

DRUG USE PROBLEM THROUGH PHILOSOPHICAL LENS: AN OVERVIEW

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Drug use is a serious problem that threatens the health, security, development and functioning of societies in multiple countries. A rich tapestry of philosophical views has been built over time to comprehend drug-using conduct. This article engages with the conception of drug use problem. It sheds light onto the divergent representation of available philosophical stances that shape the understanding and tackling the addictive conduct. In view of the influence of conceptual frameworks to the framing and implementation of drug strategies, the discussion of the theories surrounding drug use problem is considered timely. The major concepts which are discussed in this article are the moral-legal perspective, criminal justice perspective, medical (disease) perspective and public health perspective. A close analysis of the theories suggests that the reliance upon a single philosophical paradigm concerning drug use is problematic. Finally, this article highlights the usefulness of joining the conceptions and suggests further research on the methods to integrate the conceptions and apply them for designing effective measures to tackle addictive behaviour.

Keywords: drug use, drug policy, criminal law and justice, public health

1. INTRODUCTION

Drug use is a critical issue. The picture of recreational and addict consumption of illicit drugs which has emerged in many countries is disturbing. The number of people indulging in the addictive behaviour has grown along with the growth of available illegal drugs (United Nations Office on Drugs and Crime, 2016). Mounting evidence shows that drug taking has severe detrimental effects. It threatens human health and well being in many ways including causing physical pain, disease infections and psychological damage (Strathdee and Galai *et al.*, 2001). The drug-using behaviour has further significant impacts on families, friends, community at large and government resources. Over the decades people have endeavoured to understand the problem or situation of drug consumption. A review of the literature discloses numerous theories endeavoring to explain drug-taking conduct. The philosophical views have been dominant in designing and practising drug approaches and interventions. Schuster (2003) argues that the notion of drug consumption significantly shape its policies.

This article seeks to present the moral-legal, criminal justice, medical (disease) and public health stances which principally represent varied perspectives on drug use problem. This article is intended as an overview of the selected philosophical

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orientations and views on drug use problem rather than a critical review. In view of influence of conceptual frameworks in designing and practising drug approaches and interventions, the discussion of the conceptions surrounding drug use problem is considered timely. The standpoints considerably help us understand and relate to the recently available governments' and other relevant bodies' policies and strategies for drug users.

2. MORAL-LEGAL PERSPECTIVE

The moral-legal perspective renders drug using as a moral failure or a violation of the law. Involvement in drug consumption is classified as an individual option influenced by lacking moral values. Wilbanks (1989) says that the moral-legal stance regards addiction as a selection done by people with low moral standards. The perspective provides little sympathy and therapeutic value for those who addict to drugs. The essential tenets of this notion also include the belief that drug approaches must engage elements of punishment (Schaler, 1991). Thus, the moral-legal model camp believes justified in detaining, imprisoning and/or coercing drug dependents into treatment and rehabilitation. The punishment in this respect is treated as most appropriate to build the morality of law breakers and prospective drug users as needed to stop the prohibited conduct. Therefore, the moral-legal perspective is paternalistic.

The significant problem with this standpoint is that it overlooks the varied influences of drug consumption. It has been suggested that compulsive drug ingesting is influenced by varied factors of significant relevance for prevention and treatment or control. The said factors generally comprise of the factors which lie within the parameter of individuals including physiological, psychological and sociological reasons and their interpersonal environment such as family and peers (Windle and Miller-Tutzauer *et al.*, 1991). Additionally, the risk factors include broad contextual determinants which cover societal and cultural reasons yielding normative and legal predictions for behavioural actions (Hawkins and Catalano *et al.*, 1992). Notably, central to moral-legal thinking is that drug users are wrongdoers, whatever the factors leading to their behaviour.

3. CRIMINAL JUSTICE PERSPECTIVE

A particularly dominant perspective on drug use holds that it is essentially a criminal justice issue. The criminal justice approach focuses primarily on promoting public safety and enforcing criminal laws (LaFave, 2010), a methodology that significantly shapes the global drug prohibition system. The approach focuses on drug users and illicit drugs, rather than on environmental risk influences over private behaviours, and emphasises using criminal law and criminal sanctions against drug use and possession for personal use.

Instead of being oriented squarely on morality, these strategies are widely premised upon instrumental factors including economic rationale such as unhealthy

money transfer in communities and lost productivity as a result of drug consumption, the social hazards of drug using such as children abandonment and devastation of family life (Pryce, 2012), rates of crimes particularly acquisitive crimes related to drug taking and the physical and psychological harms of using drugs (Husak, 2005). Further, the crime control model within criminal justice methodology is strongly linked with political hue as policy-makers continue to retain their commitment to drug policy because they perceive that any fundamental reform would trigger objections from interest groups and the electorate (Pryce, 2012).

The criminal justice approach aims to contain drug taking and possession through deterrence, incapacitation and rehabilitation (Babor and Caulkins *et al.*, 2010). The threat of enforcement actions such as arrest, prosecution and imprisonment upon drug taking or possession is intended to deter people from initiating or continuing these behaviours. Incarceration for contravening drug using and/or possession laws is also intended to prevent perpetration of further acts.

In addition, the criminal justice approach seeks to address the conducts by rehabilitating the actors, through treatment that is usually predicated within the punishment matrix; mainly via treatment in prison, referral to treatment through criminal justice procedures (for instance, confinement in compulsory drug treatment centres, drug diversion programmes and drug courts) and strict penalties or actions upon relapse. However, the types and severity of criminal justice methods against drug use and possession for personal consumption vary considerably among states. Although both voluntary participation and coercion play roles within the realm of criminal justice practice, the application of compulsion or force or its threat is given greater significance in criminal justice than in other approaches.

4. MEDICAL (DISEASE) PERSPECTIVE

The medical (disease) perspective connects drug use with drug dependency, which is regarded as a disease. According to many medico-scientific communities, biochemically created dependency results in the condition where control over drug taking is impaired. Thus, any person with such a condition obtains drugs under compulsion and is therefore absolved of responsibility for their actions (Abadinsky, 2011). The underpinning predisposition is that a drug dependant is a sick person who needs treatment. This reflects that the medical (disease) stance is both paternalistic and mechanistic. Given its incurability, the proponents of this model agree that drug dependency can be addressed only by a lifelong commitment to absolute abstinence. The stance of the American Psychiatric Association's (2013) Diagnostic and Statistical Manual of Mental Disorders (DSM) and the World Health Organization's (2010) International Statistical Classification of Diseases and Related Health Problems (ICD) that become two most popular diagnostic tools for psychoactive substance use denotes a clear representation of this proclivity.

According to DSM and ICD, the actual problems with the psychoactive substance use are dependency and its adverse consequences rather than the consumption.

Although this outlook benefits drug users by rendering guilt unnecessary and pointing the way towards treatment rather than punishment, it does have its defects. Allegiance to this standpoint positions drug takers as passive individuals who have a sense of victimised and learned helplessness and low commitment to end their consumption of drugs (Wilbanks, 1989). Moreover, consistent with the moral stance, the medical lens does not consider psychosocial determinants of drug using. This is to say that the medical stance overlooks problems that considerably compromise individuals' psychological stability such as trauma and social environments which account for drug consumption. Despite the ostensible contrast between the moral-legal and medical perspectives concerning the nature and course of drug use and users, both seek to achieve drug-free status, which considerably shapes the prohibitionist paradigm of 'zero-tolerance' towards drugs and fighting against drug-related activities.

5. PUBLIC HEALTH PERSPECTIVE

Drug use is also frequently viewed as an issue of social and public health, because it expands beyond the individual to groups of people (Bowser and Word *et al.*, 2014). As a social conduct it adversely impacts upon wider communities and societies. The perspective that drug consumption causes negative effects upon both personal health, including physical and mental impairment, and public health, via injection-driven spread of communicable diseases like HIV/AIDS, is prevalent in the public health system. Drug using is considered as being similar to other serious health conditions within public health management, which seeks principally to prevent diseases and to protect the health of populations.

Based on such understanding of drug use, the public health approach focuses on extensive strategies including prevention, educational, pharmacological, psychosocial and harm reduction programmes such as methadone maintenance and needle exchange to ensure drug users' access to drug treatment, decrease of harms and risks associated with drug using and improvement of life and health. The contemporary public health standpoint prioritises voluntary cooperation and promotion of community participation, with intervention in individual behaviour being generally conditioned by the threat to population health (Lazzarini, 2013). It is significant that public health concerns with respect to drug taking are also closely connected to the criminal justice approach, which in turn is also deeply rooted in public health principles, as one of its main aims in controlling drug-related activities is to enhance individual and public health.

6. CONCLUSION

Overall, throughout history, there have appeared fairly diverse perceptions on drug use problem. This article has discussed the moral-legal, criminal justice, medical

(disease) and public health perspectives of drug-taking behaviour. The conceptualisation of drug use problem offers a strong influence to the policies and measures to address it. However, neither the theories as discussed is arguably sufficient and totally right to explain and tackle the complex issue of drug consumption. Drug use problem is highly complicated and is contributed by numerous life factors. Therefore, selectively joining the available orientations and conceptions of the problem may dissolve the dichotomy that results into discrepancy among them. The linked angles are crucial to prompt compatible approaches and interventions in managing the issue of drug taking in all jurisdictions. Therefore, future research should look into the means and ways to combine the theories and apply them to formulate effective approaches for tackling drug use problem.

References

- Abadinsky, H. (2011). *Drug Use and Abuse: A Comprehensive Introduction*. Seventh ed. Belmont: Wadsworth, Cengage Learning.
- American Psychiatric Association. (2013). *Diagnostic and Statistical Manual of Mental Disorders*. Fifth ed. Washington, DC: American Psychiatric Publishing.
- Babor, T., J. Caulkins, G. Edwards, B. Fischer, D. Foxcroft, K. Humphreys, I. Obot, *et al.* (2010). *Drug Policy and the Public Good*. Oxford: Oxford University Press.
- Bowser, B.P., C.O. Word, & T. Seddon. (2014). *Understanding Drug Use and Abuse: A Global Perspective*. Hampshire: Palgrave Macmillan.
- Hawkins, J. D., Catalano, R. F. & Miller, J. Y. (1992). Risk and protective factors for alcohol and other drug problems in adolescence and early adulthood: implications for substance abuse prevention. *Psychological Bulletin*, 112(1), 64.
- Husak, D. (2005). For drug legalization. 3-105. In *The Legalization of Drugs*, edited by Frey, R.G. New York: Cambridge University Press.
- LaFave, W.R. (2010). *Criminal Law*. Fifth ed. St. Paul: Thomson Reuters.
- Lazzarini, Z. (2013). Forensic epidemiology: strange bedfellows or the perfect match? can public health and criminal law work together without losing their souls?. In *Criminal Law, Philosophy and Public Health Practice* edited by Viens, A.M., Coggon, J. & Kessel, A.S. 192-213. Cambridge & New York: Cambridge University Press.
- Pryce, S. (2012). *Fixing Drugs: The Politics of Drug Prohibition*. New York: Palgrave Macmillan.
- Schaler, J. A. (1991). Drugs and free will. *Society*, 28, 6, 42-49.
- Schuster, C.R. (2003). Comments on Maccoun. In *Choice, Behavioural Economics and Addiction*, edited by Heather, N. & Vuchinich, R.E. 402-06. Oxford: Elsevier Ltd.
- Strathdee, S., Galai, N., Mahboobeh, S., Vlahov, D. Lisette, J. & Kenrad, N. (2001). Sex differences in risk factors for HIV seroconversion among injection drug users: a 10 year perspective. *Archives of Internal Medicine*, 161, 1281-1288.
- United Nations Office on Drugs and Crime (2016). *World Drug Report 2016*. Vienna: United Nations.
- Wilbanks, W. (1989). The danger in viewing addicts as victims: a critique of the disease model of addiction. *Criminal Justice Policy Review*, 3, 4, 407-422.

- Windle, M., Miller-Tutzauer, C., Barnes, G. & Welte, J. (1991). Adolescent perceptions of help-seeking resources for substance abuse, *Child Development*, 62, 179-189.
- WHO (World Health Organization)(2010). International Statistical Classification of Diseases and Related Health Problems. Retrieved from <http://www.who.int/classifications/icd/en/>.