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5th Year, BA; LL.B. (Hons.)**DRUG ADDICTION- A SOCIAL PROBLEM****Abstract**

“drug addiction may be conceptualised as a crime without victim. It is an indicative of irresponsibility and weakness of the character using this intoxicant. Our country is unfortunate to see such a conceptualised crime which is affecting the country as a whole and how individual habit as become an social problem. Hence this paper focus upon the how the younger generations in the society have become the pray to it and how society is effected as a whole by such habitual behaviour of an addict”

“Every invention creates new needs, but the biggest needs are not for new and more advanced versions of the last invention but for solutions to the social problems the last invention created”

- Philip Slater.

Several issue have created a social problem, several inventions, addictions and abuse are also one of the leading causes of social problem. to pick one among them is Drug addiction . Addiction is a brain disease which biologically moulds the brain of an individuals both physically and mentally.

Addiction instigates the inner bad behaviour of an individual which makes one behave opposite to their natural behaviour. When we talk about addiction or getting addicted over

something it is an instant reaction in the brain that makes one's body get habituated to that kind of activities without one's subconscious consent.

Addiction not only harms physical appearance of an individual but also leads to mental illness, in medical terms the experts term this addiction as a chronic disease, which eventually spreads like a wood fire.

One of the unfortunate yet common addictions that affect millions today is Drug addiction.

Drug addiction as a choice cannot merely be limited to the life of teenagers but includes individuals from all age strata. However, statistics have shown that there is a drastic increase in the consumption of drugs in teenagers due to a variety of reasons, few of which include the influence of peers, the curiosity in experiencing the effect of a drug and so on. Drug addiction has a very bad impact in their personal life, as well as people around them. The choice that are made in our teenage phase or in early adulthood decides our future, and such addiction can limit coming opportunities in future.

The research has shown that 20-25% students' academic performance is poor because of alcohol and drug addiction. The urge for alcohol/drug is either peer pressure or to have that pleasure which calm their mind and to have that pleasure again and again they tend to get addicted to it. This doesn't affect the individual but the entire family. Also addiction affects an individual in such a way that he's intent at all times will be the procurement of drugs. This not only affect that particular individual but also society and the entire state in the long run. Drug/ alcohol addiction detaches the individual from the family and it also destroys the trust over time.

Drug addiction may be conceptualised as crime without a victim, addict himself is a victim who becomes a pray for his misuse. This devastating melody is eroding the roots of social, economic and cultural fibre of Indian society. This behaviour will eventually give birth to crime and criminals in the society which leads to social disorganisation.

Drug addiction may be a victimless crime but they carry with them their family, dependants and society as victims to their crime. Drug habituation has been prevalent in most societies over ages because of their allegedly pleasurable and relaxing effect . The relation with such addiction in the society is that it leads into various aggressive and criminal acts which is often confirmed by the police records and prison statics which has increased the crime episodes in the society.¹

This addiction towards drugs have become increasingly common among the youths in the society specially the teenagers sector have become a pray to such alleged pleasure. Such addiction by the young sectors in the society leads to a social problem. It is generally agreed that criminality in human beings is to be attributed to their mental depravity. A person with

¹ Robert Seliger's article on "alcohol and crime"(may-june 1950)

balanced emotional and physical health normally does not indulge criminal or aggressive conduct.

The sociologist and criminologist when investigated upon the relation between addiction towards drug and crime reveal that there is a close resemblance in the structure of the same as together it gives rise to illegal activities though forbidden by law.

Of late looking at young generations, drug abuse seems to have become a fashion for fun to relieve boredom, to get rid of tensions at home and in society, to feel good and high, to revolt against establishment, to heighten sexual experiences and so on.

As per the research by the sociologist addiction towards drugs is alleged to be a pleasure for their stress. With the rapid industrialisation and urbanisation have ushered a new way of life with new values like permissiveness. As a result the age old inhibitions, taboos and traditional social mechanisms have ceased to have force. Many cases of drug addicts arise after apparent failures in personal and professional life. Unemployment plays a major role in such addiction by the youths in the society.

The contributing factor for such addiction towards drugs by the younger generation is lack of parental care and control and the high economic class families. The intake for drugs starts by taking it as a relief to their pain but eventually leads them as addicts for the same where some addicts neurological heritage is in such a way that it is difficult for them to survive without the consumption of narcotic drugs and this ultimately makes them the habitual drug addicts.

Social disorganisation is also a contributing factor for the menace of drug abuse and misuse. Frequent family strife's and breakdowns due to poverty, temperamental differences; neighbourhood influences etc. may divert a person to drug consumption to overcome his domestic and family problems.

A person knowingly or unknowingly begins to consume drug as a medicine for a sound sleep at night or to get stimulation for work or to get relief from domestic problems or to repress depression or to get rid of mental restlessness and so on. Such addicts prefer to live in the world of imagination rather than facing realities in life. Gradually he becomes addicted to drug consumption and his dependence on these intoxicants increases at a relatively faster rate.

It must be stated that the use of opium and cannabis in the form of ganja and bhang was tolerated in India as a religious practice, but gradually these consumption became an addiction which affected the Indian society. The spectrum of drugs abuse today is very wide covering the drugs of plant origin and a number of synthetic drugs of varying potency.

Applying estimates of prevalence to population figures, the survey estimated that in India whose population is just over a billion, 8.75 million use cannabis and two million use opiates. In order to do survey about the consumption, the national committee on drug addiction was set up by the government of India in 1976 to enquire into-²

² Criminology and penology by Paranjape.

1. To extent of addiction to drugs in the country
2. To determine motivation for drug addiction
3. To identify types of drugs those is misused and suggest steps to prevent misuse.
4. To recommend suitable de-addiction and rehabilitation programmers.

Looking at the scenario the central government makes the committee in its report suggested establishment of a national advisory board on drug control. It outlined the need for corporation of police, excise and drug control departments to curb this menace and necessity for creating awareness against drug addiction in the public.

With the rapid expansion of trade and commerce beyond national boundaries, the drug addiction and trafficking has become a global phenomena . As a measure of drug control , a thirteen nation international conference on narcotic drugs was held in china in 1909, thereafter the international opinion convention called the Hague convention on narcotics was held in 1912 which was the first drug traffic control treaty at international level.

DRUG ADDICT AND CRIME.

Besides alcoholism drug addiction is also closely interconnected with crime. Compulsion for narcotic makes every drug addict a law violator and criminal. Mere possession of narcotic is also an offence punishable under the law and therefore drug addiction by itself adds to crime statics.

The question too often raised in the criminal traits of drug addicts is whether criminality in them precedes or follows addiction. that is to say whether the addicts are already delinquents before they take to addiction or they become subsequently. The researchers give in their opinion that no drug addict is a criminal born , addiction itself is a mere brain disorder which instigates the person in doing wrong without his consciousness this gradual addiction towards drugs makes them an habitual addict which gives rise in performing illegal acts and committing crimes which disturbs the peace and harmony of the society.

Drug addict may result in mental impairment. if a person through the use of intoxicants or drugs , is rendered insane , Naghten rule shall apply³

Global statics indicate that various Parts of the world are drastically affected by drug hazard and the problem has reached alarming dimensions particularly in middle east, south east Asia, eastern Europe, Canada, Mexico, USA, central America Africa and India respectively.

INDIAN LAW

Prior to 1950, laws dealing with narcotic drugs came under the opium Act,1857 and 1878 and the Dangerous Drugs Act 1930. These were merged in 1950 after the formation of the opium department, which is now known as the central department of narcotics (CBN) . this bureau is responsible is responsible for supervision of licit cultivation of opium and enforcing laws on illegal trade and use of drugs.

³ (1843) 10 CL &F 200

The succeeding decades, witnessed an alarming increase in drug menace hence the parliament enacted the Narcotic drugs and psychotropic substances act, 1985 which came in effect on 16th September, 1985

The act emphasises on the preventive aspect of drug evil and covers a wide list of substances that are recognised as narcotic drugs. It seeks to prevent people from the dangers of drug abuse. It was for the first time in India that legislation recognised a wide list of substances that were categorised as danger drugs.

The main policy underlying this act is to prohibit supply and distribution of prohibited drugs, for which minimum sentence of ten years, which may extend to 20 years with a minimum fine of rupees one lakh and maximum up to two lakhs has been prescribed. The act made no distinction between a drug addict and a drug trafficker in respect of punishment except under section 27 and 64-A of the act.

In India also drug addiction is spreading like wild fire as could be seen from the fact that heroin was being recently smuggled even in dead bodies.

The supreme court of India in Dawood Lama's case⁴ held that the police officer is bound to inform the person arrested that if he so desired he shall be searched in the presence of a gazetted officer or magistrate.

Thus studies on drug addiction however reveal that the problem of drug abuse and alcoholism is not confined to cities alone but it persists in rural areas as well. It actually affects the economically depressed classes, middle classes, upper classes and ultra-modern social groups. However in cities mostly youth and students are affected whereas in rural areas the agriculturalist and labour classes are generally addicted to drugs.

Special treatment centres have been set up by social welfare agencies to deal with alcoholics and drug addicts. In Bombay, The Samaritans a social welfare agency is doing commendable work in the areas of rehabilitation of drug addicts. It is high time that the government should also consider setting up special treatment centres for the rehabilitation of drug addicts.

In the light of the scenario looked in the society with regard to drug addicts the society as a whole is infected by disturbing the peaceful living and ethical and cultural dignity.

⁴ Dawood lama vs. state of Maharashtra (1990)Cr. L.J 1034