integral part of the illegal drug distribution market. It exists mainly because the drug market affords no legal way of obtaining justice when rules are violated.

According to this explanatory model of the relationship between drugs and crime, the profit opportunities perceived by the various players in the market and the fierce competition in this illegal environment encourage involvement in crime, such as: disputes between dealers, problems involved in recovering debts, protection rackets, etc. On this point, Erickson contends that: While legally regulated markets, such as those in alcohol or pharmaceuticals, have recourse to legitimate authority to resolve disputes and set standards for fair competition, those involved in an illegal, high profit market resort mainly to force. Crime in the drug world is often caused by rivalries among individuals attempting to corner the market. This violence may involve various players—including traffickers, importers, merchants or dealers – and may be intended to control various territories, such as a neighborhood, street or school. Violence is then used as an organizational management strategy. Its use is easily understood when one thinks of the high economic stakes involved in the illegal drug market.

As of the end of 1998, the war between the Hells Angels and the Rock Machine, which began in July 1994, has resulted in 103 homicides, 124 murder attempts, 9 missing persons, 84 bombings and 130 incidents of arson, for a total of 450 violent incidents.

Apart from these incomplete data, however, it is impossible to quantify all the crime stemming from the illegal drug market. However, as noted earlier, one study of drug-related homicides in New York in the 1980s did find that the most common type of drug-related homicide was systemic, accounting for 74% of drug-related homicides in New York City in 1988.

One factor that might explain researchers' lack of interest in this approach lies in the fact that few victims appeal to police departments. Resellers definitely have no interest in reporting thefts of drugs and money which they have suffered. If they do, they have every interest in concealing certain information. They may report an amount of money stolen, taking care not to disclose its source. Thus it becomes very difficult to identify the systemic crime with any accuracy and to distinguish it from general crime.

### **PROFILE OF A GROUP OF MARIJUANA USER**

There are very few studies of long-term users, particularly cannabis users, which is surprising considering that cannabis is the most widely used illegal drug in the world. The United Nations Office for Drug Control and Crime Prevention (UNDCP) estimates in their World Drug Report 2000 that 180 million people worldwide used illegal drugs in the late 1990s; of that group, 144.1 million people used cannabis, which represents 3.4% of the world's population age 15 and older. One recent study investigated the characteristics and patterns of cannabis and other drug use among long-term users in the North Coast of New South Wales, a rural area of Australia with high levels of cannabis cultivation and use, and reported the following findings:

- Characteristics and patterns – The study involved 268 adults with a mean age of 36.4 years. They were well educated, with 62% having obtained further educational qualifications since leaving school. Their main sources of income were employment (48%) and government benefits (42%). Respondents had a long history of regular cannabis use (an average of 19 years), and most had ready access to cannabis, with two-thirds growing cannabis for their own use. The majority used cannabis daily (60%), with a median of two joints per day.
- Contexts and perceptions of cannabis use – Cannabis is most often used in social settings with most users (67%) usually or always sharing cannabis with family and friends. Slightly more than half of the respondents (54%) lived in a household with children under 16 years of age and of these, 52% indicated that they either used less cannabis when the children were around or that they used cannabis away from the children. Most performed their normal daily activities either during or after smoking cannabis. The vast majority (90%) reported that they drove a motor vehicle at least occasionally soon after using cannabis and more than half (60%) had operated machinery after using cannabis. Respondents reported that they used cannabis for relaxation or relief of tension (61%) and for enjoyment or to feel good (27%). Most respondents also reported some negative aspects of cannabis use including the illegality of cannabis use (29%), the high costs of cannabis (14%), and the social stigma of being a cannabis user (11%). However, 72% believed that the benefits outweighed the risks. The most widely used drugs other than cannabis were alcohol and tobacco, but most had also used other illicit drugs in their lifetime.
- Involvement with the legal system – Just over one-quarter of the respondents (26%) had ever been charged for possession, 11% for cultivation and 6% for supply, and 12% had been arrested for other drug-related offences. Most of the offences had occurred some years prior to the study with only 22% of cannabis cases in the past three years. The percentage of non-drug offences was low, with the most common being drinking-driving (8%), stealing (6%), traffic offences (6%), robbery and assault (3%), and miscellaneous offences (8%).

These data are pertinent because they show that some regular cannabis users (an average of almost 20 years of use) commit very few crimes not related to drugs and do not use other illegal drugs on a regular basis. However, before any conclusions can be drawn, more studies will have to be carried out to analyze the profile of regular users of cannabis and other illegal drugs; this will not be an easy task given the difficulty locating and obtaining input from this type of population, which is still considered a deviant group.

### **Solution for Drug Addiction**

Rehabilitation of the young drug-addicts is a major social problem. The need of raising the level of consciousness of self through proper education has been suggested as a proper step. Those who thus become able to overcome their addiction can tutor other young addicts. The need of forming a healthy environment where the needs of these youth can be met is equally important. The trading of harmful drugs such as cocoa, opium, etc. should be properly controlled. International projects should be taken to prohibit manufacturing of such harmful drugs.

### **Prevention**

Drug addiction among youth can be prevented if the youth are taught of its harmful consequences. If the young people are aware of the harmful effects of drug abuse, they would avoid drug abuse at the first instance. Hence, drug abuse preventive programmes, if implemented effectively at schools and colleges, can become the most successful method to reduce and alleviate the problem of Drug addiction among youth.

### **Treatment of Drug Addiction**

Treatment of the drug-addicts can be done through different medical processes. When a patient is made to give up his addiction, he suffers from several physical troubles. If he is treated through the method of detoxification by a gradual process he regains his normalcy gradually. When detoxification is completed, psychiatric treatment of the patient is to be started. Attempts are made to release the need for the drugs from the mind of the addict. Most people get better results if they include yoga, meditation and hypnotherapy as part of their treatment procedure. The members of his family should be advised how to behave with the patient. In fact the help and co-operation of the same elements of the society is essential for the rehabilitation of the drug addicts in society. They should take the solemn vow of uniting for a drug-free world.

### **CONCLUSION**

This paper reviewed a number of studies dealing with the relationship between illegal drug use and crime in an effort to illustrate the complexity of the connection between drug use and crime. After examining the link between the legal status of certain



drugs and crime, the paper discussed three theoretical models which endeavour to explain the relationship between drug use and crime: the psychopharmacological link; the economic-compulsive link; and the systemic link. A study on regular cannabis users was then presented. The evidence demonstrated that the closest link between drug use and crime occurs in drug users who are dependent on expensive drugs but cannot afford to buy them. Even then, the relationship is not automatic, because crime is not an inevitable consequence of drug use, even for users who are addicted to drugs such as heroin and cocaine. Involvement in crime also varies depending on the economic, cultural and social context. Finally, some users simply choose to stop using drugs rather than commit crimes (with or without the support of organizations which help drug addicts). As well, the mere fact that crimes are committed by drug users is not enough to say that drug use does cause crime or vice versa. It is more likely that drug use intensifies and perpetuates the commission of criminal offences. Drug use is only one factor among a group of variables that may account for criminal behaviour; other variables include physiological, psychological and behavioural, family, cultural, social, economic and situational factors. The research does confirm that a number of links can be established between illegal drug use and crime but that those links are not necessarily causal in nature and more closely resemble variables in the complex relationship between drugs and crime. The consequences of this observation for drug intervention and policy development are considerable. An approach that would fail to treat all factors contributing to drug use and crime or that would attribute a causal role exclusively to drug use would inevitably result in the implementation of ineffective policies. As suggested by this brief literature review, the whole concept of “drug-related crime” which features in most of the policy documents and research in this area needs to be re-thought.

### References

- [1] Kapoor, SK, International Law and Human Rights.
- [2] L Oppenheim, International Law, 2008.
- [3] [www.legalindia.com](http://www.legalindia.com), Effects of War, 2013.
- [4] Human Rights Report, Published by the United Nations Department of Public Information DPI/1772/HR--February 1996.
- [5] Kiran Bedi, Joint Commissioner, New Delhi,(Special Branch)
- [6] [http://shodhganga.inflibnet.ac.in/bitstream/10603/52365/10/10\\_chapter%202.pdf](http://shodhganga.inflibnet.ac.in/bitstream/10603/52365/10/10_chapter%202.pdf)

