

Managing Drugs, Illicit Markets and Global Public Health

Course Code: SA204

Course Outline

Instructors

LSE

Professor Michael Shiner is an Associate Professor in the Department of Social Policy at the LSE. He is also assistant director of the Mannheim centre for criminology at the London School of Economics, and is a member of StopWatch, which works to ensure fair and accountable stop and search. He publishes extensively on policing and drug policy. He also instituted the LSE's first taught MSc level course on drug policy: Illegal Drugs and Their Control: Theory, Policy and Practice.

Dr. John Collins is Executive Director of the LSE IDEAS International Drug Policy Project as well as coordinator of the LSE Expert Group on the Economics of Drug Policy. John is coordinating a British Council funded project on "Illicit Drug Production and the Search for Peace in Colombia" as well as an LSE Research Division project on "Shifting Drug Strategies in Ireland and the UK". John earned a PhD from the Department of International History at the London School of Economics. His research focuses on Anglo-American relations and international drug control over the period 1939-1964 and the creation of the UN Single Convention on Narcotic Drugs in 1961. He is currently writing a book on the history of international drug control from 1912-2016.

UCT

Professor Mark Shaw is the director of the newly established Institute for Safety Governance in the Global South, a multidisciplinary research centre at the University of Cape Town (UCT). He also holds the South African National Research Foundation (NRF) Chair in Security and Justice. He previously worked in government, civil society and as Inter-regional Advisor at the United Nations Office on Drugs and Crime, with a focus on programme development and implantation in conflict and post-conflict states. He is the Director of the Geneva based Global Initiative against Transnational Organised Crime, a network of policy makers and practitioners committed to designing and implementing new approaches to respond to organised crime. He has published widely and is currently working on a book on "South Africa's underworld".

Dr. Simon Howell is a Senior Researcher at the Institute for Safety Governance in the Global South at the University of Cape Town. Previously, he has held numerous other prestigious positions, including an Andrew Mellon Postdoctoral Fellowship at Rhodes University, and was both an Andrew Mellon and NRF Prestigious Equity beneficiary at PhD and Masters level. He is an acknowledged expert in the evolution of drug use and drug markets in Cape Town and South Africa more generally, and is engaged in a number of research and community initiatives in the city. He has published extensively on drug use in South Africa.

Course Overview

This course will introduce participants to a number of the complex issues that impact on the management of the global drug control system, addresses the primary societal impacts of illicit markets and organised crime, and explores contemporary responses and strategies to drug use and dependence.

Over the past decade the global response to drugs and drug policies has shifted substantially, and in some instances, also very rapidly. Many countries now speak openly, and in ways that were not possible before, of new approaches, such as those focussed on public health concerns, and which move beyond the punitive/prohibitionist model characteristic of the past. As such, previously unthinkable policies – such as the legal regulation of cannabis and other substances – are firmly on the political agenda in the US, Canada, numerous Latin American countries, and elsewhere.

Accompanying these national shifts, attempts have also been made to reform the UN drug control system, such as at the UN General Assembly Special Session on Drugs in 2016. In parallel, a growing, although often fragile, consensus as to the requirement to effectively tackle a variety of illicit markets and associated criminal activities has emerged. The latter is most clearly expressed in the unprecedented recognition of illicit markets as a developmental challenge in the recently agreed upon 2030 UN Agenda for Sustainable Development.

These shifts will ultimately have a tremendous impact on national and local policy implementation, both in the short and longer terms. This course will equip participants with tools needed to understand current drug policy changes, challenges, and debates and of those regarding illicit markets more broadly. As such, participants will have the opportunity to design and test new policies and procedures, based on the latest research, all of the while working in the context of a rapidly evolving debate.

The course will highlight that despite the emergence of the prominence of public health approaches to drug demand, there remains no clear agreement – despite the consensus of the importance of doing so – on how to manage the supply side – namely the existence of an enormous global black market estimated at \$400bn per annum. Global instruments, such as the UN Convention against Transnational Organised Crime, have proved less successful than hoped, and their implementation remains hard to measure. Nevertheless, there is a range of important policy discussions underway, particularly in relation to responding organised crime in “weak” and conflict-afflicted states that are of pertinence. The course will highlight more effective policies in reducing the impacts and corrosive effects of illicit markets on populations and speak to those that may increase levels of state resilience in areas weakened by organised crime.

Course Objectives:

- Understand the rapid changes at the consumer level in global drug policies (criminal justice and public health) and what these mean for the production level (such as organised crime’s role in stimulating production and delivering illicit narcotics to market).
- Develop theoretical understandings of public health responses to drug use and illicit market impact reduction strategies.
- Receive clear practical knowledge on:
 - The evidence of efficacy of specific policy interventions;
 - The national politics and geopolitics of global drug control debates;
 - The role of international bodies in coordinating the global response to drug use, illicit markets and organised crime;

- Policy options for national and local implementation.
- Critically evaluate the move towards legal regulation of cannabis and the potential for other substances in Latin America, the US and Canada, including their impact on organised crime.

Activities

This course comprises of 10 lectures and 9 tutorial sessions. The lectures will present the background assumptions, theoretical perspectives and debates, and scholarly studies as they pertain to the topic. The class sessions will be devoted to detailed discussion of material covered in the lectures. For each class, there will be a brief case and several discussion questions relevant to the topic.

Prerequisites

There are no prerequisites for this course.

Assessment

Assessment will be based on a mid-term essay of 1500 words due on **July 4th** (worth 50% of the final mark) and a final written exam that takes place on **July 8th** (worth 50% of the final mark). The essay should be based on original research and incorporate at least two additional academic sources (articles or books) beyond those assigned in the course, evaluating the key policy concerns around a specific thematic issue related to the course and suggesting new policy interventions tailored to local needs.

Course Content and Preparatory Reading List

June 27: The Evolution of Global Drug Policy: 1900-2016 (*John Collins*)

This session opens the course by evaluating the evolution of international drug policy over the 20th century and beyond. It highlights the drivers of drug diplomacy, with a particular focus on the political economy of the drug trade and attempts at regulation and the eventual declaration of the 'war on drugs'; the illicit market implications of shifts towards prohibited models of regulations; the geopolitics of the global regime and their implications for reform beyond the 'prohibition regime'.

Required readings:

McAllister, William B. (1999). *Drug Diplomacy in the Twentieth Century, An International History*, Introduction and conclusion.

Courtwright, David (2012). A Short History of Drug Policy or Why We Make War on Some Drugs but not on Others. *Governing the Global Drug Wars*: 17-25.

Collins, John (2016). Development First: Multilateralism in the Post-'War on Drugs' Era. *After the Drug Wars: Report of the LSE Expert Group on the Economics of Drug Policy*: 9-19.

June 28: The Evolution of Organised Crime Policy (*Mark Shaw*)

Global responses to organised crime have evolved rapidly over the past two decades. The entering into force of the United Nations Convention against Transnational Organised Crime was heralded as a key step forward in the fight against organised crime. Yet, the Convention has been plagued by a series of challenges and, unlike in the case of its cousin the United Nations Convention against Corruption, states have been unable to agree on a review mechanism. The session will examine changing thinking around responses to organised crime, including the events around the finalisation of the UNTOC and current shifts in multilateral policy that have linked organised crime more closely with the conflict and

development agendas. These raise important issues around definitional challenges, the role of the state, and the differing nature of a variety of illicit markets and contexts.

Neil Bositer, 'The Cooperation Provisions of the UN Convention against Transnational Organised Crime. A 'Toolbox' rarely used', *International Criminal Law Review*, Vol 16, Issue 1, 2016.

Ivan Briscoe and Pamela Kalkman, *The New Criminal Powers: The Spread of illicit links to politics across the world and how it can be tackled*, Netherlands Institute of International Affairs, The Hague, January 2016.

James Cockyne, 'Chasing Shadows: Strategic Responses to organized crime in conflict affected situations', *The RUSI Journal*, Vol 158, Issue 2, 2013.

Stephen Ellis and Mark Shaw, 'Does organized crime exist in Africa?', *African Affairs*, Vol 114, No 547, 2015.

June 29: Organised Crime and Illicit Markets in Drug Policy (Simon Howell)

In this session we explore, firstly, the drug trade in relation to other forms of organised crime and illicit markets, and secondly, the design of the policy responses that have been created. Illegal drugs exist in an illicit economy that includes many other 'products', ranging from those derivative of poaching to money laundering and protection rackets. How do we understand these different 'products' in relation to one another, why is this such a common practice, and what can be done about it? The policy responses have themselves been complex and multifaceted, and their achievements disparate. We explore some of the reasons for this, finally working towards suggesting what might be done in the future.

Required Readings:

Fellingham, R., Dhali, A., Guidozzi, Y. and J. Gardner. (2012). The 'War on Drugs' has failed: Is decriminalisation of drug use a solution to the problem in South Africa? *South African Journal of Bioethics and Law* 5(2), pp. 78-82.

Howell, S. and Couzyn, K. (2015). "The South African National Drug Master Plan, 2013-2017: A critical review." *South African Journal of Criminal Justice*, 28(1): 1-24.

June 30: Understanding Protection Economies and Violence (Mark Shaw)

How is organized crime linked to violence and alternative forms of governance? This is a critical question to understand, both in analyzing the impact of organized crime, but also in determining what policy options may be available to ameliorate its harm. While drawing on the experiences of a wider set of contexts, the session looks in particular at the development of protection economies around the post-apartheid Johannesburg drug market to illustrate how, when and where protection markets and violence may be associated with criminal economies.

Vadim Volkov, *Violent Entrepreneurs: The use of force in the making of Russian capitalism*, Ithaca: Cornell University Press, 2002. Chapter 2: Violent Entrepreneurs

Richard Snyder and Angelica Duran Martinez, 'Does illegality breed violence? Drug trafficking and state-sponsored protection rackets', *Crime, Law and Social Change*, 52, 2009.

Mark Shaw, 'Drug trafficking in Guinea-Bissau, 1998-2014: the evolution of an elite protection network', *Journal of Modern African Studies*, Vol 53, No 3, 2015.

Mark Shaw and Simone Haysom, 'Organised crime in late apartheid and the transition to a new criminal order: the rise and fall of the Johannesburg "bouncer mafia"', *Journal of Southern African Studies* (forthcoming), 2016.

July 1: Towards a New Global Policy Framework for Illicit Market Management (Mark Shaw)
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Crafting an adequate response to organized crime is increasingly seen as an important policy requirement. But what are the options given the complexity of the phenomenon? The session explores some contemporary debates, most specifically within the framework of the United Nations. The discussion will return again to the link between development and conflict that is now highlighted by the 2030 Sustainable Development Agenda. In addition, it explores the critical but understudied issue of the impact of legalization of different illicit products on organized crime.

Clint Peinhardt and Todd Sandler, *Transnational Cooperation: An Issue based approach*, Oxford: Oxford University press, 2015. (Chapter 9: Transnational Crime: Drugs and Money Laundering)

James Cockayne, *The UN Security Council and Organized Criminal Activity: Experiments in International Law Enforcement*, United Nations University, Working Paper Series, No 3, March 2014.

Mark Shaw and Walter Kemp, 'Rethinking multilateral responses to organized crime' in M. Cherif Bassiouni (ed), *Globalisation and its impact on the future of human rights and international criminal justice*, Cambridge: Intersentia, 2015

Global Initiative against Transnational Organised Crime, *Organised Crime: A cross-cutting threat to sustainable development*, Geneva, 2015.

July 4: Understanding Drug Use, Dependence and Addiction (Michael Shiner)
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'Problem' drug use is often attributed to dependence or addiction, but such 'common sense' explanations have been extensively criticised from within both psychology and sociology. This session critically assesses the 'medical model' of addiction, paying particular attention to motives, meanings and structural influences, including the link between problem drug use and poverty/social exclusion.

Required readings:

Alexander, B.K. (2008) *The Globalization of Addiction: A Study in Poverty of Spirit*, Oxford University Press. Chapter 3 'The Dislocation Theory of Addiction'.

Dunlap, E., and B.D. Johnson (1992) 'The Setting for the Crack Era: Macro Forces, Micro Consequences (1960–1992)', *Journal of Psychoactive Drugs*, 24(4): 307–321.

Pearson, G. (1987) *The New Heroin Users*, Oxford: Basil Blackwell. 'The Grey Area: Slippery Slopes and Dabblers' [pp. 37-51].

July 5: Evaluating Treatment Responses to Dependence Issues (Michael Shiner)

This session examines what is meant by drug 'treatment' and its relationship with the broader politics of drug control. Consideration will be given to different treatment modalities, including prescribing and abstinence oriented approaches; variations between jurisdictions; the relationship with criminal justice; and barriers to an evidence-based approach.

Gossop, M. (2006) *Treating Drug Misuse Problems: Evidence of Effectiveness*, London: National Treatment Agency for Substance Misuse

Fischer, B, Oviedo-Joekes, E., Blanken, P., Haasen, C., Rehm, J., Schechter, M.T., Strang, J., and van den Brink, W., (2007) Heroin-assisted Treatment (HAT) A Decade Later: A Brief Update on Science and Politics, *Journal of Urban Health*, 84(4): 552.

Ramlagan, S., Peltzer, K., and Matseke, G. (2010) 'Epidemiology of Drug Abuse Treatment in South Africa', *South African Journal of Psychiatry*, 16(2) 40-49.

July 6: Understanding Harm Reduction (Michael Shiner)

This session focuses on harm reduction, tracing its conceptual origins and describing its rise as a public health response to HIV / AIDS. As well as assessing evidence of effectiveness, consideration is given to variations between jurisdictions; to the limitations of harm reduction; barriers to its wider adoption; and possible extensions beyond public health to the policing of drugs.

McDermott, P. (2005) 'The Great Mersey Experiment: The Birth of Harm Reduction', J. Strang and M. Gossop (eds) *Heroin Addiction and the British System: Origins and Evolution*, Routledge

Csete, J., and Grob, P.J. (2012) 'Switzerland, HIV and the Power of Pragmatism: Lessons for Drug Policy Development', *International Journal of Drug Policy*, 23(1) 82-6.

Guise, A. Dimova, M., Ndimbii, J., Clark, P., and Rhodes, T. (2015) 'A Qualitative Analysis of Transitions to Heroin Injection in Kenya: Implications for HIV Prevention and Harm Reduction', *Harm Reduction Journal*, 12: 27.

July 7: Applied Drugs and Illicit Markets Policy Analysis: The Case of Cape Town (Simon Howell)

Recent research in the City of Cape Town has shown that the illicit market supporting the trade in illegal drugs is highly complex, flexible, and yet also strangely familiar in terms of function and response to external pressure. In this session we explore these dynamics, using new data derived from research in the city to understand what market forces shape the local trade, what impact users themselves have on it, and how we can use this information to inform policy and policing. We shall also touch on contextual concerns, so as to understand how broader issues – historical, political, and economic – impact on the illegal drug market and shape it. Knowing this, it can be suggested, is critical in formulating effective policy frameworks relating to illegal drugs.

Required Readings:

Howell, S., Harker-Burnhams, N., Townsend, L. and Shaw, M. (2016). "A decade of the wrong type of decline: A limited comparison and contextual analysis of fluctuations in the street-level prices of illegal substances in South Africa." *ISS Crime Quarterly*, 54(1): 43-54.

Murkin, G. (2015). Drug Decriminalisation in Portugal: Setting the Record Straight.” *Transform Occasional Paper*, London: 1-4.

July 8: Recap: Beyond UNGASS 2016: Prohibitions, Regulations, the SDGs and the Future of Drug Policy (<i>John Collins</i>)

This session will provide a recap of many of the previous course discussions. It will seek to ground the overall discussion within the shift towards a sustainable development approach to drug policy and demonstrate cross-issue lessons. It will provide a sense of where drug policies and illicit market management narratives, diplomatic efforts and academic research are progressing and what areas of common understanding are emerging.

Sagredo, Javier, Schleifer, Rebecca, Avafia Tenu (2016). Addressing the Development Dimensions of Drug Policy. *After the Drug Wars: Report of the LSE Expert Group on the Economics of Drug Policy*. 97-109.