



Utilitarian Epistemology of Medical and Recreational Marijuana versus Conventional Drug Law Enforcement in Nigeria: Which Way to Go?

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Abstract: Cannabis Sativa popularly called Marijuana has remained an enigmatic plant for centuries essentially due to its medicinal and recreational utility. However Marijuana usage has been shrouded in controversies over time across the globe ranging from varying degrees of controls, legal barriers and criminalisation. In the face of all these aforesaid encumbrances, its usage and applications have remained progressive. Consequently, the realities of the 21st century has made the relevance of marijuana quite imperative in the field of medicine and indeed the political economy of capitalist societies. In the light of this, the USA, some western countries and indeed even some African countries have significantly de-criminalised the use of marijuana for medical, recreational and most importantly as a dependable source of income. This work therefore, seeks to explore the intrinsic utility of this economic crop as the basis for useful policy recommendation towards overhauling the wobbling and apparently ineffective Drug Law Enforcement administration in Nigeria in tandem with global realities.

Keywords: Utilitarian, Medical Marijuana, Conventional Nigeria, Drug Law, Enforcement, Epistemology

1. Introduction

Cannabis popularly referred to as “Marihuana” or “Marijuana” which is the Mexican term for cannabis indica, the same as Indian hemp, and is sometimes found as a residual weed, and sometimes as the result of a dissemination of birdseed. It is known as cannabin,

cannabis Americana, or Cannabis Sativa. We seem to have adopted the Mexican terminology, and we call it marihuana, which means good feeling. In the underworld it is referred to by such colourful, colloquial names as reefer, muggles, Indian hay, hot hay, and weed. It is known in various countries by a variety of names (Harry Jacob Anslinger, Commissioner of Narcotics Bureau of Narcotics Department of the Treasury Washington Post November 23 1936). According to Finsterbush, a century ago, drugs of every kind were freely available to Humans, Laudanum, a mixture of opium and alcohol was popularly used as a pain killer. One drug company even claimed that it was a very useful substance for calming hyperactive children, and the company called it Mothers Helper. Morphine came into common use during the American civil war (Kurt F, 1999).

In Nigeria, the use of the cannabis plant in pre-colonial times was mostly associated with healers who used it to treat loss of appetite in patients recovering from ailments and traditional bone setters and chiropractors who also used it as a painkiller. The Cannabis plant began attracting international attention during the early 1920's when the first commissioner of the Narcotics Bureau Harry Jacob Anslinger intensified efforts to discredit the economical or medical use of the cannabis plant. The Cannabis debate has created two major ideologies in Marijuana Policing and they include

Most noble is the Nigerian Entertainment industry which has artists, actors and actresses boldly flaunting their use of cannabis in their movies and music videos. The popular musician Fela Anikolakpo Kuti was known for his brazen use of cannabis during his recording sessions and live performances, since then, new age artists like Burna Boy, WizKid and Jesse Jagz have adopted this trend with millions of fans following in their stead.

2. Research Objectives

- (a) To attempt to establish the relationship between the use of medical marijuana and the challenges of law enforcement of cannabis.
- (b) Establish the correlation between cannabis use and crime rate in Abbi.
- (c) Explore the economic viability and potency of cannabis in Nigeria and Abbi.
- (d) Evaluate the impacts of progressive marijuana policies in the West on the policing strategies in Nigeria.
- (e) Attempt to establish cases of marijuana potency in the treatment of specific cases.

3. Research Questions

This research endeavour will be premised on the following questions;

- (i) Is there a relationship between the use of medical marijuana and the challenges being faced by law enforcement agents policing cannabis sale and use in Abbi?

- (ii) Is there a relationship between the use of marijuana and crime rate in Abbi?
- (iii) Is Marijuana/cannabis economically viable and medically potent?
- (iv) Does the current medical marijuana policy trend in the United States of America and other western nations pose a threat to the policing of marijuana/cannabis in Nigeria?
- (v) How effective is the cannabis plant in the treatment of selected ailments?

4. Review of Related Literature

4.1. History and Utility of Marijuana/Cannabis

Cannabis is thought to have arrived in Nigeria and other parts of West Africa relatively late compared with much of the rest of the continent; it is believed that soldiers and sailors returning from conflict zones in North Africa and the Far East after World War II brought the seeds with them. Certainly, pre-war botanical treatises covering tropical West Africa do not mention cannabis among the useful plants of the region. Cannabis use quickly became established, and cultivation spread rapidly throughout the country, with the 1960s heralding a new era in which cannabis became a public issue, subsequent to several arrests of Nigerian nationals abroad, plantations being discovered in various locations, and a handful of cases of reported cannabis-associated psychiatric illness. Today, cannabis is grown throughout the country, with most cultivation sites located in the states of Edo, Delta, Ekiti, Ondo, Osun, Ogun and Oyo in the south-west, where the tropical coastal climate allows the plant to thrive. Much of Nigeria's population is still heavily dependent on agriculture, and cannabis is a favoured crop as it commands far higher prices than any other. (<https://sensiseeds.com/en/blog/cannabis-in-nigeria-2/#comment-90050314>).

The utilitarian value of marijuana for trado-medical applications represent a reliance on natural remedies through the use of raw material, resins, oils, tinctures and salves (Porter, 1997 in Zather 2014). Not only do traditional remedies rely on the effectiveness of the plant, but they also depend on its spiritual and symbolic properties (Witte, 2013 in Zather 2014).

In Nigeria, the herbal use of the cannabis plant is still in its infancy apparently due to West Africa's late contact with the herb, not withstanding, traditional healers in some Nigerian communities including Abbi in Ndokwa West Local Council of Delta State, have adopted the use of the cannabis plant in the their spiritual ceremonies and the preparation of balms, potions and tinctures. As a result of Nigeria's anti- marijuana drug policies, local healers, medical researchers and pharmaceutical companies have been denied access to the cannabis plant in order to conduct researches on the potential

of the herb on a large industrial scale. This point is important to remember considering that contemporary, western medicine does not generally focus on a connection between medical science and spirituality. (Zather, 2014).

While cannabis has only existed in Nigeria for a few decades, a culture of use has sprung up around it. Several notable Nigerian musicians, including the renowned Fela Kuti glamorised its usage. In the same vein, a lot of urban youths are known to use cannabis. Public health experts believe that up to 35% of Nigerians regularly smoke cannabis, with the 15-29 demographic the most likely to consume the drug.

Unlike many countries in North and South-East Africa, the spiritual and religious use of marijuana is quite rare. In the same vein, because it is a foreign plant there are actually no indigenous names for it. However, it is popularly known as Indian hemp, and “ataba” in Abbi, Yoruba and Ibo loanwords are also in widespread use (*Igbo* and *nwonkaka*). The Chinese have a long and varied tradition of using cannabis for medicinal purposes. According to Iversen (2008) in Zather (2014), the *Pen Ts'ao Kang Mu*, the Chinese conspectus of herbal medicine, recommended Cannabis for the treatment of gout, constipation, and pain associated with menstrual cycles, malaria and rheumatism. This document was first published around 2800 BCE, and “continued to recommend cannabis preparations for many centuries” (Iversen, 2008). Another ancient Chinese text, the *Shen-nung Pen Ts'ao Ching*, which dates back to 2000 BCE in oral tradition, gave cannabis the name of *ma*, a character that depicts two plants drying in the sun. This ancient medical text surveyed over 100 ailments that were treated with the cannabis plant through extracts, topical ointments and salves (Zimmerman, Crumpacker, & Bayer, 1998 in Zather 2014).

According to Mechoulam *et al* 1998, Cannabis was used “in India and China against a variety of neurological and dermatological disease.” Additional medicinal uses of Cannabis were established by the founder of Chinese surgery, Hau T'o, as an anaesthetic, and Li Sheh Chen, who used cannabis as an antibiotic and anticoagulant (Mathre, 1997). Not only is cannabis mentioned in ancient Chinese texts, but it is also found in the medical tombs of India for example, *bhang*, or tea that is brewed using the leaves and flowers of Cannabis, is referenced as belonging to the five kingdoms of herbs that soothe anxiety in *science of Charms*, a medical text dated between 2000-1400 BCE (Iversen, 2008).

4.2. Sources of National Drug Control Master Plan (NDCMP)

It should be noted that key global and multilateral conventions and legal instruments gave rise to the National Drug Control Master Plan in Nigeria. This is against the back drop of the need to review to modify these legal instruments to suit the realities of postmodern Nigeria. However, it must be stated that most of the international

instruments that shaped Nigeria's policy on cannabis are from the mid-1960s to mid-1980s, outdated and in dire need of a review. Citizens who were apprehended for drug related offences like possession of cannabis with the intention to use or sell usually end up spending months or years before being charged to a law court. Nigeria's legislation on drug control revolves around the United Nations International Convention on Drugs as well as specific responses to local problems. Notable international instruments that shaped Nigeria's responses include:

- (a) The International Opium Convention, 1912
- (b) The First Geneva Convention, 1931
- (c) The Convention for the Suppression of Illicit Traffic in Dangerous Drugs, 1936
- (d) The Single Convention on Narcotic Drugs, 1961
- (e) The Convention on Psychotropic Substances, 1971
- (f) The Protocol Amending the Single Convention on Narcotic Drugs, 1972
- (g) The Convention against Illicit Traffic in Narcotics and Psychotropic Substances, 1988 (1988 Vienna Convention).
- (h) The UN Convention against Trans-national Organized Crime and its Three Protocols, 2000
- (i) Also the following specific national legislation shaped Nigeria's subsequent approach to drug control:
- (j) The Dangerous Drugs Ordinance of 1935
- (k) The Indian Hemp Decree No. 19 of 1966
- (l) The Indian Hemp (Amendment) Decree No. 34 of 1975
- (m) The Indian Hemp (Amendment) Decree, 1984
- (n) The Special Tribunal (Miscellaneous Offences) Decree of 1984
- (o) National Drug Law Enforcement Agency Decree 48, 1989 (CAP N 30 L.F.N 2004)
- (p) The National Drug Law Enforcement agency (Amendment) Decree No.33 of 1990.
- (q) The National Drug Law Enforcement agency (Amendment) Decree No.15 of 1992.
- (r) The Money Laundering (Miscellaneous Offences) Decree 3, 1995.
- (s) The Money Laundering (prohibition) Act No 7 of 2004.

4.3. Medical Cannabis and the National Drug Control Master Plan in Nigeria

The field of medical cannabis research in Nigeria is virtually non-existent, this can be attributed to the stiff anti-cannabis laws, and this in turn has contributed to the scarcity of related literature on this subject. Consequently, for the purpose of this research work, the **National Drug Control Masterplan (NDCMP 2008-2011)** will be a reference for Nigerian drug laws and narcotics policing. Below is an excerpt from the NDCMP 2008-2011. The National Drug Control Master Plan (NDCMP) is an operational planning tool that provides a coherent framework for comprehensive national drug control in Nigeria. The NDCMP outlines all national concerns in drug control. The National Drug Control Master Plan is necessitated by the need for pragmatism and collective responsibility in the design, execution and evaluation of activities and programmes on drug control in Nigeria. The document provides a comprehensive and integrated approach by designated agencies, national NGOs, multilateral and international organizations involved in preventing illegal importation, exportation, manufacture, distribution, supply, sale, misuse and abuse of drugs especially narcotic drugs and psychotropic substances. The document acknowledges the enforcement mechanism, existing legislations, sets out priorities and establishes indicators for evaluating the activities/projects contained in the National Drug Control Master Plan (NDCMP). The main objective of the NDCMP is to progressively reduce the drug problem in Nigeria through joint national, sub-regional and inter-regional activities as well as to continue to align our national policies and strategies to international treaties and conventions to which Nigeria is a party. The first National Drug Control Master Plan was produced in 1999 by the Inter-ministerial Drug control Committee with contributions from non-governmental organizations, professional bodies and individuals. However, due to the emerging trend in the drug sub-culture and the various challenges faced in drug control activities, the need to review strategies and upscale some of the identified activities became necessary. The National Drug Control Master Plan for 2008-2011 and 2015-2019 is anchored under four major components namely:

(i) Adequacy and Efficacy of the Legal Framework

- (a) Drug Demand Reduction
- (b) Control of Illicit Drug Supply
- (c) Control of Licit Drug Supply

The document presents a detailed four-year action plan for drug control. The action plan will also facilitate effective implementation of mechanisms to safeguard Nigeria's image internationally and enhance National security.

From the above statement of goals of the NDCMP, given the current rate of cannabis use in Nigeria and Abbbi in particular, one can conclusively say that the NDCMP has failed to achieve its goals in the four year time frame.

(ii) Drug Demand Reduction

An emerging sub culture of youth drug use has slowly but steadily crept into the daily lives of Nigerian citizens and the world at large, this is attributed to the increased interconnectivity being experienced in today's world. The Internet, mobile phones and social media have played a huge role in making this sub culture of drug use closely interwoven with mainstream recreational use of alcohol. Nigeria's drug supply and drug reduction activities alongside Nigeria's connection to global information network and international drug control mechanism led to the interceptions and seizures made and drug demand reduction programmes implemented during the period under assessment 1999-2007. During this period, the agency seized over 20,000 metric tonnes of various types of illicit drugs with cannabis constituting over 98% of the seizures. The breakdown is presented in Table 2.1 while Table 2.2 shows the number of arrest between 1999 and 2007. Out of 32,666 persons arrested during this period, over 96% of them were male.

Table 2.1: Quantity and Type of Drug Seized.

YEAR	DRUG TYPE				QUANTITY SEIZED (KG)
	CANNABIS	COCAINE	HEROIN	OTHERS*	
1999	17,691.14	15.64	81.35	322.25	18,110.38
2000	272,260.02	53.42	56.06	234.28	272,604.32
2001	317,950.20	195.82	46.63	308.84	318,501.49
2002	506,846.09	35.35	55.62	791.00	507,728.06
2003	535,593.75	134.74	87.58	937.41	536,753.48
2004	68,310.07	124.47	90.94	233.83	68,759.31
2005	125,989.00	395.91	70.42	88.72	126,543.65
2006	192,368.30	14,435.88	33.09	515.57	207,352.84
2007	210,262.90	393.678	120.687	699.735	211,477.00

*Mostly Tranquilizers

Source: NDLEA Records and Data Management Unit.

Table 2.2: Breakdowns Of Arrests By Gender (1999-2017)

Arrest			
YEAR	MALE	FEMALE	TOTAL
1999	2,380	121	2,501
2000	2,253	132	2,385
2001	2,693	136	2,829

<i>Arrest</i>			
<i>YEAR</i>	<i>MALE</i>	<i>FEMALE</i>	<i>TOTAL</i>
2002	2,549	108	2,657
2003	2,316	174	2,490
2004	3,382	318	3,700
2005	3,181	292	3,473
2006	5,883	440	6,323
2007	5,891	417	6,308

Source: Ndlea Records and Data Management Unit.

The NDLEA Prosecuted 10,462 drug offenders at the Federal High Courts from June 1999 to December 2007. Table 2.3 shows data on prosecuted cases from 1999 to 2007.

Table 2.3: Annual Returns of Prosecution Records

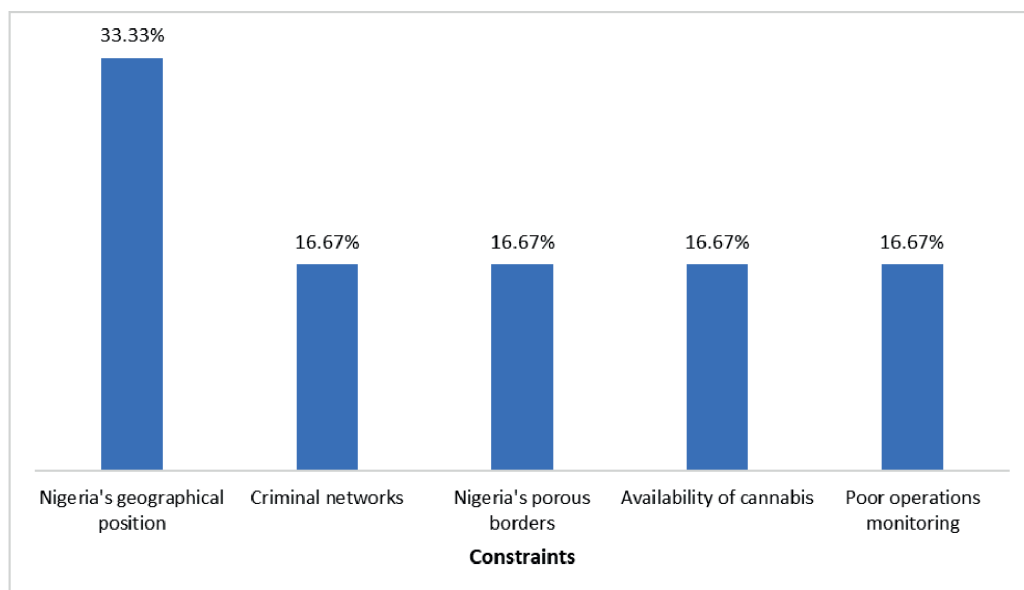
<i>YEAR</i>	<i>NO. OF CASES</i>	<i>NO. OF CONVICTIONS</i>	<i>NO. OF ACQUITTALS/ DISCHARGE</i>
1999	1474	1454	20
2000	1626	1624	2
2001	1172	1172	0
2002	870	870	0
2003	817	817	0
2004	853	853	0
2005	779	779	0
2006	1363	1362	1
2007	1508	1459	49

*287 Cases were Pending as at the end of 2007

Source: NDLEA Records and Data Management Unit.

In the same vein, in a research conducted in 2021 by a doctoral candidate of Walden University, the Bar Chart below shows the challenging imperatives of Cannabis control policy in Nigeria

As indicated above, Nigeria's geographical locations tops the reason why cannabis control is a major challenge and constitute a third of the reason, This is followed by a quadruple reasons of criminal networks, Nigeria's porous borders, cannabis availability and poor operations monitoring as core constraints militating against effective cannabis control policy (Ajayi, 2021). The import of this empirical analysis is to beam the appropriate search light on the core fundamentals to make room for actionable drug law enforcement strategy and operations.



Source: Olufemi Ajayi Unpublished PhD Dissertation 2021: Constraints to Effective Implementation of Cannabis Control Policy in Nigeria

4.4. Drug Prohibition, Violence, and Organized Crime: The Debates

The camp of drug prohibitionist strongly believe that the use of drug promotes extreme violent behaviour patterns that culminates to different variation of criminal behaviours. In specific terms, it is believed that e users of psychoactive drugs are prone to aggressive behaviours and by extension most likely to indulge in acts that are criminal. Consequently, Odebunmi (2008) believes that most violent crimes amongst youths in Nigeria including terrorist acts, murder, cultism, hooliganism rape, kidnapping and hostage taking are products of psychoactive drugs and further validates their propositions against drug use rely on the harmful effects of drug without necessarily reviewing the medical and psychological value of marijuana (ibid)

On the other hand, objective analytical evidence has shown that there is actually no correlation between cannabis consumption and criminogenic predispositions. Abundant pharmaceutical evidence shows no causative linkage between cannabis and propulsion to violence and crime as previously thought (Cole, 2012). Indeed, new realities point to the fact that drug prohibition are positively related to the very violence the prohibition was intended to suppress in the first place (Barnett, 2009).

In the same vein, drug prohibitionists have hyped the negative consequence of drug legalisation to include what they refer to as drug-induced violent crimes including; assaults, rape, drugged-driving, child abuse, wife-battering, spouse-abuse,

and of other forms of domestic violence (Shorey *et al.*, 2018). To them, the exponential harm and threats that drug consumption pose to the society are too expensive a risk to toy with when viewed against the backdrop of the clamour for legalisation of hitherto harmful drugs. Therefore they contend that the harm attributable to any increased drug consumption would not be offset by the increased safety of legal, regulated, and responsible drug use and the expected reduction in the use of more dangerous but already legalized drugs (Shorey *et al.*, 2018). In the light of the above, it is their considered opinion that the harmful effects of prohibition of cannabis can indeed be negligible and tolerable compared to the much bigger harm arising from any increased drug use not offset by the increased safety of legal drug use and the expected reduction in the use of more dangerous but legal drugs (Shorey *et al.*, 2018).

Furthermore, Caulkins (2016) asserts that while cannabis appear fairly less dangerous, to third parties and not too harmful medically, it could significantly interfere with cognitive ability, academic performance and indeed career progress in real life situations. Caulkins (2016) also maintained that cannabis can in fact impede performance even though there is no verifiable evidence, if any, for the common claim or concern that without prohibition, cannabis use would considerably increase (MacCoun, 2011). In Netherlands, Washington, Colorado, and Alaska where use of small quantities of cannabis has been decriminalized, there was no evidence to support the prediction of soaring drug use (MacCoun, 2011).

Those who advocates legalization (anti-prohibitionists) are of the opinion that in fact drug prohibition apparently create copious spate of violence and violent crimes arising from the emergence of illegal markets and underground drug-economy that are unregulated, ignored, and uncontrolled (Gray, 2002). The fact remains that since illegal markets operate outside the ambit of the laws and legislations, the Hobbesian principles where might is right and reckless resort to violence for survival becomes the order of the day. Consequently, Duke (2012) opined that, by perpetuating narcotics prohibition, violent crime was encouraged and enthroned through creating robust underground economy that relies solely on violence to enforce agreements, safeguard territories and protect areas of influence of drug dealers, and for evading arrest and conviction by governmental authorities. Drug prohibition has inevitably created a violence-driven crime-oriented underground market culture (Cole, 2012; Duke, 2012).

More so, Werb, *et al.*, (2011) stated that violence arising from drug warlordism to retain market and territorial share of the underground economy and the creation of extreme deviance and substance racketeering. This reality in the opinions of Werb *et al.*, (2011) has ended up creating an extremely violent sub-culture and militarism by drug gangs who dominate most ungoverned spaces and create an unsafe atmosphere characterised by violent crimes, killings and unbridled struggle for economic power

by drug barons. The end result is pervasive prohibition-induced public safety threats including murder and all forms of violent crimes (Werb, *et al.*, 2011).

More often than not, states' response to drug market violence is usually through more funding and extreme policing of drugs by law enforcement agencies without proper attention to objectively addressing the fallouts of drug prohibition, official denials of needed drugs and other preventive measures to curb drug prohibition induced violence. These government interventions revolves around the traditional drug law enforcement strategies without actionable proactive and much-needed drug prevention, counselling, treatment, rehabilitation and other rational responses to drug use and availability (Werb, *et al.*, 2011). But, MacCoun (1999) noted that there was no definitive evidence that drug prohibition and its coercive enforcement reduced drug prevalence or led to drug reduction or supply suppression, rather, he asserted, prohibition could be linked to much of the crime and violence around illicit drug markets and a consideration percentage of the harms and dangers associated with drug adulteration, drug over-dosage, and drug-related illnesses, as well as drug-related corruption and violations of civil liberties (MacCoun, 1999).

4.5. Policing Narcotics in the 21st Century

The conventional practice of policing narcotics in Nigeria has a strong historical tie to the policing practices and policy of western nations like the United States of America, the United Kingdom and Canada. Traditional narcotics policing strategies were hinged on the idea that the use of State law enforcement agencies like the Police and the National Drug Law Enforcement Agency (NDLEA) in the case of Nigeria for prosecution and punishment of cannabis farmers, sellers and consumers will bring about a significant drop in crime rate and will also be beneficial to the Public Health safety of its citizens, this approach is slowly being phased out in western nations as they have sought to adopt a proactive and predictive system of policing to replace traditional reactive policing approach.

Recent data from researches conducted by medical scientist into the medical properties and potential of cannabis has proven beyond any doubt that the cannabis plant is a treasure trove of natural medicine waiting to be exploited to its full potential, this has also debunked the myth of cannabis being responsible for mental illness and promoting violent anti- social behaviours.

Data collected from interviewing one hundred (100) ex-convicts for drug related offences shows that a majority of them (65%) were charged with marijuana related offences (cultivating, selling, possession) with 90% of them males aged between 17-45 years. This statistic reveals a disturbing information that a bulk of Nigerian youths are wallowing in jails for choosing to use a plant that has been scientifically proven to be

medicine over synthetic drugs like cocaine and prescription pain killers. Despite the Nigerian Government's attempt to clamp down on cannabis growers, sellers and users in the last fifteen (15) years, there has been no significant reduction in the cultivation and selling of cannabis or a decline in crime rate as a result of these arrests, there has instead been a steady growth of youth counter cultures that have slowly but surely embraced the use of recreational cannabis in parties, music concerts and hangout spots. The ever growing Nigerian Entertainment industry which has employed Nigerians teeming unemployed youths into its various branches has created a new niche of entertainers and fans who through music videos and lyrics have overtime been conditioned into associating cannabis use to their successful celebrity idols, this in turn has brought about a paradigm shift in the country's outlook and association of cannabis use.

In the comparison of western countries; United States of America, United Kingdom and Canada, the statistics of cannabis use in the last thirty (30) years shows a more liberal attitude of its citizens towards marijuana use medically as an alternative to pharmaceutical pills and potions, with the increased funding from the public and private sector in medical marijuana research, the use of medical marijuana to treat various ailments and sicknesses is expected to become a norm in the not too distant future of these nations. The conjunct influence of breakthroughs in the global Agricultural and Information technology has had a latent function in reducing the exposure time between the cultivating of cannabis, harvesting and sale to the end user which Drug law enforcement Agencies exploit to make arrest. The Nigerian Governments present system of policing narcotics (cannabis) relies mostly on the use of information gotten from the public, informants and field agents about the location of farms, sales and consumption of cannabis. This in turn is analysed and turned into actionable intelligence which helps in formulating a tactical plan to take down the cannabis farmers especially. This strategy is anchored on the belief that destroying cannabis at the source will reduce its consumption in the society, This approach does not take into account man's historical ties with psychoactive substances both natural and synthetic and how they have helped influence leaders who have played an active role in shaping today's society.

4.6. The Military Traditions of Nigerian Drug Law Enforcement

According to the NDCMP, "In order to reduce the demand for drugs, Nigeria adopts preventive approaches with the primary objective of promoting a healthy lifestyle devoid of drug abuse. The nation's drug demand reduction programmes are community oriented targeting different populations. Presently, different groups have been sensitized and are involved in campaigns aimed at dissuading the youth from drug abuse sub-culture. Such groups include governmental and non-governmental organizations, religious bodies, professional associations, the print and electronic media, State Drug Abuse

Control Committees, and so on. The preventive drug abuse campaigns also involve lectures, rallies, documentaries, posters, jingles, bill-boards, debates and dramas”, this approach can be said to be built on non- realist idealism, and it refuses or chooses to ignore the human face of the drug problem in Nigeria. A preventive approach of drug reduction in the society should be based on a hospital/Clinical model which treats addiction and drug abuse as public health matters, as it affects the families that make up the society/community rather than a military style policing of Narcotics that has failed to stop or reduce the demand for psychoactive substances and has succeeded in sending a lot of young men, as shown in table 2.2; Breakdown of Arrest by Gender, to waste their productive years inside the four walls of a prison facility. Ironically, the prisons are not immune from the influence of cannabis sale and use. As reported by ex- convicts, obtaining cannabis inside a prison facility in Nigeria is fairly easy as long as the money is available to initiate the trade. This begs the question of what use then is a Government policy on drugs that encourages the incarceration of people for using a plant that has been scientifically proven to possess medicinal qualities and locking them up in a prison system that is porous to the proliferation of cannabis, drugs and other harmful substances?.

Nigeria in the twenty first century is experiencing the effects of the loss of her collective cultural identity this could be largely attributed to the effects of westernization, Americanization and Globalization. Western nations like the Canada are taking realistic and proactive steps towards the control and regulation of narcotics; the Canadian Government decriminalized cannabis and encouraged the medical community with funds and grants to help facilitate the research into the medical benefits of the cannabis plant with the aim of becoming a front runner in the race for medical tourism. Canadian health care system recognises that citizens, most especially young adults will always seek to experiment with recreational cannabis likewise adults and senior citizens or people with life threatening illness will seek to use it for its medicinal qualities, rather than arrest and jail cannabis users and growers, the results from the scientific researches into the medical benefits of cannabis was used to create a national drug policy that treats cannabis abuse as a public health issue rather than a criminal offence. They recognised that treating the root causes of drug abuse rather than incarcerating drug abusers helps to check the rate of drug use in the long run.

A majority of the Nigerian population who are dependent on psychoactive substances like cannabis have become reliant on it as a gate way to escape the harsh realities of society, the relaxing effect of cannabis as a result of increased dopamine in the body system eases the stress levels after a hard day filled with the constant battle for survival, most of them don't use cannabis with the intention of going into society to commit crimes, instead it acts like catalyst that helps to increase the coping capacity

of the individual in the seemingly unfriendly environment that he/she finds themselves in. As the events that have unfolded throughout the history of Nigeria has shown, that we as a nation, are yet to recover from the aftermath effects of years of military rule and truncated democratic regimes. The military doctrine of exercising power or authority with force seems to be ingrained in the genetic code of the average Nigerian. The Policy makers, Nigerian Police Force and the National Drug Law Enforcement Agency (NDLEA) which are the Law Enforcement Agencies in the fore front of the “drug war” unfortunately are not immune to the military era hangover, as shown in tables 1,2 and 3 more emphasis is being laid on the arrest and prosecution of cannabis users and farmers with the aim of making these arrests serve as a deterrent to future offenders, while drug reduction as regards to large quantities in the sense of effective investigative work leading to the arrest and prosecution of individual offenders must not be de-emphasised, the current tradition of describing offences that tilt towards public health issues as NDLEA/ Nigerian Police force “war on drugs” needs immediate abandonment, essentially, it needs to be clearly and conclusively done away with by the law enforcement agents themselves.

4.7. Theoretical Foundation: Drug Securitization Theory

The securitization theory was propounded by the International Relations Theory in the early 1960s as a means of explaining security using a more flexible framework than allowed by conventional security schools. Buzan, Waever and de Wilde (1998) conceived securitization as a verbal exercise involving speech acts where an issue is presented or labelled as a threat to the very survival and existence of a stated object, and consequently, desperate and extreme means are justified to combat this threat (Buzan, *et al*, 1998). An existential threat is defined by foreign relations scholars as something that is a threat to the existence, a phenomenon or situation that has the capability to permanently change the core values of a group and the way it governs itself against its will, something that can fundamentally alter the way of life or independence of action of a people (Walter, 2016).

The origin of drug securitization theory is traceable to the mid-seventies when the focus was to identify and properly label narcotics as part of the existential threats to public safety, national security and indeed human security. This posture was to give the state ample grounds to respond appropriately to the menace of hard drug abuse especially the narcotics drugs (Walter, 2016). In the same vein, social scientists and public policy analysts have employed the securitization theory to effectively offer the appropriate narrative in the public situation and analytics of social problems and societal obligations to solving it via proper recognition and collective will to fix the social-oriented problem including drug abuse and trafficking. This reality predisposes

nations to design appropriate public policy to solve existential problems (Balzacq, Leonard, & Ruzicka, 2016). The pragmatic value of the securitisation theory led to its general acceptance in the last decade as it is apparently a sharp deviation from previous theories that not actionable the way the securitisation theory is (Balzacq, et. al., 2016, Crick, 2012). To experts, the unique feature of this theory makes it more appropriate to address issues of public safety and national security.

In his exposition, Crick (2012) noted that the mere recognition of drug abuse problem as an existential threat to public safety in postmodern society has elevated it beyond mere political sentiments and extricated it from the rhetorics of just policy making to that of a global concern and reaction for humanity sake (Buzan, et. al., 1998). 1998). Originated, conceptualized and propagated by the Copenhagen school in the mid-90s, securitization has gathered momentum as problem identification and solving paradigm. More so, labelling it as an existential threat, continuous and consistent affirmed such powerful maxim that “speech acts” like the UN Single Convention on Narcotic Drugs and President Richard Nixon’s declaration and prosecution of the “War on Drugs” as well as gradual and continual framing until acceptance as a global security issue has been significantly validated (Kushlick, 2011). The net effect of the theory is that it has tremendously helped in the formulation of global drug policy that is beyond political bickering, contestations and effectively insulated from open debate and scrutiny (Kushlick, 2014). Consequently, this theory will guide the treatise of this work to give an in-depth analysis of the utilitarian value of Cannabis vis a vis the traditional quest to police drug use in view of well-established debates on the noxious effects of narcotics on public safety, national security and indeed global security at large.

5. Study Locale: Marijuana in Abbi, Ukwani Local Government Area of Delta State

“Abbi igbo” is usually associated with a very potent source of marijuana in Abbi Delta State. Historically, Ukwani and Ndokwa west local government areas have experienced a relatively liberal use of recreational and medical marijuana. This could be attributed to the high rate of cultivation and acceptance of the plant for its various uses by the locals in this area. Two long time marijuana farmers in both Local governments had similar stories of how they got into the cultivation and sale of recreational and to large extent medical marijuana. When questioned about their views on the ongoing war on drugs and the impact on their source of livelihood Papa X (not his real name) had this to say, “This fight on drugs spearheaded by the NDLEA is embarked upon by the Federal Government with little or no research into the medical properties of marijuana and how our ancestors applied it trado-medically to treat various ailments, I have cultivated and grown marijuana for more than twenty years, the proceeds of my sales have helped

put food on my table and send my children to school. I am yet to see a customer go insane as a result of marijuana use”. The second farmer also had this to say ” throughout my experience in the farming of cannabis, I have not seen anyone who has run mad permanently as a result of smoking or eating cannabis”. The summary of the response gotten from the 250 respondents begs the question, are Nigeria’s drug laws scientific? Or are they colonialist and racist? The anti-marijuana law was passed based on the belief that marijuana made black men impervious to bullets and prone to getting involved with white women. Policies on drugs should be based on harm reduction, that is, harm reduction from the effects of the policies. What policy will most reduce the harm related to drug use and abuse? The harm associated with drug prohibition has failed to produce the results that society expected, Punishment and incarceration doesn’t fix addiction. The economics of drug use shows that the lower class and the lower middle class are more predisposed to addiction. Drug use gives them an avenue to escape from the realities of their emotional and financial problems and when the drug laws prevent the legal purchase, an underground economy will step in to fill the supply gap created by demand. When you change the cultural context in which people are able to have marijuana, you change the particular flavour of marijuana consciousness and perception in the society.

6. Research Design

This section deals with the plan, structure and strategy of investigation conceived to obtain answers to control variance. The appropriate research design for this work is the survey design and thus was adopted. It involves the systematic study of the population of interest through the use of questionnaire and interviews to generate the needed data for analysis. The choice of this design is as a result of the nature of the study which draws analysis of data from the representative sample. The primary data were collected from oral interviews and structured questionnaires were administered to respondents in order to illicit responses aimed at the assessment of the challenges of Policing Medical Marijuana in Nigeria, secondary sources i.e. textbooks, websites, blogs, conference/seminar papers etc. were also consulted and relevant information were extracted.

6.1. Population of the Study

The population or area of the study is Abbi with an estimated total population over Two Thousand people (2006 census). The study targeted group of people such as Cannabis farmers, Cannabis dealers, Cannabis users, Ex-convicts of drug offences, Students and Law enforcement officers in Delta State. The Total number of questioners given out was 250 while the total number retrieved was 200.

6.2. Sampling Techniques and Sample Size

The Survey Sampling method was used for this study to draw the sample of respondents in Abbi, however the respondents were randomly selected. The total number of respondents in this study was made up of 200 respondents. The distribution is as follows, Cannabis farmers 70, Cannabis dealers 92, , and Law enforcement officers 38. The number was arrived at by using random sampling method, with this the researcher uses subjects that are easy to reach, however the research work relied on qualitative analysis for discussion of its findings with a simple percentage table to show demographic distribution.

7. Data Analysis

The results of the statistical analysis of data gathered for this study as well as their discussion and interpretation are all presented in this chapter. The presentation of the data was done following the sequence of the four research questions directing the study. The finding and observations resulting from the study were described with reference to the objectives, research question raised and previous studies reviewed. In discussing the results of this study, the research will focus attention on the four research questions answered. As a result of the sensitive nature of this research work it was relevant to go out into the field to interact with the major actors in this narrative; the marijuana farmers, the consumers, medical professionals, law makers and some members of the various security agencies saddled with the responsibility of policing narcotics and illegal substances in Nigeria, however, due to financial and time constraints the analysis will be restricted to marijuana growers, consumers and law enforcement agents. The geographical scope of this field work is limited to Abbi, Ndokwa West L.G.A in Delta state. In Abbi, fifty (50) cannabis farmers, one hundred and forty two (142) consumers, twenty dealers (20), and thirty eight law enforcement agents were interviewed, the gender distribution of the sample include; one hundred and sixty six males (166) and eighty four females (84). Some questions that were presented to the participants of this research include;

7.1. General Descriptions of Data

Table 3: The Percentage of Questionnaires Distributed and Responded.

<i>Population of the Sample</i>	<i>No. of Questionnaires Distributed</i>	<i>No. of Questionnaires Returned</i>	<i>Percentage</i>
Total	250	200	80%

From the data presented above in table 3, 250 people were selected for the research study on whom 250 questionnaires were administered but only 200 (90%) responded.

Table 4: Gender Distribution

<i>Gender</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Male	166	83%
Female	34	17%
Total	200	100%

From the data presented above in table 4, 166(83%) of the respondents are male while 34(17%) are female.

Table 5: Age Distribution

<i>Age</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Below 18	32	16%
19-25	58	29%
26-50	80	40%
Above 50	30	15%
Total	200	100%

From the data presented above in table 5, 32(16%) of the research respondents are below 18 years old, 58(29%) are in-between 19-25, 80(40%) are within 26-50, while 30(15%) of the respondents are above 50.

Table 6: Educational Qualification

<i>Classification</i>	<i>No. of Respondents</i>	<i>Percentage</i>
FSLC/SSCE	32	16%
NCE/DIPLOMA	70	35%
HND/DEGREE	80	40%
OTHERS	18	9%
TOTAL	200	100%

From the data presented in table 6, 32(16%) of the respondents are FSLC/SSCE holders, 70(35%) are NCE/DIPLOMA, 80(40%) are HND/DEGREE Holders, while others which include primary school certificate holders and other vocational qualifications 18(9%).

Table 7: Marital Status

<i>Marital Status</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Single	108	54%
Married	67	33.5%
Divorced	25	12.5%
Total	200	100%

From the above data presented in table 7, 108(54%) of the respondents are single, 67(33.5%) are married while 25(12.5%) are divorced.

Table 8: Religious Affiliation

<i>Religion</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Christian	85	42.5%
Muslim	35	17.5%
ATR	67	33.5%
Others	13	6.5%
TOTAL	200	100%

From the above data presented in table 8, 85(42.5%) of the research respondents are Christian, 35(17.5%) are Muslim, 67(33.5%) are African traditional religion while others 13(6.5%).

Table 9: Occupational Distribution

<i>Occupation</i>	<i>No. of respondents</i>	<i>Percentage</i>
Cannabis farmers	70	35%
Cannabis dealers	92	46%
Law Enforcement officers	38	19%
Total	200	100%

From the above data presented in table 9, 70 (35%) of the respondents are Cannabis farmers, 92(46%) are Cannabis dealers while 38(19%) are Law Enforcement officers.

Table 10 Is there is a Relationship between the Use of Medical Marijuana and the Challenges being faced by Law Enforcement Agents Policing Cannabis Sale and Use in Abbi?

<i>Response</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Yes	128	64%
No	60	30%
Don't know	12	6%
Total	200	100%

From the above data presented in table 10 assesses whether there is a relationship between the use of medical marijuana and the challenges being faced by law enforcement agents policing cannabis sale and use in Abbi. 128(64%) replied “yes” 60(30%) “No” while 12(6%) of the respondents are indecisive. Therefore, this implied that the majority of the respondents are of the view that there is a relationship between the use of medical marijuana and the challenges being faced by law enforcement agents policing Marijuana sale and use in Abbi.

Table 11: Is there a Relationship between the Use of Marijuana and Crime Rate in Abbi?

<i>Response</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Yes	60	30%
No	120	60%
Don't know	20	10%
Total	200	100%

From the above data presented in table 11 assesses relationship between the use of marijuana and crime rate in Abbi 60(30%) respondent said yes there is a relationship, 120(60%) respondent said no while 20(10%) respondent are indecisive. therefore, from the analysis majority of the respondent viewed marijuana use as having no relationship with crime rate in Abbi.

Table 12. Is Marijuana/Cannabis Economically Viable and Medically Potent?

<i>Response</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Yes	145	72.5%
No	40	20%
Don't know	15	7.5%
Total	200	100%

The above data presented in table 12, assess whether Marijuana/cannabis is economically viable and medically potent? 145(72.5%) of the respondents said “yes”, 40(20%) said “no” while 15(7.5%) of the respondents are indecisive. Therefore, majority of the respondents viewed Marijuana/Cannabis as being economically viable and medically potent.

Table 13: Does the Current Medical Marijuana Policy Trend in the United States of America and other Western Nations Pose a Threat to the Policing of Marijuana/Cannabis in Nigeria?

<i>Response</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Yes	120	60%
No	30	15%
Don't know	50	25%
Total	200	100%

From the above data presented in table 13, it assess whether the current medical marijuana policy trend in the United States of America and other western nations pose a threat to the policing of marijuana/cannabis in Nigeria, 120(60%) of the respondents said “yes” 30(15%) said “no” while 50(25%) of the respondents are indecisive. Therefore, majority of the respondents viewed the current medical marijuana policy trend in

the United States of America and other western nations as a threat to the policing of marijuana/cannabis in Nigeria.

Table 14: How Effective is the Cannabis Plant in the Treatment of Selected Ailments?

<i>Responses</i>	<i>No. of Respondents</i>	<i>Percentage</i>
Potent/Effective	130	65%
Non effective	30	15 %
Don't know	40	20%
Total	200	100%

From the data presented above in table 14 assess How effective is the cannabis plant in the treatment of selected ailments, 130(65%) of the respondents said “yes” 30(15%) said “no” while 40(20%) are indecisive. Therefore, majority of the respondents view the cannabis plant as effective in the treatment of selected ailments.

Oral Interview of Cannabis Farmers, Cannabis Dealers, Cannabis Users, and Law Enforcement Officers in Abbi, Delta State.

This interview was conducted among the Cannabis Farmers and growers, Cannabis Dealers, Cannabis Users, and Law enforcement Agents in Abbi and its environs, the interview questions were asked using structured questions and these are the classification of respondents. Due to the sensitive nature of this research, the names of the respondents are classified to protect their identities and shield them from the stigma naturally associated with the use of cannabis in Nigeria;

Respondent A1-3 Cannabis Growers & Dealers

Respondent B1-3 Cannabis Users

Respondent C1-3 Law Enforcement Agents

Responses from Cannabis Farmers

During the course of this research, fifty (50) cannabis farmers were interviewed and three of the responses are given bellow;

The first interviewee was Respondent **A1** who currently owns a cannabis farm with about a hundred plants, for him, they (cannabis growers) , are being unjustly targeted by the National Drug Law Enforcement Agency (NDLEA). He admitted that he had limited knowledge about the medical applications of cannabis but noted that cannabis helped him and his customers to relax after a hard day’s work in the farm and insisted that relaxation was a form of medical therapy hence his conclusion that all cannabis is medicinal. Respondent **A1** also highlighted some evasive measures used by himself and other growers in Abbi which included mixed farming (planting cannabis alongside other agricultural products like cassava and palm to mask them from prying eyes).

The second, Respondent **A2** also a farmer was oblivious to the medicinal potentials of the cannabis plant. For him, the lucrative nature of the business was the motivating factor that drove him into cultivating and selling cannabis. He claimed to have buyers who came from as far as the Netherlands and other parts of West Africa to purchase his produce.

The third, Respondent **A3** was of the opinion that the presence of cannabis strain in Abbi should be exploited by the Federal and State Governments to create more jobs in the country. Respondent **A3** subscribes to a more spiritual and religious side of cannabis use citing that cannabis used encourages increased connection with his father and grandfather who were also cannabis growers, he stated that the Governments clamp down on cannabis growers and users is an infringement of the freedom to worship God in one's own way.

Responses from Cannabis Users

During the course of this research, one hundred and forty two (142) cannabis users were interviewed and three of the responses are given bellow; Respondent **B1** Claims to be a life time user of cannabis (over 30 years). He is a married man in his mid-fifties with a wife a five children. His works two jobs (night watchman and Farmer) to be able to provide for his family's needs and children's school fees. For him, cannabis helps him overcome the stress and body pains associated with his occupation. He claims to have never experienced any side effects since he started using cannabis in his early twenties. He abstains from using orthodox medicine to treat his or his family's ailments or health challenges, saying that western medicine cures one ailment and adds five new ones. His preferred mode of consumption is through smoking and mixing with locally brewed alcohol.

Respondent **B2**, Is a blue collar worker in one of the new generation Banks in the Abbi/Amai axis. For him, Cannabis is the safest and only recreational substance he indulges in. He claims that smoking a wrap of marijuana before and after work helps him to focus and give his undivided attention to his task and also loosening his inhibitions in his place of work given that he is a naturally reserved person.

Respondent **B3** is a 24 year old female teacher in a nursery/primary located in Abbi. She claims to have been introduced to cannabis use by her elder brothers, being the only girl while growing up in Abbi this impacted on the habits she picked up while associating with her older brothers. Cannabis was recommended to her as a pain killer by her brothers when she started experiencing her menstrual flow and since then it has become a cost effective and convenient remedy to cramps.

Responses from Law Enforcement Agents

During the course of this research, thirty eight (38) law enforcement agents were interviewed and three of the responses are given bellow;

Respondent **C1** is a member of the Nigeria police who has been stationed in Abbi/Amai/Obiaruku axis for about two years. He recounted his first experience in Abbi when he came into Abbi for the first time with a few of his colleagues who were familiar with the cannabis use in the area. He admits that he was shocked by the nonchalance to cannabis use amongst the Indigenous people and law enforcement agents who sometimes indulged in recreational cannabis use during their off time. A particular area of interest for him was the non-correlation of cannabis use to the prevalent criminal offences in Abbi which include family disputes over farmlands and petty theft.

Respondent **C2** is a high ranking member of the justice of Peace Association, He claims to be quite indifferent to marijuana use and sale in Abbi claiming that cannabis is a natural God given plant provided for the betterment of humans and should be treated as such. When asked if he had ever indulged in marijuana use either recreationally or medically he gave a mischievous smile and refrained from answering the question.

Respondent **C3**, A member of the Nigerian Army stationed in the Ndokwa west/Ukwani axis gave accounts of cases of stop and search in which he was involved in. According to him, most of the cannabis he confiscated during routine patrols and random stop and search around the Abbi axis was in the possession of students and youths who make up a large percentage of the cannabis consumers in the area. He believes that complete ban on cannabis use is counterproductive as it provides added incentives to the growers, dealers and smugglers to engage in the proliferation of the banned substance.

8. Summary, Conclusion and Recommendations

8.1. Summary

The security challenges posed by the recent international trends in the adoption of Medical Marijuana laws on the Nigerian society cannot be over emphasised. The innovation and technology currently being witnessed in Marijuana farming bring with it a new dimensions that challenges the traditional approach to policing narcotics in Nigeria. Indoor growing with special lights and fertilizers, coupled with innovative consumption methods (edibles, vaporizers) has made the traditional policing methods of tracking and identifying farms and smoking hideouts obsolete. Experiments conducted show that marijuana has numerous medical and economical applications that can be leveraged by the Federal Government of Nigeria. The current National Drug Control Master plan (2011-2019) adopts a law enforcement approach to the policing of Marijuana, nonetheless, statistics and interviews gotten from Abbi, Ndokwa West Local Government Area of Delta State has shown that a public health approach to policing of marijuana is more effective in this era of community policing.

8.2. Conclusion

The lack of research based policies in Nigeria, most especially in the area of actionable security management, has resulted in counterproductive measures being employed in the policing of narcotics in Nigeria. The National Drug control Master plan by the apex body for drug regulation and control in Nigeria (NDLEA) as reviewed in this research work has rather filled the prison cells with Nigerians' most productive age group and has done little or nothing in checking the scale of illicit drug production, proliferation and addiction being experienced nationwide.

The community of Abbi in Ndokwa West L.G.A, has indirectly provided a blueprint to the Federal Government of Nigeria on measures to be taken in controlling the political economy of medical marijuana for the benefit of the country at large. Abbi has been able to strike a balance between responsible use of marijuana recreationally and medically while also maintaining a relatively crime free environment. With this, Nigeria can reposition herself in the international community as a centre for marijuana research and tourism while also providing employment for her teeming youth population. The decriminalization rather than outright legalization should be the answer to Nigeria's search for an answer to the illegal drug trade and traditional narcotics policing strategies that is costing Nigeria so much economically. It is also safe to say at this point that, our knowledge about the biology of Cannabis and cannabinoids allows us to make some general conclusions:

- Cannabinoids likely have a natural role in pain modulation, control of movement, and memory.
- The natural role of cannabinoids in immune systems is likely multi-faceted and remains unclear.
- The brain develops tolerance to cannabinoids.
- Animal research demonstrates the potential for dependence, but this potential is observed under a narrower range of conditions than with benzodiazepines, opiates, cocaine, or nicotine.
- Withdrawal symptoms can be observed in animals but appear to be mild compared to opiates or benzodiazepines, such as diazepam (Valium).
- The different cannabinoid receptor types found in the body appear to play different roles in normal human physiology. In addition, some effects of cannabinoids appear to be independent of those receptors.
- The variety of mechanisms through which cannabinoids can influence human physiology underlies the variety of potential therapeutic uses for drugs that might act selectively on different cannabinoid systems.

- There is no significant relationship between cannabis use and crime rate, a case study of Abbi in Ndokwa West L.G.A of Delta State.
- That Marijuana is Effective in combating cancer cell, Cerebral Malaria and other ailments.
- The Political Economy of Medical Marijuana which currently contributes to the underground, illegal economy can contribute in boosting the economy if decriminalized and regulated by the Federal or State Governments.

8.3. Recommendations

- (a) There should be a paradigm shift in the present approach of policing narcotics from that of law enforcement to a public health issue where marijuana users who are addicts and pose a threat to security can be counselled and given professional medical attention with the aim of reintegrating them back into the society rather than allowing them to wallow in prison cells.
- (b) The Federal Government should decriminalize marijuana this will help to check the extent of the damage caused by the aggressive drug laws that target citizens in the low income class who are more likely to serve jail time for growing, selling or consuming marijuana.
- (c) The decriminalization of marijuana will also open doors for much needed research into the medical properties of the marijuana strain present in Abbi, Ndokwa West L.G.A of Delta State.
- (d) The records of people who have been charged and sentenced to prison for marijuana related offences should be expunged while those still in prison custody should have their sentence reduced and programmes should be put in place to enable their smooth reintegration into the society free of stigma.
- (e) The Federal Government should incentivize states that have low crime rate in relation to marijuana cultivation

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