

## PAPER – 103

### DRUG ADDICTION, CRIMINAL JUSTICE AND HUMAN RIGHTS

#### Syllabus :

1. Introduction :
    - 1.1 Basic conceptions
      - 1.1.1 Drugs 'narcotics', "psychotropic substances"
      - 1.1.2 'Dependence', "addiction"
      - 1.1.3 "Crimes without victims"
      - 1.1.4 "Trafficking" in "drugs"
  2. How Does One Study the Incidence of Drug Addiction and Abuse ?
    - 2.1 Self-reporting
    - 2.2 Victim-studies
    - 2.3 Problems of comparative studies
  3. Anagraphic and Social Characteristics of Drug Users
    - 3.1 Gender
    - 3.2 Age
    - 3.3 Religiousness
    - 3.4 Single individuals / cohabitation
    - 3.5 Socio-economic level of family
    - 3.6 Residence patterns (urban/rural/urban)
    - 3.7 Educational levels
    - 3.8 Occupation
    - 3.9 Age at first use
    - 3.10 Type of drug use
    - 3.11 Reasons given as cause of first use
    - 3.12 Methods of intake
    - 3.13 Pattern of the Use
    - 3.14 Average Quantity and Cost
    - 3.15 Consequences of addict's health (physical/psychic)
- Note :** Since no detailed empirical studies exist in India, the class should be in this topic sensitised by comparative studies. The principal objective of discussion is to orient the class to a whole variety of factors which interact in the 'making' of a drug addict.
4. The International Legal Regime :
    - 4.1 Analysis of the background, text and operation of the Single Convention on Narcotic Drugs, 1961,1972.
    - 4.2 Analysis of the Convention on Psychotropic Substances, 1972.
    - 4.3 International collaboration in combating drug addiction
    - 4.4 The SARC, and South - South Cooperation
    - 4.5 Profile of international market for psychotropic substances
  5. The Indian Regulatory System :
    - 5.1 Approaches to narcotic trafficking during colonial India
    - 5.2 Nationalist thought towards regulation of during trafficking and usage.
    - 5.3 The penal provisions (under the IPC and the Customs Act)
    - 5.4 India's role in the evolution of the two international conventions

- 5.5 Judicial approaches to sentencing in drug trafficking and abuse
  - 5.6 The Narcotic Drugs and Psychotropic Substances Act, 1985
  - 5.7 Patterns of resource investment in India : policing adjudication, treatment, aftercar and rehabilitation.
6. Human Rights Aspects :
- 6.1 Deployment of marginalized people as carrier of narcotics
  - 6.2 The problem of juvenile drug use and legal approaches
  - 6.3 Possibilities of misuse and abuse of investigative prosecutor powers
  - 6.4 Bail
  - 6.5 The problem of differential application of the Ugal Regimes, especially in relation to the resourceless
7. The Role of Community in Combating Drug Addiction :
- 7.1 Profile of Community initiatives in inhibition of dependence and addiction (e.g. deaddiction and aftercare)
  - 7.2 The role of educational systems
  - 7.3 The role of medical profession
  - 7.4 The role of mass media
  - 7.5 Initiatives for Compliance with regulatory systems
  - 7.6 Law reform initiatives

**Select bibliography :**

H.S.Becker, Outsiders : The Studies in Sociology of Deviance (1966)  
 J.A. Incard, C.D. Chambers (eds.), Drugs and the Criminal Justice System (1974)  
 R.Cocken, Drug Abuse and Personality in Young Offenders (1971)  
 G.Edwards Busch (ed.), Drug Problems in Britain : A Review of Ten Years (1981)  
 P.Kondanram and Y.N.Murthy, "Drug Abuse and Crime : A Preliminary Study" 7 Indian Journal of Criminology, 65-68 (1979) Criminal System (1988)  
 Entitled Nations, Economic and Social Reports of the Commission on Narcotic Drugs, United Nations Social Defence Research Institute (UNSDRI) Combating Drug Abuse and Related Crime (Rome, July 1984, Publication No.21)  
 Lok Sabha and Rajha Sabha Debates on 1986 Bill on Psychotropic Substances

**Useful Journals in this area are :**

- (1) The Law and Society Review (USA)
- (2) Journal of Drug Issues (Tallahassee, Florida)
- (3) International Journal of Addictions (New York)
- (4) British Journal of Criminology
- (5) Journal of Criminal Law, Criminology and Police Science (Baltimore, MD)
- (6) International journal of offender therapy and comparative criminology (London)
- (7) Bulletin on Narcotics (United Nations)
- (8) Journal of Criminal law and criminology (Chicago, ILL)