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Understanding Drug Trafficking as a Form of Crime

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Abstract:

This research paper deals with the drug trafficking as a form of crime. In order to understand the relationship between drug trafficking and crime, it is important to have the basic knowledge of both. Thus, this research paper first briefly introduces about drug trafficking, drug abuse and crime. The existence of relationship between drug trafficking and crime is widely accepted. The connection between drug trafficking and crime is very complex. Many studies educate us about the close relationship between drugs and crime. Now a big question arises that what is the nature of the relationship drugs and crime? Does crime leads to drug abuse or drug abuse leads to crime? Thus, this research paper thoroughly analyses the relationship between the drug trafficking, drug abuse and crime. This research paper also deals with the various important ways that drugs and crime are related i.e., Drug-defined offenses, Drug-related offences and Drug-using lifestyle. This research paper will also deal with the understanding of Drug Trafficking as crime from sociological point of view as crime differs from society to society. For example – it is now legal to use marijuana in Colorado, any trafficking will be considered as legal. While in India, it is illegal to possess, use or transfer marijuana. So we can say that, some drug related crimes are considered illegal in some countries might not be illegal in some other countries. Lastly, this research paper will deal with the various statistics regarding the crime relating to drug trafficking, drug abuse etc.

Keywords: *Drugs, trafficking, crime, drug, sociological*

1. An Introduction to Drugs and Crime

1.1. Drugs

"The term illicit drugs is used to describe drugs which are under international control (and which may or may not have licit medical purposes) but which are produced, trafficked and/or consumed illicitly."

'Drug' is a term of varied usage. It can also be referred as a substance, which has a potential to cure various diseases as well as a substance that helps a particular group to generate money by trafficking it. In 21st century, trafficking of drugs has become a global problem. It is increasing day by day not only in India but also globally. The illicit trades in drugs have a devastating impact on the developing world. Drug trafficking also have a devastating impact on a country as it affects country economy and society. It is also the major source of income for a terrorist group. A terrorist group illicitly trade drugs to generate money and with this money, they purchase weapons for themselves. It has been suggested that Al-Qaeda in the Islamic Maghreb (AQIM) and Hezbollah have earned tens of millions of dollars through such illicit dealings, and then used these funds to finance terrorist operations in Africa and elsewhere. So, it can be said that groups engaging in drug trafficking also engage in other sorts of violent and criminal enterprise, from mass murders and human smuggling. Human trafficking to also an important source of income for the terrorists' groups. In the United States, for example, UNODC estimates that smugglers are paid around \$7 billion to bring 2.7 million Latin Americans over the border every year. Drug trafficking nowadays has become organized crimes. Groups seeking money and profit through illegal activity like drug trafficking comes under the ambit of organized crimes. These groups also blackmail people to trade drugs and in return, they offer them huge sum of money. This can also be called as 'Racketeering'.

Profits earned through drug trafficking can also be used to criminalize the state also. Traffickers can use their profits to fund that electoral campaigns and they can be an elected official of the state by using profits which he earned through drug trafficking. According to UNESCO, when this happens, "criminals become, both personally and officially, the servants of the very State whose laws they violate, as some sectors of State administration are placed under their legal responsibility."

Drug users are also increasing day by day. The estimated number of drug users has actually risen by 6 million to 246 million (range: 162 million-329 million) owing to the increase in the global population. It is estimated that almost a quarter of a billion people between the ages of 15 and 64 years used an illicit drug in 2013. According to Global estimates of the use of various drugs, around 7 percent of world population has used drug. These figures project the increasing use of drugs globally. Even if the proper prevention of drugs laws exists in every country, the trafficking of drugs is increasing day by day.

1.2. Crime

"When a man is denied the right to live the life he believes in, he has no choice but to become an outlaw" - Nelson Mandela

This quote clearly explains that whenever a person is not able to live life as he wants, he becomes criminal. This shows that society plays an important role in making criminals. If a person has a negative image of himself in a society, it will influence him to commit crime. According to Paul Tappan, "crime is an intentional act in violation of the criminal law committed without defense or excuse, and penalized by the state" A crime can be defined as any activity, which is prohibited by law of the country. It is the law that defines crime. Drug and crime shares a very close relationship. However, sometimes it is not true. It's not important that in one country the use of marijuana is prohibited then it is also prohibited in other countries too. For example, it is now legal to use marijuana in Colorado, any use of marijuana will be considered as legal. While in India, it is illegal to possess, use or traffic marijuana. Drug trafficking, racketeering and human trafficking comes under the ambit of crime. It is prohibited nearly by every country.

2. Drugs and Crime Relationship

As it has been mentioned earlier, drug and crime shares a very complex relationship. We cannot say that people who use drugs commits crime or people who commit crime are inclined towards drug use. Drugs are related to crime in many ways. In many countries, it is crime to sell, manufacturing, possess and trade those drugs which have a potential for abuse. Some of the drugs that have a potential for abuse are Cocaine, Marijuana, and crystal meth. Many times, drug effects generate violence and other illegal activity. There are basically three types of crimes related to drugs:

2.1. Drug-Defined Offences

Drug-defined offences are also known as system related crimes. These are those offences in which an individual produce, manufacture, transport and sell drugs. Drug-defined offences also include violence related to the production or sale of drugs, such as a turf war. Examples of drug-defined offences are Drug possession, Marijuana cultivation, Methamphetamine production, cocaine, heroin, or marijuana sales. Drug Trafficking comes under the ambit of Drug-defined offences as it includes trading of those drugs, which have a potential of abuse. According to world drug report 2015, there are about 329,000 thousand persons in the world who are using illicit drug. All these persons can be called as criminals as they trade, use and possess those drugs which have a potential of abuse. Selling drugs to acquire money to finance a drug habit is a common behavior among users in the world and is considered as an offence by every country.

2.2. Drug-Related Offences

Drug-Related offences are those offences which includes those persons who ingest drugs and commit crimes as a result of effect the drug has on their thought processes and behavior. This is the most common type of behaviours among criminals. Many of the offences committed by them are after using drugs. For example, violent behavior after drug abuse. Stealing to get money to buy more drugs. Violence against rival drug dealers. Driving while intoxicated also comes under the ambit of Drug-Related offences. Drinking and drugged driving is the number one cause of death, injury and disability of young people under the age of 21, and nearly 40% of all traffic fatalities are alcohol related. Every day 36 people die and approximately 700 are injured in motor vehicle crashes that involve an alcohol-impaired driver. Drugs other than alcohol (e.g., marijuana and cocaine) are involved in about 18% of motor vehicle driver deaths, often in combination with alcohol. There are also high number of cases in which there is drug-related death. UNODC estimates that in 2013 there were 187,100 (range: 98,300-231,400) drug-related deaths

2.3. Drug-Using Lifestyle

In this, drug abuse becomes the habit of the individual. As we all know that drug use is considered deviant in society. Continuous drug abuse leads to motivate the need for money. Regular drug abuse also make a person frequent in illegal activity because that person needs money in order to buy more drugs and satisfy his needs. This frequency in illegal activities, becomes the habit id the individual and ultimately, it becomes his lifestyle. For example - If a person is a drug addict. He needs more money to purchase drugs and satisfy his needs. In order to do that, he start stealing money. Now, if he consumes all the drug that he brought from stolen money, he will try to make more money and he will search more ways to buy drugs. Soon, it will become a habit and ultimately, it will become his lifestyle.

3. Understanding Drug Trafficking: A Sociological Perspective

Drug Trafficking has various impacts on the society. The main impact of Drug trafficking is on family. Drug trafficking can lead to family breakdown. The country study on Thailand attributes increasing use of heroin and psychotropic substances to urbanization, rapid cultural change and a breakdown in family cohesion. So we can say that, drug abuse can transform family from an asset of society into a burden. In slum areas, there is a high amount of drug trafficking. It affects children who are brought up in that area. This act as a motivational factor. When they grow up, they also start trading drugs. While family plays as an important source of drug problems, it can also act as a treatment for drug abuse. Mother teaching his son about what's right in the society and what is not can influence him and he can give away his drug habits. But this rarely happens in a society.

Drug abuse also has negative impact on health. Drug is a toxic substance it directly affects human health. Substances like heroin, cocaine, opiates etc can have negative impact on health and overdose of these drugs can even lead to death. According to the statistics, in the United States alone, there were 532,000 drug-related emergency room visits in 1995, up from 404,000 in 1988: an increase of more than 30 per cent. This clearly demonstrates the magnitude of drug-related health problems, both for the addicts concerned and

for society, which is burdened with the health costs related to drugs abuse. Drug injectors also face health issues. Needle sharing is common among drug injectors. This can lead to AIDS and other diseases. According to UNDOC, 13.5 percent of the drug injector suffers from AIDS. Moreover, this number is still rising because of needle sharing among drug injectors.

Drug abuse also hampers the study of the students. Students who are a victim of drug abuse suffer from short term memory and other intellectual capabilities of brain. It ultimately leads to poor academic performance, which creates a psychological impact on student. Because of this, he increases drug consumption. A student then creates a vicious circle in which only drug abusers are there. This vicious group, sometimes, commits crime in order to gain money and purchase drugs. Education can also help in prevention of Drug abuse. If proper education is provided to the students. It might influence them to stop taking drugs. Providing proper education is a long term process. It is not easy to educate student in just one day. Only problem with this type of education facilities is that these education facilities are not easily available and if available, they have a huge amount of fees which is impossible to pay for lower class people. Moreover, it is nearly impossible for drug addicts to stop taking drugs if proper education facilities are provided to them. Drug trafficking also affects environment in several ways. Many drug traffickers, in order to produce drugs, clears the forest area and start growing those crops by which drugs can be made. Deforestation for the purpose of growing marijuana and coca plants are the common example for environment damage. Illicit coca bush cultivation and coca leaf transformation into cocaine lead to serious environmental damage. In Colombia alone, roughly 290,000 ha of forest were lost directly to coca bush crops between 2001 and 2013.

The main impact of drug trafficking is on society. As it has been already stated that, drug abuse influences crime. Drug trafficking and crime shares a very close relationship. Drug increase many kinds of criminal activities. Most of the drug-related crime occurs in the form of drug trafficking. There are conflicts among groups competing for more amount of market share. It also results in theft and prostitution because drug consumers want to satisfy their needs and in order to do that, they would commit another crime as theft and prostitution. In the United Kingdom, it is estimated that, with under 165,000 people in treatment for heroin and/or "crack" dependency, an estimated 4.9 million acquisitive crimes such as burglary, robbery and shoplifting were prevented during 2010-2011. The drug trade produces billions of dollars for organized crime every year, forcing endless expenses on people, families, groups, and governments around the world. Drug abuse ruins individual lives, drains billions of dollars every year. Drug trafficking and drug abuse may also lead to increase in terrorist activity of a country. As it has been mentioned earlier, terrorist group with the activities like human trafficking and drug trafficking increase their wealth. With this wealth, they purchase weapons. Now, they have no restriction and they can attack whenever they want to.

4. Conclusion

Drug trafficking and crime shares a very complex relationship. Crime can be drug-related (persons who ingest drugs and commit crimes because of effect the drug) as well as drug-defined (offences in which an individual produce, manufacture, transport and sell drugs). It is now evident that drug abusers are more likely to commit crime rather than non-drug abusers. Terrorists group in order to generate money, commits offences like drug trafficking and human trafficking and with the generated money, they purchase weapons. Drug trafficking severely impacts the society. Drug abuse and trafficking can be a major reason for family breakdown. Health is also severely affected by drug abuse. Various drug creates negative impact on health and sometimes drug overdose can lead to death also. AIDS is the most common problem among drug injectors. Most of the crimes are committed when a drug addict, in order to satisfy his need, commits offences like stealing in order to gain money for the purchase of drugs. In many countries, students are also victims of drug abuse and it affects their intellectual capacity. Many times, they form their own groups in order to gain money for drugs. Drug trafficking is increasing day by day and with this, crime rates is increasing. Proper measures are not taken in order to control them. Bribes are paid to police officers for the purpose of allowing various groups to trade drugs. Drugs are smuggled from one country to another. This leads to transfer of black money from one country to another. It severely affects the economy of the country. In order to control it, proper laws should be adopted by the government. Proper punishment should be given to the drug traffickers so that it will serve as an example and there will be fear of getting caught among drug traffickers. Corruption must be controlled by proper enactment of laws. Otherwise, "Rich gets richer and the poor gets prison".

5. References

- i. United Nations Office on Drugs and Crime, World Drug Report, Available at http://www.unodc.org/documents/wdr2015/WDR15_Chapter_1.pdf, accessed, 20/9/2015
- ii. Trevor Bennett & Kathy Holloway, Drug-Crime Connections, Cambridge University Press Publications, 2007
- iii. Mike Maguire, Rod Morgan, and Robert Reiner, The Oxford Handbook of Criminology, Oxford University Press Publications, United Kingdom, 2012
- iv. David E. Brown, "The Challenge of Drug Trafficking to Democratic Governance and Human Security in West Africa," Letort Papers (Carlisle Barracks, PA: U.S. Army War College Press, 2013), Available at - <http://www.wacommissionondrugs.org/wp-content/uploads/2013/05/pub1151.pdf>, accessed 22/9/2015
- v. Jeremy Haken, Transnational Crime In The Developing World, Global Financial Integrity, Available at - http://www.gfintegrity.org/storage/gfip/documents/reports/transcrime/gfi_transnational_crime_web.pdf, accessed 22/9/2015
- vi. Fabre, Guilhem and Michel Schiray, "Globalisation, Drugs and Criminalisation: Final Research Paper on Brazil, China, India and Mexico," UNESCO, 2002, Part 1: Drug Trafficking and the State, p. 2., Available at - , <http://unesdoc.unesco.org/images/0012/001276/127644e.pdf>, accessed 21/9/2015
- vii. Tappan, P. (1947). Who is the criminal?, American Sociological Review, 12, 96-112

- viii. Anchalee Singhanetra-Renard, "Socio-economic and political impact of production, trade and use of narcotic drugs in Thailand", draft study prepared for UNRISD and the United Nations University (1993), p. 87.
- ix. <https://www.unodc.org/unodc/en/data-and-analysis/statistics/data.html>, accessed 25/9/2015
- x. National Council on Alcoholism and Drug Dependence, Alcohol, Drugs and Crime, Available at - <https://ncadd.org/about-addiction/alcohol-drugs-and-crime>, accessed 22/9/2015