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War on drugs and the demonisation of drug addicts: Unmasking the "horror" of prohibitionism in Nigeria

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Abstract:

The increasing rate of illicit drug use and its damaging effects on peoples' health/wellness has prompted drug policy as a viable option to curb drug-related offences globally. However, this war on drugs has recorded little success in preventing the long-term trend of rising drug production, trafficking and use. In Nigeria, efforts to control illicit drugs have culminated into the promulgation of the contentious 'drug war' strategy that involves the criminalisation of drug manufacturing, selling, uses, and the 'demonisation' of drug addicts - an approach that social commentators claimed have not appreciably reduced illicit drug use. Based on this, this article relying on secondary data sources, appraises the drug-control strategy in Nigeria by reviewing its operations, the social characters of the enforcers of the policy, its workability and unintended consequences. The paper recommended a shift from the sanction approach to a non-coercive and evidence-informed drug treatment that recognises the human rights of drug users.

Key Words: Drug War, Demonization of drug addicts, Prohibition policy, Nigeria, Criminal Justice System, Psychoactive drugs.

Introduction

The mere mention of 'drug' often carries a negative connotation for most people. Indeed, not many people constantly rethink the positive pharmacological significance of most substances when the term drug is mentioned. Although the word 'drug' is a generic term used to categorise a broad spectrum of substances aside from food and water (licit or illicit), which causes physiological change when introduced in human/animal body, a lot of people still hold negative views about the use of the word 'drugs' (Kendall, 2011[1]; Fishbein, 1996[2]). Thus, most discussions on 'drugs' are usually directed to substances that negatively affect users and societies.

But before the beginning of the 19th century, most psychoactive drugs currently placed on the prohibition list were to some extent used freely by man

[1]Kendall DE (2001). *Sociology in Our Times.* Belmont C.A.: Wadsworth
[2]Fishbein DH (1996). *The Dynamics of Drugs.* Boston: Allyn and Bacon.

(Escohotado, 1998[3]; Furst, 1980[4]; Levi-Strauss, 1979; Harner, 1976[5]). Then, the use of such drugs (psychoactive and psychotropic) was socially regulated, often taking place in restricted areas, particularly during ceremonial rituals. Drug users were not prosecuted or penalised in most parts of the world, and punitive measures against users were de-emphasised. At the same time, treatment and other rehabilitative efforts became the order of the day. Then, people treat the non-medical use of psychoactive substances with leniency and as a health issue but not a crime.

However, at the turn of the 19th century, factors such as the increasing concerns on the prevalence of drug use (illicit), the growing problem of addiction, and various effects of illegal drugs on the health of individuals and communities, particularly in America and Europe, made many national governments categorise narcotics, psychoactive and psychotropic substances as unlawful. For instance, the unprecedented rise in the use of opioids and heroin in the United States of America at the beginning of the 20th century prompted the change of attitudes of the American government and people to drug use and users (NIDP, 2017[6]). The ensuing bifurcation of substances into licit and illicit inexorably ushered in the interdiction of psychoactive/psychotropic substances. This has, in turn, culminated in the introduction of punitive measures on people who engage in cultivation, trafficking, selling and consumption of substances classified as illicit.

Over the past ten decades, official policies and measures formulated to counter the production, cultivation, trafficking, and psychoactive drugs globally have increased. Correspondingly, the drug prohibition stance of various National Governments has stimulated varied responses from scholars and researchers alike. These scholars and researchers have, at different times, argued either in favour or against the governmental decision/s to criminalise myriad activities revolving around illicit drugs production, trafficking and use. While some scholars are irked by the law enforcement posture of the governments, or what is termed "war on drug addicts"; others (proponents) who ostensibly link drugs with crime, violence and corruption have brazenly etched their thoughts in support of the criminalisation of drug use in different countries of the world.

However, how the war on drugs is fought globally has shown that the classification of substances as licit or illicit was not based on toxicology or the inherent potentials of drugs to destroy human health and the social fabrics of society. Substances are prohibited, and their use is criminalised due to the illicit tag. This is apparent in the categorisation between alcohol, tobacco and other psychoactive and psychotropic drugs. Even though alcohol and tobacco are equally addictive and toxic, these substances are yet to be classified as illicit. In

[3]Escohotado, A. (1998). *Historia de las drogas*. Barcelona: Alianza.
[4]Lévi-Strauss, C., (1979). *Los hongos em la Cultura*: Antropologia estructural. Madrid: Siglo XXI.
[5]Harner, M. (1976). *Alucinógenos y chamanismo*. Madrid: Guadarrama
[6]Harner, M. (1976). *Alucinógenos y chamanismo*. Madrid: Guadarrama

other words, the illicitness of such drugs (psychoactive) attracted their prohibition and criminalisation and not their toxicology.

This article draws mainly from the central argument of scholars that do not align with the drug prohibition strategy of the government and its associated punitive criminal justice responses. According to them, scholars in this category view drug criminalisation as a comprehensive system of state power, which has outlived its usefulness. They concluded that the war on illicit drugs that were supposed to be a fight for social justice and purification had lost its charms due to the disillusionment its tactics had caused the public members. The paper, however, scores the drug prohibition policy of the Nigerian government low due to its undue emphasis on the criminalisation of drug use and adoption of punitive measures at the expense of making rehabilitation, reintegration and healthcare services available for drug users.

Furthermore, the paper identifies the inherent shortcomings associated with the criminalisation of drugs and the demonisation of drug addicts in the country. In this paper, a critical approach is taken to show that the war on drugs and the demonisation of drug addicts is counterproductive and should be seen as a failed experiment. Despite the lack of success of governmental efforts to control drug production and use, the prohibition strategy has become institutionalised in Nigeria. The paper, therefore, identifies many unintended consequences associated with the current sanction-approached method employed in-country. Consequently, this article advocates a radical departure and recommends alternative drug policy options.

While the paper's tone is both critical and analytical, it is hinged on one of the strands of structural functionalism – that if any of the vital social institutions in a society is malfunctioning, some parts of such society are malfunctioning will become dysfunctional. Drawing luxuriously from the National Drug Law Enforcement Agency (NDLEA) data and other literature sources, the paper beams its searchlight on the drug war narratives in Nigeria, its mode of operation, and the grave consequences of the current drug policy in the country.

Global Historicity of War on Drug

The consumption of substances now termed illicit drugs has been with man from time immemorial. It is evident that humans first began to use opium and cannabis (Hemp) around 3000 BC (Almeida, 2003)[7]. But, the realisation that the misuse of narcotic and psychotropic substances causes serious harm to individuals and society has elicited adverse reactions from various national governments to the non-medical production, consumption, and distribution of

[7]Almeida, P. da R. A (2003). Política Criminal Antidrogas no Brasil: Tendência Deslegitimadora do reito Penal. *Jus Navigandi*, Teresina, ano 8, n.131, 14 de nov. 2003. Disponível em: <http://jus2.uol.com.br/doutrina/texto.asp?id=4486>. Acesso em: 09.10.2019.

such drugs. In recent times, every country has criminalised the production, sales and uses of substances classified as illicit (except for medical use). Indeed, most governments and political leaders in the world support drug prohibition and have consequently established a global drug prohibition system (Levine, 2002)[8].

So far, drug prohibition has thrived and enjoyed widespread acceptance in many parts of the world. One important reason for its overall acceptance by governments and most people worldwide is attributed to the various anti-drug crusades or "demonisation" of illicit drug users. For years, different anti-drug campaigns have been put up by the media, police departments, health organisations and religious leaders, who have relentlessly described drugs as 'evil', highly contagious, vile' and life-threatening (Reinarman and Levine 1997)[9]. Similarly, politicians have relentlessly waged war on drugs and identified it to cause many miserable conditions and events. So far, anti-drug crusades have successfully depicted drugs considered illicit as highly poisonous substances that induce evil immeasurably in users' lives. Hence, the constant use of words with negative connotations such as scourge, pestilence, epidemic, and plague to describe all sorts of drug users (Reinarman and Levine 1997; Baum 1996[10]; Epstein 1977[11]).

Beginning from the 20th century, the United States of America and many of its allies through the United Nations (U.N.) have greatly influenced many countries to become signatories to a series of international treaties that legitimise global drug prohibition (Bewley-Taylor 1999[12]; Nadelmann 1990[13]). The coinage of the word 'war on drugs was made by American President Richard Nixon in 1971 in a public conference where he identified and described abuse and addiction to illicit drugs as public enemy number one. A review of the literature shows that the United States of America cynically waged an all-out offensive in many parts of the world to eradicate illicit drug abuse globally (Mejía and Restrepo, 2014[14]). From all indications, the body language of successive administrations in the United States of America (after Nixon) and their insistence on the total eradication of non-scientific and non-medical drug use

[8]Levine, H. G. (2002). The secret of worldwide drug prohibition: The varieties and uses of drug prohibition. *The independent review*, *7*(2), 165-180.
[9]Reinarman, Craig, and Harry G. Levine. (1997). *Crack in America: Demon Drugs and Social Justice.* Berkeley: University of California Press.
[10]Baum, Dan. (1996). *Smoke and Mirrors: The War on Drugs and the Politics of Failure.* New York: Little Brown.
[11]Epstein, Edward Jay. (1977). *Agency of Fear: Opiates and Political Power in America.* New York: G. P. Putnam's Sons.
[12]Bewley-Taylor, David. (1999). *The United States and International Drug Control, 1907–1997.*London and New York: Wellington House. Policy, (14), 145-153.ScienceDirect, Elsevier.
[13]Nadelmann, Ethan (1990). Global Prohibition Regimes: The Evolution of Norms in International Society. *International Organization* 44, no. 4: 479–526.
[14]Daniel Mejia & Pascual Restrepo, 2013. "The Economics of the War on Illegal Drug Production and Trafficking," Documentos CEDE 011935, Universidad de los Andes - CEDE.

have been instrumental in establishing and shaping of 'absolutist prohibition approach' that characterised most global drug control policies (Collins, 2017)[15].

The early 20th-century American government's depiction of psychoactive/psychotropic drugs as a "curse" and the mortal threat that must be expunged entirely from the world partly resulted in the Shanghai Opium Commission of 1909 and another Convention in Paris in 1931. The formalised deliberations and consultations made in these events by the World powers and other participating countries birthed the modern framework of narcotics control (prohibitionist approach) as amplified in the U.N. Single Convention on Narcotic Drugs of 1961, the 1972 Protocol, the 1971 Convention on Psychotropic Substances, and the United Nations Convention against Illicit (Collins, 2014; Bewley-Taylor 1999[16]; McAllister, 1999[17]; Musto 1987[18]; King 1978[19]; Epstein 1977[20]). Of particular interest is the 1961 Convention that described addiction to narcotic drugs as a grave evil and danger for individual and socio-economic activities of humanity. The Convention is the only U.N. instrument that used 'serious evil' to describe any human misconduct.

The 1961 Convention is the basis upon which the absolutist prohibitionist approach of many countries is based. However, a review of all the U.N. treaties shows that most drug control strategies used in the world are rooted in punitive criminal justice, at the expense of human rights and public health concerns of the drug dependents (UNODC, 2017[21]). To this end, a phenomenal amount of dollars and other resources are spent globally on the police department, judges and prison to ensure that drug offenders are incarcerated and punished. Indeed, the 'war on drugs' rhetoric has dramatically influenced the modern view of drugs. An overly punitive measure against millions of people who use illicit drugs globally has brought about the criminalisation and marginalisation of individuals caught in drug production and use webs.

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[15] Collins, John (2017) Rethinking 'flexibilities' in the international drug control system — potential, precedents and models for reforms. International Journal of Drug Policy. ISSN 0955-3959

[16]Bewley-Taylor, David. 1999. *The United States and International Drug Control, 1907–1997.*London and New York: Wellington House. Policy, (14), 145-153.ScienceDirect, Elsevier.

[17]McAllister, William. 1999. *Drug Diplomacy in the Twentieth Century: An International History.* New York: Routledge.

[18]Musto, David. 1987. *The American Disease: Origins of Narcotic Control.* Expanded ed. New York: Oxford University Press.

[19]King, Rufus. 1972. *The Drug Hang-Up: America's Fifty-Year Folly.* Springfield, Ill.: Charles C.Thomas.

[20]Epstein, Edward Jay. 1977. *Agency of Fear: Opiates and Political Power in America.* New York:G. P. Putnam's Sons.

[21]UNODC. 2017. *The Challenge of Synthetic Drugs in East and South-East Asia: Trends and Patterns of Amphetamine-type Stimulants and New Psychoactive Substances.* Bangkok: United Nations Office on Drugs and Crime.

Most notably, in Africa, the current repressive drug policies have resulted in marginalisation, stigmatisation and overall maltreatment of individuals who use and abuse psychoactive and psychotropic drugs. Drug users are widely regarded as criminals, demons, social outcasts, morally-weak individuals who should end up in prisons without recourse for their fundamental human rights (World Drug Report, 2016[22]). In many parts of Africa, people who use illicit drugs are more often stigmatised, demonised, and subjected to many human rights waves of abuse that mostly go unreported. Even in the face of daunting and overwhelming evidence that criminalisation has achieved little or no success in reducing the overall drug use globally; there is unrelenting adoption and use of sanction-approach in Africa – a development which has nonetheless led to stigmatisation and discrimination of drug users by non-drug using population (IDPC, 2017)[23].

War on Drugs: The Nigerian Case

Like the experiences of most countries in the world, the non-medical use of illicit drugs has for long become a matter of grave concern in Nigeria. Illicit drug use and abuse is a nagging and challenging problem with a history that predates Nigeria's independence from the British in 1960 (Obot, 2004)[24]. As part of the measures to counteract illicit drug problems in the country, the first drug control policy is, known as the 'Dangerous Drugs Ordinance', was passed in 1935 (Oloruntoba, 2006)[25]. The Ordinance did not entirely ban the use, importation, exportation and sales of opium and other harmful substances but regulated it.

According to Asuni (1964)[26]Indian hemp was first smuggled into the country by the returning Nigerian Military Officers from the Middle-East, Far East and North Africa, while heroin was brought into the country by the returning Nigerian Naval Officers that travelled to India for training. In the same manner, the entry of cocaine into the country was occasioned by the activities of some South American drug traffickers who were then using Nigeria and some other West African countries as their hub for transiting drugs into Europe and some countries in North America (Ellis, 2009)[27].

[22]United Nations Office on Drugs and Crime, World Drug Report 2016 (United Nations publication, Sales No. E.16.XI.7).
[23]IDPC (2017). Drug policy in Africa: Towards a human rights-based approach. International Drug Policy Consortium Publication Advocacy Note www.idpc.net
[24]Obot, I. S. 2004. Assessing Nigeria's drug control policy, 1994-2000. *International Journal of Drug Policy*, 15, 17-26.
[25]Oloruntoba, F., 2006. Drug control laws in Nigeria. Paper presented at the *Teachers Orientation Workshop for Plateau State Teachers in Jos, 10*.
[26]Asuni, T. (1964). Socio-psychiatric problems of cannabis in Nigeria. *Bulletin on Narcotics*, 16(2), 17.
[27]Ellis, S. (2009). West Africa's international drug trade. *African Affairs*, 108(431), 171-196.

Motivated by the harmful effects of illicit drugs production, trafficking and use on people in the country, successive administrations in Nigerian have adopted the drug control policy of the United Nations. The core of the drug control measures in Nigeria is guided by the three United Nations treaties of the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971, and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (Bewley-Taylor, 2012).

Another indigenous legislation against illicit drugs in Nigeria are the Indian hemp decree of 1966 that recommended death penalty or imprisonment of not less than 21 years for cultivation or importation of Indian hemp and a minimum of 10 years imprisonment for exportation of the same product. This Decree specified a minimum of 5 years imprisonment for possession of smoking utensils and forfeiture of materials (vehicles, vessels) used by drug offenders. In comparison, male drug offenders below 19 years were given corporal punishment. However, in 1977, the Indian Hemp Amendment Act came to the fore, and it recommended less severe punishment for drug offenders. While the Act stipulates a maximum of 10 years imprisonment for people that allow their premises to be used for drugs, it recommends imprisonment not less than six months or a fine of N200 or both for possession of Indian hemp.

Also, in 1984 another Indian Hemp Decree was made to replace the repealed Indian hemp Decree of 1977. Indeed, more severe punitive measures were introduced in the new Decree. A minimum of 21 years imprisonment was given for the sale and trafficking of Indian hemp, while smoking and possession of Indian hemp attracted a minimum of 4 years imprisonment. At the same time, possession or smoking of Indian hemp by people below 17 years old drew 21 strokes of cane, two years in rehabilitation centre or fine of N200. In the same year (1984), another special Tribunal Decree for Miscellaneous Offenses came up. The Decree outlawed the death penalty for drug-related offences, recommended life imprisonment for production, processing, cultivation of all illicit substances and imprisonment of not more than 20 years for exportation, transportation and trafficking of hard drugs. This Decree equally introduced a jail term of nothing less than 14 years for people selling or buying illicit substances, between 2- and 10-years imprisonment for possession or consumption of illegal substances. See NDLEA Annual Report, 2008, for details.

The 1980s marked the watershed point for a sustained war on drugs by the government in Nigeria. The then strict adoption of the prohibitionist approach by the Nigerian government was tied to the enormous pressure from the U.S. government and some of her allies. At the time, the government made drug war a top political priority to put an end to the shipment of cocaine and heroin into the country and improve Nigeria's already tarnished image among the comity of nations (Klantschnig, 2015[28]). The government created an agency known as the

[28]Klantschnig, G. (2015). The politics of drug control in Nigeria: exclusion, repression and obstacles to policy change. *International Journal of Drug Policy*. 10.1016/j.drugpo.2015.10.012

National Drug Law Enforcement Agency (NDLEA) to curtail the country's cultivation, trafficking, and use of psychoactive substances drugs. Through the NDLEA, the federal government of Nigeria has been able to intensify its war on drugs policy on users and traffickers through prohibition and punishment (Oloruntoba, 2006; Obot, 2004[29]). In Nigeria, the prohibitionist strategy of the government has consistently been enforced by police and officials of NDLEA through the use of supply-centric policies.

The Nigerian war on drug policy is targeted at reducing the supply of drugs. The government's ultimate aim was that such a step would necessarily cause a reduction of illicit drug use. In line with this, every successive government in Nigeria made drug prohibition a priority and de-emphasised the international obligation of the governments to provide rehabilitation for drug users. Even when it was clear that a home-grown solution was needed, every regime enforced a prohibition policy. As the works of Obot (2004) and Othman (1989)[30] have shown the responses of Nigerian governments to drug offences, particularly during the reins of the military, was to 'discipline' Nigerians and restore the image of the country that has been dented internationally as a result of drug-related activities of indigenous people. The claim above occasioned a situation where various Military regimes in Nigeria made the drug war their top priorities even when it was evident that the strategy had become counterproductive.

The bookmakers still refer to the war on drug campaign by NDLEA officials under the administration of Gen. Abacha as the most celebrated war on drug strategy in Nigeria. The era is known for cruel practices like 'arrest to loot' and other coercive practices that later became institutionalised in the workings of officials of NDLEA. During this period, NDLEA officials had limitless powers to arrest drug offenders, seize their assets, and parade them publicly before they appeared in court. Drug offenders or suspects were often maltreated, tortured, and kept in overcrowded prisons while awaiting trials (HRW, 2005[31]).

A critical examination of the Nigerian drug policy has shown a country that relies solely on criminalised prohibition. A system that uses NDLEA officials, police, and imprisonment to punish individuals who engage in illicit drugs irrespective of the amount or size of substances involved. Unlike what is obtainable in countries such as the Netherlands, the Nigerian drug control policy prohibits even the medical use of Indian hemp to treat terminally ill patients. As a result, a lengthy jail term is given for repeat drug offenders and others who are small-scale illicit drug users. However, this stance has resulted

[29]Obot, I. S. 2004. Assessing Nigeria's drug control policy, 1994-2000. *International Journal of Drug Policy*, 15, 17-26.
[30]Othman, S., 1989. Nigeria: Power for Profit - Class, Corporatism, and Factionalism in the Military. In *Contemporary West African States*, ed. Donal Cruise O'Brien, John Dunn, and Richard Rathbone (Cambridge: Cambridge University Press).
[31]Human Rights Watch (HRW) (2005) 'Rest in Pieces': Police Torture and Deaths in Custody in Nigeria. Vol. 17, No.11. Available at http://www.hrw.org/reports/rest-pieces.

in the hoarding of many people in various prisons dotting the country's landscape as they await trials.

Some of the Unintended Consequences of the War on Drugs in Nigeria

All over the world, activists and drug policy experts have severely questioned and critiqued various national governments' prohibitionist drug control policies. Critics like Francisco Thoumi - a drug policy expert, have consistently aired their views against the hard-line position of governments that support drug prohibitions. Most of these critics claimed that despite governments' imposition of sanction-approach drug policy, the global drug consumption rate is still on the rise while its trade has thrived significantly. These critics maintained that adopting a law-enforcement policy to curb illicit drug use and marketing brings no positive changes. Their submissions affirm that such an approach is ineffective and generates dire consequences. According to them, drug policies hinged on prohibition and interdiction wreck more havoc than illicit drugs do.

So far in Nigeria, despite the phenomenal sum expended on curtailing drug use through prohibitionist policies and activities, drug cultivation and abuse remain a growing problem (Alemika, 1990)[32]. Although it is difficult to estimate the extent of drug cultivation and consumption in Nigeria due to lack of reliable data accurately, Alemika (1990) in his submission and the Annual Report of National Drug Law Enforcement Agency (NDLEA) in 2008 and 2009 indicate an increase in the number of drugs (mainly marijuana) seized and the number of people consuming drugs (marijuana) in the country. In other words, the NDLEA led enforcement drug control policy of the government has achieved little in curbing the widespread non-medical use of illicit drugs in the country.

While the benefits attributed to the prohibition and war on drug interventions of the Nigerian government are yet to be seen, its damage report is wide-ranging. In the wake of five decades of intense war on illicit drug cultivation, commercialisation and use in Nigeria, there has been a steady rise in the arrest and incarceration of peddlers and alienation of drug addicts. The conclusion from the works of scholars such as Klantschnig (2015), Otu (2013), Alemika (1990) has shown that Nigeria is losing the war on drugs, and the situation will continue to degenerate if "prohibitionism" is not deemphasised. In line with the submissions of scholars like Ediomo-Ubong, Nelson, Isidore, Obot, & Okokon, and Umoh (2017), Klantschinig (2015), Otu (2013), the current drug policy in Nigeria is repressive and imbued with widespread marginalisation and ill-treatment of drug users. It has produced some unintended consequences and issues that require urgent action and redress.

[32]Alemika EEO 1990. Narcotic Drug Problems and Control in Nigeria. In: N.K. Kalu, MH Osinboyo (Eds.): *Narcotic Laws and Policy in Nigeria.* Lagos: Federal Ministry of Health, pp. 31-34

For instance, in Nigeria, the current prohibitionist approach of the government on illicit drug use implemented by NDLEA officials, Police, Immigration officials utilising interdiction and seizure of psychoactive substances has often been described as activity fraught with illegality, in-human treatment and therefore counterproductive (UNDCP, 2008[33] Reuter, 1997[34]). Despite commendation once given to NDLEA for its achievement and progress in counter-narcotic activities as measured by seizures of many drugs, the agency has also been accused of monumental corruption. There is documented evidence that officials of law-enforcement agencies (NDLEA, Custom, Immigration, Police) are routinely bribed to turn a blind eye to some illegal drug activities or participate directly in the transportation of drugs from one region to another (UNODC, 2008[35]). Corroborating this stance, Klantschnig (2015) reported how the NDLEA officials he interviewed acceded that bribery and extortion at roadblocks are common occurrences in the agency, particularly as drug smugglers always offer the NDLEA staff an alluring amount of money.

The above is closely connected with many unchecked inhuman treatments in the forms of police brutality during raids, arbitrary arrest and harassment, beatings to extract information, death threats, meted on people that undertake drug activities. Besides, the criminalisation of drugs has led to stigmatisation, demonisation and violation of human rights of drug users in the country. To this end, coercion has become a common feature of NDLEA's daily routine. Coercion reached a crescendo during Buhari and Abacha Regimes in the 1980s and 1990s, respectively, when Nigerians were subjected to harassment at airports, brutally arrested and detained illegally, and drug smugglers were publicly executed (IDCP, 2016; Klantschnig, 2015).

Another negative consequence of overly punitive measures of the government on drug control is the steady astronomical rise in the cost of waging war against illicit drugs and its attendant effects on national development. In the war on drugs, huge capital outlay is required its implementation, like other wars. For instance, the cost of waging war on drugs in the United States between the years 1980 and 2000 rose from $10 billion to $40 billion (which is three-fourths of national expenditure on drugs), while treatment expenditures for drug users over the same period had gulped one-sixth of U.S. federal expenditures on drugs (Pacula, 2008[36]; MacCoun and Reuter, 2001[37]).

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[33]United Nations Drug Control Programme(2008). Retrieved, November 20 2019, http://www.unodc.org/nigeria/en/abuse.html.
[34]Reuter, P. (1997). Why can't we make prohibition work better? Some consequences of ignoring the unattractive. *Drug Policy Research Centre*, Santa Monica, Ca. RAND.
[35]United Nations Office on Drugs and Crime (2008). *Making drug control 'fit for purpose': Building on theUNGASS decade,* http://www.countthecosts.org/sites/
[36]Pacula, Rosalie Liccardo. 2008. Testimony on "What Research Tells Us about the Reasonableness of the Current Priorities of National Drug Control before the U.S.House of Representatives" Oversight and Government Reform Committee, Subcommittee on Domestic Policy, March 12. http://rand.org/pubs/testimonies/CT302/.

Nigeria has invested enormous resources in enforcing prohibition by maintaining her drug policies tightly hinged on suppressing illicit drug use through eradication of supplies, criminalisation of illicit drug trade, and the interdiction of drug shipments. The social and financial costs of spending a large chunk of National and State budgetary allocations on policing courts and prisons are substantial and rising. Though it is hard to accurately provide the total fund expended on the drug war in Nigeria, due to the rarity of records showing this in the public domain; yet, gleanings from the yearly budgetary allocation for NDLEA, particularly on personnel costs, has shown sustained growth in the amount spent on the war on drugs (See NDLEA 2008 Annual Report).

Also, the implementation of the war on drugs in Nigeria has ostensibly created a disjunction in the way the ordinary and privileged drug users, traffickers and producers are treated. It is on record that the execution of the war on drugs in the country has become a lopsided event. According to Otu (2013)[38]The current prosecution of the war on drugs in Nigeria is an activity that regales in discrimination. Drug users and peddlers at the lower rung of the economic ladder are arrested and imprisoned in drones, while the barons' cases are more often treated with kid gloves. In line with his submission, Otu (2013) claimed that many of the arrested and prosecuted drug users and traffickers were people that live on the margin of society. These individuals offered their services to some of the major drug barons that deal with many illicit drugs freely.

Another fall-out of adopting the prohibitionist approach to counter illicit drug use in Nigeria is the rise in the incarceration rate of drug users, which has consequently contributed to the overcrowding of prisons in the country. As enunciated by Nelson, Obot, Umoh (2017)[39]The fact that NDLEA was established at the peak of war on the drug in Nigeria, coupled with the contents of the Decree that showed it, has made the agency entirely focused on law enforcement even at the expense of demand deduction, which is one of its cardinal programmes. Indeed, the strict law enforcement position of the government on issues about illicit drug activities is one of the factors responsible for drug users becoming the bulk of the prison population in many parts of the country (Nelson, Obot, Umoh, 2017). So far, mass incarceration has become synonymous with the 'war on drugs in Nigeria. Due to this, many drug users have been made to serve long-term sentences for non-violent and low-level offences. However, this has increased the number of low-level drug

[37]MacCoun, Robert J., and Peter Reuter. 2001. *Drug War Heresies: Learning from Other Vices, Times, and Places.* New York: Cambridge University Press.
[38]Otu, S.E., 2013. The "War on Drugs" In Nigeria: How Effective and Beneficial Is It In Dealing With The Problem? *African Journal of Drug & Alcohol Studies, 12(2).*CRISA Publications.
[39]Nelson E, I. S. Obot,& O. O. Umoh, (2017). Prioritising Public Health Responses in Nigerian Drug Control Policy. *African Journal of Drug & Alcohol Studies, 16(1),* CRISA Publications.

offenders in already inhumane and overcrowded prisons that dotted the country's landscape.

The exclusionary approach of the NDLEA heightened in the monopolisation of the implementation of the drug war policy is another negative outcome of the prohibitionist approach embarked on by the Nigerian government. In the words of Klantshnig (2015) and Bernstein (1999)[40]NDLEA has, over the years, become the single agency marshalling drug investigation, prosecution and demand reduction in Nigeria. This takeover has resulted in the sidelining of other government agencies such as the Ministry of Health, Customs and Police Department in what should have been joint control of drugs. In the ensuing milieu, NDLEA now superintends other agencies to implement drug policy. This monopolisation of the agency's drug policy has robbed other agencies of the opportunity to bring in alternative views toward solving Nigeria's drug problem. According to Klantschnig (2014), the monopolisation approach of NDLEA has more or less excluded other professionals such as academics, Medical Doctors, Non-governmental Organisations from the drug policy-making and implementation in the country.

Some other consequences of the current law enforcement and punitive drug control policy of the government have manifested in the growth of crime, diseases and violence among drug users and sellers. According to Goldstein (1985) and Ryan (1997) cited in Otu (2013), tighter security occasioned by the prohibitionist approach of the government has in no small extent driven people that deal in drugs underground, thereby creating black markets for illicit drugs. As commonly associated with black marketing globally, violence has become the means for operators of such markets to prevent customers and coworkers alike from providing information about their illicit drug activities to law enforcement agents (Ryan, 1997)[41].

As commonly recorded in all the countries where over-reliance on criminal justice solution is the preferred policy set up to counteract activities surrounding illicit drugs, implementing the punitive approach in Nigeria has led to an increased rate of diseases among drug addicts. Indeed, the government's threat-based policy and harsh sentencing options have been identified as influencing HIV/AIDS. The fact that psychoactive drug use has become illegal has made users often resort to crude, secret and unguarded methods. According to Obot (2000) and Odejide (1989), HIV is common and widespread among most people living in the rural community due to their unclean use of illicit drugs. Evidence from countries around the world where repression on commerce and consumption of narcotics is vehemently implemented has shown that hatred directed at drug users and the wish to punish them severely have

[40]Bernstein, H. (1999), "Ghana's drug economy: some preliminary data", Review of African Political Economy, Vol. 26, pp. 13-32.
[41]Ryan, T. (1997). Drugs, violence and governability in future South Africa. *Institute for Security Studies,* Occasional Papers, 16p. Pretoria, South Africa.

caused an increase in the rates of people infected with deadly diseases such as HIV/AIDS and Hepatitis C.

Another deep-seated problem commonly associated with the threat-based approach or 'war on drugs policy of the government in Nigeria is the severe human rights violations directly related to the criminalisation and stigmatisation of individuals involved in drug production, use, and trafficking. The fact that the drug control approach in the country is deeply rooted in punitive criminal justice responses is an indication that human rights and public health options have been sacrificed on the altar of the government's desire to inflict punishment on drug users. In Nelson, Obot, Umoh (2017), successive Nigerian governments, through the national drug control policy, have failed to prioritise prevention and treatment even when these measures are recognised globally as effective means for reducing demands for illicit drug use. Because the Drug Demand Reduction (DDR) Unit of NDLEA exists, the agency is still obsessed with the use of law enforcement strategy at the expense of demand reduction strategies like prevention and treatment.

Rethinking Alternative to Prohibitionist Approach in Nigeria: Re-humanizing Drug Users

Over the last 35-40 years, countries of the world have made resounding progress in tackling problems such as growing infant mortality and fertility rates and decrease in life expectancy through their various relevant individual governmental policies. However, no country has recorded such feat in illicit drug cultivation, peddling, use, abuse and other associated disorders. As a result of this, vast illicit drug-related problems still exist across all countries. This indicates that problems associated with illicit drugs still plague many countries, even in the face of prohibitionist agenda. Drug prohibitions is a predominant drug control approach used globally that has achieved little or nothing as far as steady decline of production and usage of psychoactive substances is concerned. Indeed, the long years of the drug war have not only failed to prevent or reduce the long-term trend of increasing drug production, supply and use but have equally generated a lot of unintended negative consequences (UNODC, 2008)[42].

The fact that most drug users in the world are unable to stop their illicit drugs use, despite several adverse outcomes associated with drugs and the harshness and dehumanising nature of enforcement approach put in place in many countries, has underscored the need for the adoption of an alternative approach, which recognises human rights and health concerns of drug users (UNAIDS, 2016)[43]. In line with this, harm reduction activists, particularly in

[42]United Nations Office on Drugs and Crime (2008). *Making drug control 'fit for purpose': Building on theUNGASS decade,* http://www.countthecosts.org/sites/
[43]UNAIDS (2016). Do No Harm: Health, Human Rights and People Who Used Drugs. Downloaded from http://www on 20/2/2021.

Europe and America, have recommended a range of services to reduce the harmful effects of drug use (Heater, 1993)[44]. This idea is to move drug policies away from punishment and replace the same with tolerance, regulation, and public health. In sum, harm reduction activists with the assumption that drug use and prohibition will not disappear any soon, therefore, recommend that both drug users and prohibitionists try to minimise the harms resulting from their activities.

Consequently, an increasing number of governments all over the world are gradually moving away from 'prohibitionism' or enforcement-led approach imbued with security threat and violation of human rights privileges of drug users to other alternatives that address drug problems from the angle of health and human rights (Kushlick, 2011)[45]. For instance, the Nigerian government can go the way of the Netherland by reforming its drug policy by expanding harm reduction and adopting a less form of criminalised drug prohibition. Netherland since 1980 had introduced the system of regulated and decriminalised cannabis sales. This approach of decriminalising drug use and regulating cannabis sales has afforded the country numerous advantages and benefits over and above countries like the United States of America that has long adhered tenaciously to punitive measures (Webster, 1998)[46].

Another harm reduction method is closely related to this, known as "drug injection rooms or supervised injecting site". The idea behind this programme is to ensure that drug addicts visit the approved facilities and use the drugs they acquired from illicit markets with clean equipment under the watchful eyes of social workers and medical professionals. Sterile needles, syringes, and trash cans are provided for people who inject themselves with drugs within these facilities. The underlying assumption is that many will use drugs no matter the efforts to prevent them or persuade them from such endeavour. So, the provision of sterile needles and syringes would prevent sharing of needles; as a result, reduce the transmission of diseases such as HIV and Hepatitis. On the one hand, this strategy has attracted criticism that using sterile needles and syringes may encourage more drug use. On the other hand, the proponents have to bolster their position by claiming that the provision of sterile needles and syringes does more good than harm and that drug use will always take place irrespectively of whether sterilised needles are provided.

The use of drug courts is another essential harm reduction measure that has gained traction in many parts of the United States of America. The strategy gained prominence in the 1990s and has made it possible for drug offenders

[44]Heather, Nick, Alex Wodak, Ethan Nadelmann, and Pat O'Hare. (1993). *Psychoactive Drugs andHarm Reduction: From Faith to Science.* London: Whurr.
[45]Kushlick, D. (2011) 'International security and the global war on drugs: The tragic irony of drug securitisation', Open Democracy, 25.03.2020. https://www.opendemocracy.net/
[46]Webster, P. (1998). Rethinking drug prohibition: don't look for U.S. government leadership. International Journal of Drug Policy 9 (5),297_/303

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that have been arrested and found guilty to be sentenced to receiving compulsory drug treatment and counselling instead of going to jail or risking imprisonment in a regular prison.

Another harm reduction measure is treatment programmes intended for drug addicts, people living with drug problems, and individuals interested in reducing or stopping drug use. These treatment provisions could be for groups or individuals who receive treatment from psychiatrists, psychologists and counsellors. One of the commonest of such therapies is Alcoholics Anonymous (A.A.). A.A. is a treatment programme that ensures that drug addicts or alcoholics meet in a group setting where individual drug problems are acknowledged and discussed. In contrast, all participating drug addict listens to one another as they talk about their situations. Other harm reduction measures commonly used in many parts of the world are methadone maintenance, heroin prescription, medical use of cannabis, drug education for users and pill testing at raves.

Conclusion

This article takes a reflective and critical at the Nigerian Drug Control Policy. It argued that the Nigerian drug control approach is disproportionately tilted towards implementing drug supply control at the expense of policies that favour demand reduction. It further surmises that the predominant drug control approach in the country is rooted in punitive criminal justice responses and is driven by the willful disparagement of drug and drug users. The paper described the Nigerian drug control policy as an overly punitive approach anchored on the belief that sanctioned system is largely sufficient to eliminate or significantly reduce drugs from society. Therefore, the core assumption of the policy that harsh punishment would deter drug users and other potential drug users from further or future drug use has made the government spend more on police, judges, courts, and prisons at the expense of developing public health facilities.

Consequently, current drug policy in Nigeria has been primarily repressive, with widespread marginalisation, prosecution and imprisonment for people who produce, consume, traffic, and sell illicit drugs. However, in the face of compelling scientific evidence all over the world that supply-centric approach and policies have grave negative consequences on individuals and communities; and the fact that the 'war on drug' approach has failed, and that the goal of ensuring a drug-free world is not achievable; the paper advocates that Nigerian government should adopt a new course of action that prioritises supporting drug users and care instead of the criminalised and punitive drug prohibition commonly used in Nigeria.

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