

Research paper on drug control

Law, Criminal Justice



The United States of America continues to face challenges especially given the complicated system of governance. Under federalism, the federal government is entrusted with the overall management of national affairs while the states are left for what may be referred to as the residual functions. However, while the spirit and letter of the constitution may be clear in its ideal intents, it has proven difficult to implement given the competing interests between the states and the federal government. That notwithstanding, one crucial ingredient that America continues to showcase, and which it can be proud of is its respect for the rule of law and due process. Both federal and state governments have been strong advocates of the rule of law. Within this context is the challenge of drug abuse in the United States. According to recent statistics, millions of American citizens remain addicts. The drug industry has evaded the elaborate legal system and drug cartels and related organized crimes continue to characterize the day to day activities in the United States of America. In this paper, the drug war shall be discussed in detail with consideration being placed on the controversial approach that the federal and state governments have assumed in relation to matters of drug abuse. Drug abuse in itself shall be discussed and two crime theories applied to explain the problem of drugs. In overall, it is the postulation of this paper that the United States of America must take a common stand appreciated by all and sundry if success is anything to come by. In addition, it is high time the criminal justice system applied a realistic approach in addressing issues of drug abuse. Popular theories and practical observations based on empirical data have confirmed that drug abuse remains harmful. The effects come in twofolds.

Foremost, the mere consumption of drugs remains harmful to the health of the consumers. Different drugs consumed in diverse amounts have health implications for the final consumers. Some of the drugs are known to destroy the liver, heart and other organs of the body. Others affect the functioning of the brain with the consequence being reduced mental abilities and reasoning alongside hallucinations and hangovers. The second limb entails the relationship between drug consumption and indulgence in other forms of crime. These include burglary, rape, violence and robberies. It has been observed that the indulgence in drug consumption tends to lead people into other crimes. It does not matter which precedes the other. In some cases, criminals end up consuming drugs. Drug abuse, therefore, has become a crucial social justice issue with stakeholders keen to stop the indulgence in drugs.

It is noteworthy that at the federal level, there is already a substantive legislation dealing with the drugs called the Controlled Substances Act which was passed as the Comprehensive Drug Abuse Prevention and Control Act of 1970. The Act precisely states the substances considered drugs and which must be controlled. Control in that case includes issues of manufacture, importation, possession, use and distribution of the substances involved. The drugs in the list of controlled substances include cocaine, methylphenidate, amphetamine, opium, morphine, fentanyl, marijuana, heroin, among others. It is the postulation of this paper that control of these drugs remains necessary. This necessity should be considered within the context of the limited uses of these drugs. A good example can be seen in the medicinal use of marijuana and cocaine. Scientific evidence has been adduced time

and again proving the fact that marijuana and cocaine in small doses suffice as good medicine for some ailments. For that reason, the baby cannot be thrown out with the bath water. It is incumbent upon policy makers and other stakeholders to approach the issue of regulation and control from an inclusive point of view with due consideration being given to the various positive uses of the said drugs. However, from a broader perspective, it is essential to have an understanding of the issues of consumption of the drugs.

Often, it is the recommendation that an inclusive approach is taken that gives primacy not to the symptoms of the problem; rather, the main concern should be the problem itself. This is what takes policy makers and stakeholders back to studies and research to understand the issues behind the consumption of drugs and consequential indulgence in crime. More importantly, it should be examined exactly what are the factors that lead individuals into consumption of drugs. These factors should then be examined from a wide perspective and the issues arising addressed. In the ensuing section, the paper shall examine some of the theories that can be used to explain the indulgence in drugs and how the same can be used to reduce indulgence in drug consumption and related criminal activities.

The Strain theory and the Marxist theory of crime can be used to explain indulgence in drug consumption in the United States of America. The two theories also give solutions to the problems of drug consumption which in this paper's opinion can be used to address some of the issues precedent. Foremost, the paper shall explain some of the basic elements of the theories and then in the proceeding sections canvass a relationship between the said

theories and the problem of drug abuse and related criminal activities.

The Strain Theory associates criminal activity to the social environment in which one is raised. According to the theory, criminals are ingrained into crime courtesy of the environment in which they live and are brought up. The individuals who are brought up in anomic situations where people look the other way instead of practicing the rule of law tend to adopt criminal activities. On the other hand, those who live in environments where people value the rule of law and observe due processes tend to shy away from criminal activities. The theory further advocates that it is the societal dictates that would influence one into crime. In essence, it is the strains that one experiences that lead him to crime. This is because from the onset, one believes in legitimate processes to acquire a living. However, when the legitimate processes fail to provide for even the basic of the needs, one starts entertaining thoughts of engaging in illegitimate processes such as are the criminal activities. It is during this process that indulgence in drug consumption and even distribution takes shape. The main objective is to survive and one looks the other way never minding the issues of legitimacy. However, with the onset of criminal activities, come the related stresses and procedures. One has to get something to cool off and help him calm down from related stresses. Often, the first prescription entails the consumption of alcohol and related substances. However, with time, the environment around easily lends one into the drug consumption category. Perhaps at this juncture, we need to appreciate the fact that drugs are addictive.

On the other limb, the Marxist Theory relates the conflicts and competition in society as the causes of drug consumption and related activities. According

to Marxists, individuals are in constant competition to outsmart the other. There is often the need to achieve one's interests over the other. It does not matter what method one uses in as long as the end justifies the means. This theory thus explains why one would happily supply drugs to the industry. Often the motivation is the money. In pursuit of money one is ready to get a community of persons addicted and in return get them to depend on their supplies.

In addition, Marxism blames the elite in the system for the failure to fight and curb drug consumption. According to Marxism, the elite would rather have the lower classes stay in poverty and oblivion. This would make them dependent on them and continue to supply to them cheap labor which is the driver of their sources of income. Marxism perceives life as a fight between two parties. The upper class bent to retain the status quo and the lower classes often struggling to upset the status quo and rise above the hubris associated with their class. In the long run, the consumption of drugs and related substances aids in the attainment of the different class objectives. To the upper class, getting the lower class to consume drugs enables them to maintain the status quo. On the other hand, to the lower class, getting others to consume drugs gives them revenue which may help them out of the status quo.

In brief, the two theories offer some explanation for the consumption of drugs and related substances. This does not stop at that. The theories continue by offering solutions. This shall be the subject of the ensuing sections. Relying on the strain theory, it is critical for the stakeholders to appreciate the social environments in which criminals and potential criminals

are brought up in. In addition, it is essential to instill into the people a communitarian spirit that disapproves of consumption of drugs. In doing the same, stakeholders ought to provide avenues that enable earning some income for persons. The moment everyone has a source of income, little or no criminal activities would be witnessed and drug consumption is expected to reduce as the demand would fall. On the other hand, relying on the Marxist theory, stakeholders must appreciate the competing interests between classes and pursue avenues of addressing these interests without compromising the objectives of others. This approach would enable the reduction in consumption of drugs as the class interests would be solved without necessarily having to undermine others.

In conclusion, it is imperative to understand the complex nature of drug consumption and related substances. The solution of crime in society inevitably has to pursue an inclusive approach which is multidimensional in nature. In addition, it must be noted that addressing crime must take into consideration the causes and not merely the symptoms of the crime.

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