

# **The Relationship between Norms and Hegemony: Exploring International Drug Prohibition over the Last 100 Years**

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## **COMPULSORY DECLARATION**

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## Abstract

It is just over fifty years since the United Nations adopted the *Single Convention on Narcotic Drugs* (1961), explicitly proscribing the manufacturing of, trade in, and use of narcotics for anything but scientific and medicinal purposes. Today, the 1961 agreement, alongside the similarly-focused 1971 and 1988 UN Conventions remain the bases of the international drug control regime despite the continuously high rates of drug use, trade, and production that remain worldwide. Taking due cognizance of these inconsistencies, the present study seeks to examine how the system of international drug control developed over the past century and, through this, why it is that prohibition continues to be the international community's primary response to the 'drug issue'.

Methodologically, the study applies two distinct analytical frameworks. The first framework applied—Kathryn Sikkink and Martha Finnemore's constructivist norm life-cycle model—systematically traces the evolution of the norm of prohibition over time and helps identify the main causal mechanisms at work in each stage of the norm's life. While the model is successful in regards to these aforementioned aspects, however, the research also shows the model does not adequately examine the role of power in international norm dynamics. The model, more specifically, does not discuss how existing power relations can help sustain a norm's livelihood long past its (perceived) effectiveness. Additionally, it is also shown through this application that prohibition did not develop in the exact manner the model suggests it would, but became institutionalised only in its final, internalisation phase instead of its emergent phase.

In this manner, the second theoretical framework—that of Robert Cox's critical theory—is consequently introduced to address the life cycle's limitations. By applying Cox's ideas on hegemony—herein understood as a fit between material power, ideas, and institutions—the study demonstrates how the hegemony of (primarily) the United States (US) has always and continues to play a leading role in supporting the norm of international drug prohibition today. The study concludes with some final notes about further research and the possibilities for change.

## Abbreviations

CCT	Coxian Critical Theory
DEA	Drug Enforcement Agency
DSB	Drug Supervisory Board
ECOSOC	Economic and Social Council of the United Nations
FAA	Foreign Assistance Act of 1961
FBN	Federal Bureau of Narcotics
GDP	Gross Domestic Product
INCB	International Narcotics Control Board
INCSR	International Narcotics Control Strategy Report
IO	International Organisations
PCOB	Permanent Central Opium Board
UN	United Nations
UNDCP	United Nations International Drug Control Programme
UNGASS	United Nations General Assembly Special Session
UNODC	United Nations Office on Drugs and Crime
WHO	World Health Organization

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# CHAPTER 1:

## INTRODUCTION

### 1.1 Overview

The cultivation, trading, and consumption of mind-altering substances are not recent phenomena in human history. Indeed, people have long traded and used natural and psychoactive substances for medicinal, cultural, spiritual, and recreational purposes.<sup>1</sup> According to some historical reports, early evidence of opioid consumption dates back nearly 2500 years ago to ancient Greek civilization, while records of cannabis use in China, Greece, and the Middle East are traceable to at least 2000 B.C.E. Likewise, in the Andean regions of South America, the practice of chewing coca (the main ingredient in cocaine manufacturing) is nearly 4000 years old.<sup>2</sup>

Alongside this enduring account of drug use, however, is another more antithetical history as measured attempts to prohibit the production, trafficking, and consumption of drugs have a long narrative of their own. According to some reports, political attempts to control drug use and drug production are evident as far back as ancient Egypt and even existed amongst Aztec and Incan civilisations as well. Modern, domestic laws of a similar nature, however, are traceable to the early nineteenth century.<sup>3</sup> Bearing all this in mind, a relatively current trend in this long-lasting history—and one that is of central importance to this study—is the establishment of internationally-coordinated treaties and laws that, since the early twentieth century, have sought

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<sup>1</sup> Marc-Antoine Crocq. “Historical and Cultural Aspects of Man’s Relationship with Addictive Drugs,” *Dialogues in Clinical Neuroscience*, Vol. 9, No. 4 (2007), <http://www.ncbi.nlm.gov/pmc/articles/PMC3202501/> (Accessed July 15<sup>th</sup> 2014); “A Brief History of the Drug War,” *Drug Policy Alliance*, Available online: <http://www.drugpolicy.org/new-solutions-drug-policy/brief-history-drug-war> (Accessed July 10<sup>th</sup> 2014).

<sup>2</sup> Michael J. Brownstein. “A Brief History of Opiates, Opioid Peptides, and Opioid Receptors,” *Proceedings of the National Academy of Sciences of the United States of America*, Vol. 90, No. 12 (1993), 5391; “Cannabis, Coca & Poppy: Nature’s Addictive Plants,” *Drug Enforcement Administration Museum & Visitor Centre*. <http://www.deamuseum.org/ccp/opium/index.html> (Accessed September 10<sup>th</sup> 2014).

<sup>3</sup> R.G. Penn. “The State Control of Medicines: The First 3000 Years,” *British Journal of Clinical Pharmacology*, Vol. 8, No. 4 (1979); 293-294; Marlene Dobkin de Rios and David E. Smith. “Drug Use and Abuse in Cross-Cultural Perspective,” *Human Organization*, Vol. 36, No. 1 (1977), 17.

to restrict the manufacturing, trade, and use of psychoactive substances for anything but scientific and medicinal purposes.

The first of these agreements emerged at the Shanghai Conference in 1909 and later at the Opium Convention at The Hague in 1912.<sup>4</sup> For most of their signatories, recreational drug use was considered to be both morally and tangibly harmful to society and thus a practice to be contained, if not eradicated completely.<sup>5</sup> While the 1912 Convention's focus was specifically on restricting the supply and trade of opium (which at the time, had already played a role in state-to-state interactions), the member states also included morphine and cocaine under the Convention's parameters as well. Being the first agreement of its kind, the stipulations decided upon were mostly vague and not yet systematised; in effect, the only important decision passed was for member states to stop exporting opium, cocaine, and morphine to countries that had outlawed their use.<sup>6</sup> These conditions were not fully enforced, or put into practice, until the end of World War I as part of the peace talks in Versailles in 1919.

The resolution at The Hague was but the first in a long line of prohibitive international agreements. Not long after, the stipulations were subsumed under the auspices of the League of Nations and then further expanded upon with the Geneva Opium Conventions of 1924-1925. These later agreements produced substantially more concrete resolutions than their precursor had. The states involved not only agreed to restrict the manufacturing, trade, and use of opium, cocaine, morphine, and cannabis in their countries, they also agreed to report their estimated

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<sup>4</sup> London School of Economics: Ideas Special Reports, *Governing the Global Drug Wars*, 2012, 8-9. Available online: <http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR014/SR-014-FULL-Lo-Res.pdf> (Accessed August 25th 2014). The Shanghai Opium Commission in 1909 was actually the predecessor to The Hague conference in 1912, yet little was agreed upon at that time. The member states agreed to meet three years later.

<sup>5</sup> The Opium Convention at The Hague was signed by 12 states in total: the United States, France, Germany, the United Kingdom, the Netherlands, Italy, Japan, Portugal, Russia, Siam, Persia, and China. Not all of the countries that signed were in complete agreement that opium and other substances should be eradicated as, for some of them, these substances were an important source of revenue. Germany, for instance, had a very large pharmaceutical industry at the time. On the other hand, some countries like the United States and China were adamant about decreasing the trade of these substances almost completely. See Carstairs for further information.

<sup>6</sup> Catherine Carstairs. "The Stages of the International Drug Control System," *Drug and Alcohol Review*, No. 24, (2005), 58, Available online: Academic Search Premier (accessed September 10<sup>th</sup> 2014).

levels of drug consumption and production to the newly created Permanent Central Opium Board (PCOB).<sup>7</sup> The PCOB, or the predecessor to today's International Narcotics Control Board (INCB), was a quasi-judicial organ of the League of Nations whose main task was to monitor the manufacturing and trade of narcotic substances throughout the world.<sup>8</sup>

By the mid-twentieth century, the United Nations (UN) had emerged in the place of the failed League of Nations. Following in its predecessor's footsteps, the UN did not drastically change any of the existing treaties on narcotics at the time, but merely co-opted them under its own governance. While various protocols were implemented in the period between 1945 and 1960, they had little traction and only minimally (if at all) added to the Conventions already in place.<sup>9</sup> By 1961, the UN amalgamated all pre-existing agreements under the newly adopted *Single Convention on Narcotics*. Not only did this treaty replace the PCOB and the Drug Supervisory Board (DSB) with the International Narcotics Board (who took on the quasi-judicial role of monitoring treaty adherence), it truly consolidated the international agreements into one, more comprehensive charter. Furthermore, the 1961 Convention, for the first time, explicitly prohibited the trade and production of these substances for anything but scientific and medicinal use. In effect, by becoming party to its stipulations, the member countries were binding themselves to the resolutions adopted—most of which were highly restrictive in nature and focused on fixing the problem of supply, but not demand.

Throughout the 1960s, to continue further, newer synthetic drugs were becoming increasingly popular amongst consumers. Amphetamines, psychedelics, and barbiturates, or what are known as psychotropic substances, began to saturate the market and were being used for both medicinal and recreational purposes. By the 1970s, the United Nations responded by creating yet another treaty restricting the manufacturing and trade of these newer mind-altering drugs. In 1971, the UN *Convention on Psychotropic Substances* amended existing agreements by placing these newer drugs onto the schedule of restricted substances. Further enforcement mechanisms were

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<sup>7</sup> London School of Economics: Ideas Special Reports, *Governing the Global Drug Wars*, 8-9.

<sup>8</sup> Carstairs, "The Stages of the International Drug Control System," 58.

put into place years later under the 1988 *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*. Unlike previous agreements, which focused mostly on the classification and scheduling of substances, the 1988 treaty concentrated specifically on preventing cross-border trafficking.

As of today, the United Nations' Conventions are still very much in effect: 184 countries are still party to the *Single Convention on Narcotics*, 183 states are party to the amended *Convention on Psychotropic Substances*, and 189 countries are party to the *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*.<sup>10</sup> All forms of illicit drugs—ranging from cannabis to methamphetamines—remain scheduled into four different classes according to their scientific properties and their level of proscription (with Schedule I and IV being the most restrictive). The United Nations, by means of their subsidiary organizations, the INCB and the United Nations Office on Drugs and Crime (UNODC), continue to monitor and evaluate the extent to which member parties abide by the regulations as stipulated in the Conventions. Despite the fact that the legal status and subsequent penalties for producing, trafficking, and using these substances ultimately remain under the jurisdiction of federal or provincial/state law, it is important to note that very few states—with the recent exceptions of Colorado, Washington, and the country of Uruguay—have strayed far from the prohibitive nature of UN agreements.

Inalienable as they may seem at first glance, what is disconcerting about these conventions is the lack of evidence to support the idea that prohibition is the most expedient way to solve the 'drug issue' or that restrictive type policies are necessarily the best way to conceptualize drug consumption more generally. Current figures from the UNODC, for instance, estimate that

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<sup>9</sup> *Ibid*, 8.

<sup>10</sup> United Nations, *Single Convention on Narcotic Drugs, 1961*. Available online: [http://www.unodc.org/pdf/convention\\_1961\\_en.pdf](http://www.unodc.org/pdf/convention_1961_en.pdf) (Accessed April 20th 2014); United Nations, *Convention on Psychotropic Substances, 1971*. Available online: [http://www.unodc.org/pdf/convention\\_1971\\_en.pdf](http://www.unodc.org/pdf/convention_1971_en.pdf) (Accessed April 20<sup>th</sup> 2014); United Nations, *United Nations Conventions against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988*. Available online:

between 162 million-324 million people worldwide consumed some form of illicit drug in the past year with cannabis, cocaine, opiates, and amphetamines being the most popular substances amongst consumers. Drug-related illnesses, on a similar note, remain a serious public health issue in most countries of the world as well. According to data collected by the UNODC and the World Health Organization (WHO), of the 12.7 million people who inject drugs intravenously, 13% of them live with Human Immunodeficiency Virus (HIV).<sup>11</sup> In addition, the *World Drug Report 2014* also estimates that 1 in 6 ‘problem’ drug-users worldwide (with significant regional variations) sought treatment for their drug use over the past year.<sup>12</sup>

On the supply side, in contrast, the illicit drug industry continues to generate not just incredible revenues, but rampant crime as well. Mexico’s ongoing drug war—which has seen thousands of people die as the result of incessant fighting between drug cartels, government officials, and civilian groups—is but one example of the severity of the problem.<sup>13</sup> With global revenues from illicit trafficking comprising 0.6% of the world’s GDP or somewhere in the range of 270 billion-430 billion U.S. dollars, it is not difficult to figure out why the narcotics industry has become one of the largest criminal enterprises in existence.<sup>14</sup>

Perhaps even more troubling is that these issues are not recent or newly occurring either; they are simply the unsolved problems of the past manifesting themselves in different ways. To put it differently, HIV transmission between intravenous drug users was a huge issue when the infection became widespread thirty years ago, yet the problem still remains. Before Mexico’s drug war, in a similar vein, numerous cocaine cartels operated in Colombia under Pablo Escobar

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[https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=VI-19&chapter=6&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=VI-19&chapter=6&lang=en) (Accessed April 20th 2014).

<sup>11</sup> United Nations Office on Drugs and Crime. *World Drug Report 2014*, ix.

[http://www.unodc.org/documents/wdr2014/World\\_Drug\\_Report\\_2014\\_web.pdf](http://www.unodc.org/documents/wdr2014/World_Drug_Report_2014_web.pdf) (Accessed April 20th 2014).

<sup>12</sup> *Ibid.*, 19.

<sup>13</sup> Randal C. Archibald, “Civilians Falling Victim to Mexico’s Drug War,” *The New York Times*, October 29<sup>th</sup> 2010, Available online: <http://www.nytimes.com> (Accessed August 25<sup>th</sup> 2014).

<sup>14</sup> United Nations Office on Drugs and Crime. *Estimating Illicit Financial Flows Resulting From Drug Trafficking and Other Transnational Organized Crime*, 2011, 29. Available online: [https://www.unodc.org/documents/data-and-analysis/Studies/Illicit\\_financial\\_flows\\_2011\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/Studies/Illicit_financial_flows_2011_web.pdf) (Accessed April 20th 2014).

and generated huge profits from it. Likewise, throughout the 1980s, countless unsuccessful anti-drug campaigns emerged, yet levels of consumption remain high today. If complete eradication of drug use and production is the goal of the international community, clearly it is not even close to fruition. Yet, despite the mounting evidence in contradiction of prohibition's futility, most (but albeit not all) of the international community continues to support the UN's prohibitionist policies towards drugs rather than leaning towards alternative, harm-reduction strategies.

## 1.2 Problem Statement, Research Aims & Rationale

Considering that the evidence of prohibition's futility is well-documented, for some reason the international community continues to endorse a zero-tolerance policy towards drugs with only a few people questioning why. Added to the fact that this ineffectuality is not a recent occurrence, but rather a chronic one, it becomes even more puzzling why prohibition—as opposed to harm reduction or alternative development strategies<sup>15</sup>—was and continues to be the official mandate endorsed by the United Nations and most of the international community. Bearing all of this in mind then, this paper seeks to add to the existing literature on international drug control in two, distinct ways: first, by demonstrating that drug prohibition is an international norm and, as such, is traceable over time; and second, by demonstrating that as the norm is ineffectual in achieving its goals, it continues to endure in spite of its failures largely because of underlying power relations existent in the international system.

By examining international drug control in this manner, it is not only possible to understand why the UN made prohibition its official policy in the first place, but also how the existing power

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<sup>15</sup> Although, it will be further discussed in later chapters, harm reduction refers to reducing the negative risks associated with drug use and abuse while alternative strategies focus more upon providing those farmers responsible for drug production with alternative forms of development and individual livelihood. For more information on both of these strategies, see: "Harm Reduction," *Transnational Institute*, Available online: <http://www.tni.org/category/issues-workarea/drugs-democracy/harm-reduction> (Accessed June 28th 2014); "Alternative Development," *Transnational Institute*, Available online: <http://www.tni.org/category/issues-workarea/drugs-democracy/alternative-development> (Accessed June 28th 2014).

relations between states can help sustain a norm's longevity even in light of its impracticality. Similarly, examining why this norm continues to exist may potentially shed light on the barriers preventing significant change to the existing international drug treaties today. On a separate note, to conclude, by labelling global drug prohibition a norm, this paper is also able to add to the existing literature on norms research within international relations more generally.

### **1.3 Research Methodology**

The study will be of an exploratory and more descriptive nature. In order to provide a thorough analysis on the norm of international drug prohibition, this research will make use of both primary and secondary sources as evidence. Historical documents—mostly in the form of the United Nations Conventions on narcotics, statistical findings from the UNODC and the WHO, and documents prepared by the INCB—will comprise of the primary sources used. The secondary sources consulted will consist of academic, peer-reviewed books and journals as well as credible newspaper articles.

While it hopes to add to international norms literature more generally, the following research will be a single-case study focusing on the norm of international drug prohibition specifically. The analytical frameworks discussed at length below, in this manner, provide the theoretical basis from which the norm of prohibition itself will be assessed. Although the results of a single-case study may not necessarily be generalizable to a wide set of cases, the norm of drug prohibition itself remains an important subject of focus insofar as it remains widely-endorsed by the international community, but largely ineffectual in practice.

### **1.4 Theoretical/Analytical Framework**

To achieve the research aims stated above, this study will use both a constructivist and a critical theory framework as the background for analyses, yet in different ways and for different reasons. Before outlining specifically how these theories will be put to use, it is necessary to first briefly consider why these approaches, as opposed to other alternative theories of international relations

(IR), are most applicable. Moving forward in such a manner not only helps place this study within the wider discourse of IR in general, but also more fully demonstrates the reasoning behind and motivations for choosing these specific theories.

As most students of IR know, the major approaches in the discipline—neorealism and neoliberalism—focus primarily on the structure of the international system and the material characteristics of states to explain and predict events in global politics. The strength of the military, the robustness of the economy, the size of the population, and the geopolitical location of the state are all important factors that scholars from these schools consider when explaining phenomena in IR.<sup>16</sup> For constructivists though, material factors may be significant, but so are ideas. A proper understanding of inter-state relations, in this constructivist view, necessitates an examination of ideational influences as well as material ones. From the perspective of a critical theorist, contrarily, material forces do matter, but not just in the abstract; instead, how material forces are actually used within the inter-state system intimately affects the lives of people around the world. Considering, in this manner, that the norm of international drug prohibition categorically stems from the idea that drugs are harmful to society and that the resulting treaties, agencies, and institutions created around this idea impact the lives of real people, it is essential to use those theories that recognize both the importance of ideas and materialism in their explanations of the social world.

On a separate but related matter, most neorealists and neoliberals view the world in cyclical, ahistorical terms; simply put, they do not consider context, history, or change to be of any great importance in explaining phenomena in IR. Despite their differences in reasoning, in contrast, both critical and constructivist theorists see history, change, and context as central to shaping the social world. More specifically, while constructivists place greater emphasis on examining and explaining the processes of ideational and identity change often over time, critical theorists actually seek to induce emancipatory change (in both theory and practice). Within the specific

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<sup>16</sup> Ian Hurd, "Constructivism," in *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidel, 301 (Oxford: Oxford University Press, 2010); Richard Shapcott, "Critical Theory," in *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidel, 327-330 (Oxford: Oxford University Press, 2010).

instance of international drug control, it would be almost impossible to fully understand prohibition's emergence and preservation without considering the necessary historical conditions at work in its creation. Thus, while neorealists and neoliberals could potentially provide valuable insights into international drug control, they are ultimately limited by their structural, ahistorical, and parsimonious assumptions. Constructivist and critical theory explanations are often more sensitive to the underlying processes that shape world order and in general, are better-suited to explain change.

Undoubtedly, constructivist and critical theories are neither identical to one another nor without their own intra-paradigmatic variations. Indeed, there is considerable difference between constructivism and critical theory and also significant variances within these theories as well. Thus, while both approaches concern themselves with the power of ideas, critical theorists focus more predominantly on understanding the underlying power relations within society and the conditions necessary for human emancipation (or freedom).<sup>17</sup> In addition, while both constructivists and critical theorists discuss the role of change in international relations, constructivist interpretations are often less normative in nature in comparison to those of critical theorists. On the other hand, critical theorists not only seek to understand how the world came to be, but also how it can change for the benefit of all.<sup>18</sup>

With regards to the application of these theories, Martha Finnemore and Kathryn Sikkink's 'norm-life cycle'<sup>19</sup> will be the major constructivist framework employed in this study. Their model, being one of the first of its kind, systematises the process by which norms come to emerge and become entrenched within the international system. The authors posit, more specifically, three distinct stages of norm evolution: *norm emergence* (stage 1); *'norm cascade'* (stage 2); and *internalization* (stage 3). Within each of these stages, Sikkink and Finnemore discuss various social processes at work in the norm's development. Although the authors do not

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<sup>17</sup> Shapcott, "Critical Theory," 327-329.

<sup>18</sup> Ibid.

<sup>19</sup> Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization*, Vol. 52, No. 4 (1998), 896.

fully consider the role of power relations in the emergence and preservation of ineffectual norms (a major criticism of the model), the norm life-cycle itself does provide a more methodical way of understanding norm evolution.

The critical theory of Robert Cox—also labelled ‘Coxian critical theory’ (CCT)—forms the other major theoretical approach in this study. Undoubtedly, Coxian critical theory is multi-faceted and remarkably complex. When applying Cox’s ideas to the norm of global drug prohibition, some of his insights relate better than others and thus, only some of his ideas will be of use to this study. Cox’s concept of hegemony (which he derives both from Gramsci and Machiavelli) is of considerable relevance for instance. Instead of conceptualising hegemony as one state’s preponderance of power over others,<sup>20</sup> Cox sees hegemony as a mix between coercion and consent or as a fit between material capabilities, ideas, and institutions. With regards to this study in particular, it may appear arbitrary at first glance to use the notion of hegemony to explain global drug prohibition. Yet, considering that international prohibition is still in effect despite its failures, it is reasonable to question why the international community still commits itself to such an endeavour and who benefits from this strategy. What is more definitive than pure speculation, however, is the continued role of the US and its allies in establishing, funding, and continuing to promote prohibition as the primary means of dealing with the drug issue.<sup>21</sup> By using Cox’s insights as one of the theoretical frameworks in this study, it is possible to gain a better understanding of the underlying power relations at work in sustaining prohibition.

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<sup>20</sup> Robert Cox, “Social Forces, States, and World Orders: Beyond International Relations Theory,” in *Approaches to World Order*, Robert W. Cox with Timothy Sinclair, 87-104 (Cambridge, Cambridge University Press, 1996), 87-104.

<sup>21</sup> David R. Bewley Taylor, *United States and International Drug Control 1909-1997* (New York: Pinter, 1999); David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity*, 2<sup>nd</sup> ed. (Minneapolis: University of Minnesota Press, 1998); Ethan A. Nadelmann. “The International Effects of U.S. Drug Policy,” *Harvard International Review*, Vol. 12, No. 3 (1990).

## **1.5 Limitations and Delimitations**

While this study seeks to provide a comprehensive analysis on international drug prohibition, there are some limitations to its scope. First, the research will focus only on the norm of drug prohibition on an international level and will thereby not discuss the experiences of specific countries or individual domestic political factors that contributed to prohibition's adoption within certain states. In other words, this is not a study that concerns itself with explaining each and every country's decision to adopt prohibition, but rather a study of the norm of prohibition in an international context more generally. With that in mind however, it must also be noted that international norms only exist in large part because of domestic levels so this is important to consider as well. In addition, seeing as the study will focus solely on one kind of international norm, the findings will only be applicable to this case and not necessarily generalizable. However, an in-depth analysis of how this specific norm has become universalized might give greater insight into other possible areas of research regarding international norms. To conclude, the analysis will also focus only on those psychoactive substances restricted by the UN conventions for recreational and non-medicinal use. So, while it will discuss substances like cannabis, cocaine, amphetamines, barbiturates, and opiates, the study will not examine other psychoactive substances like alcohol, tobacco, or caffeine.

## **1.6 Conceptualisation**

Before concluding, it is necessary to delineate exactly what is meant by the terms and treaties to be discussed throughout subsequent chapters. Thus, the section that follows details what is meant explicitly by each term in the context of this study and relevant UN Conventions.

### **1.6.1 Drugs: Narcotics and Psychotropics**

Considering that 'drugs' is a relatively ambiguous, all-encompassing word, it is necessary to better delineate what is meant by the term in the context of this research specifically. While any

chemical substance is considered a drug when it produces biological effects (either mental or physical) in a user after its consumption, the substances of major focus here are not those used to alleviate or cure chronic or temporary illnesses (albeit they may have some medicinal purposes), but rather those used by people primarily for recreational use. As such, the substances here referred to—cannabis, opiates, amphetamines, cocaine, and their associated derivatives—are those illicit drugs used recreationally by individuals. They are also the substances most stringently controlled and monitored by the UNODC, the WHO, the INCB, and other similarly-purposed national and international bodies.<sup>22</sup>

In terms of their composition, the substances listed above each contain different chemical properties and consequently induce different reactions in consumers (like euphoria, relaxation, attentiveness, etc.).<sup>23</sup> What makes these drugs illicit in almost every country, as will be discussed in greater detail below, are the harmful health risks associated with their over-consumption and abuse.<sup>24</sup> Common side effects and potential harms related to most (but not all) of these substances, in this manner, include dependency, addiction, cognitive impairment, mood disturbances, and potential HIV and other STI transmission for intravenous drug users.<sup>25</sup>

Due to the illicit nature of the substances as well, the consumption, trade, and manufacturing of narcotics is largely associated with crime, criminal activity, and criminal enterprise. Not only is this ‘deviance’ stigma associated with those trafficking or producing narcotics, but also to those caught consuming or in possession of these substances as well. In most countries, drug users, suppliers, traffickers, and producers are criminally charged if caught and can be incarcerated for their actions. Appendix A and B not only show where most drug-producing countries are located,

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<sup>22</sup> United Nations Office on Drugs and Crime, “Types of Drugs,” *World Drug Campaign*, <http://www.unodc.org/drugs/en/get-the-facts/types-of-drugs.html> (Accessed June 15th 2014).

<sup>23</sup> “The Truth about Drugs,” *Foundation for a Drug-Free World*. <http://www.drugfreeworld.org/home.html> (Accessed November 3rd 2014).

<sup>24</sup> United Nations Office on Drugs and Crime, “100 Years of Narcotics Control,” *Commission on Narcotic Drugs*, <http://www.unodc.org/unodc/en/frontpage/2012/March/100-years-of-narcotics-control.html> (Accessed June 15th 2014).

<sup>25</sup> “The Truth about Drugs,” *Foundation for a Drug-Free World*. <http://www.drugfreeworld.org/home.html> (Accessed November 3rd 2014).

but also the most common trade routes for illicit drug trafficking and the countries with the highest rates of drug consumption.

### **1.6.2 Prohibition**

Although the concept will be discussed at greater length in the following sections, the term ‘prohibition’ in the context of this research refers specifically to the complete eradication of all drug manufacturing, trade, and use that is not explicitly for medicinal or scientific purposes. Some of the substances listed above, like heroine, morphine, codeine (an opiate), and cannabis, have medicinal usages that are accepted widely by the international community. It is only in the context of recreational use, in this matter, that the term prohibition refers to herein.

### **1.6.3 The UN Conventions on Illicit Substances**

As mentioned above, there are three treaties that form the basis of the current international drug control system—all of which concentrate most predominantly on handling the supply side of the drug issue, without much (or basically any) focus on the demand side. The *1961 Single Convention on Narcotics* is the most fundamental of all three insofar as it was the first of its kind in terms of comprehensiveness and widespread acceptance. The agreement’s primary focus, in this manner, was on prohibiting cocaine, cannabis/cannabinoids, and opium-derived substances. According to Article 4, signatories agree to oblige by the stipulations laid out in the conventions in the following ways:

- a) To give effect to and carry out the provisions of the Convention within their own territories;
- b) To co-operate with other States in the execution of the provisions of this Convention; and

c) Subject to the provisions of this Convention, to limit exclusively to medical and scientific purposes the production, manufacture, export, import, distribution of, trade in, and possession of drugs.<sup>26</sup>

By signing onto the Convention, in other words, member states agreed to implement legislation in their respective countries in a manner consistent with the UN's mandate. All of the illicit substances scheduled, in other words, were prohibited from any form of recreational use. Additionally, signatories also agreed that drug stocks in each state—namely, those drugs needed solely for scientific and medicinal purposes—were to be estimated annually (by need) by the INCB and then reported on and monitored to ensure compliance.<sup>27</sup> Ultimately, with 184 countries party to the Convention at present, the agreement remains the basic template for most drug-related international treaties and the model from which most countries continue to base their domestic drug legislation on.

*The 1971 Convention on Psychotropic Substances* amended the original UN treaty a decade later. Although it did not drastically alter the original agreement, the 1971 treaty did maintain its prohibitive nature by adding the newly developed, synthetic drugs it could not ban under the 1961 agreement (like barbiturates, amphetamines, LSD and the like) to the UN's schedules of illicit substances. Recognizing the possibility that newer drugs made with different substances could later be produced after the agreement's establishment, Article 2 of the amended treaty leaves open the possibility for new substances to be added to the UN's schedules.<sup>28</sup> In this manner, if any new substance produces similar effects to those already listed in the existing schedules; and if the WHO determines a substance to be a (possible) public or societal health risk due to abuse, the organization can recommend its proscription. Such recommendation will then

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<sup>26</sup> United Nations. *Single Convention on Narcotic Drugs, 1961*. 4.

<sup>27</sup> *Ibid.*, 6-7.

<sup>28</sup> It must also be said that while the 1961 Convention also included Articles similar in nature (See United Nations. *Single Convention on Narcotic Drugs, 1961, Article 3(3)(4)(5)(6)*, it could not ban psychotropic drugs due to its limited focus on opium, cannabis, and cocaine-like substances. The amended agreement, with its wider scope, made it truly possible for both narcotic and psychotropic-type substances to be included.

be taken into consideration by the UN and appropriate scheduling of the substance will follow (if proscription is agreed upon).<sup>29</sup> Much like its predecessor, the 1971 amended agreement enjoys considerable acceptance within the international community with 183 members party to its stipulations.

The last, and most recent, drug-related UN agreement is the *1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*. Unlike the two previous agreements, which were created to outline exactly which substances were prohibited, the 1988 Convention focused specifically on controlling the cross-border trafficking of illicit substances and the organized criminal activity associated with these practices. Signatories, in this manner, not only obliged to work together to eradicate drug smuggling, but also agreed to punitively penalize all activities relating to drug manufacturing, trade, even and possession under their own domestic laws.<sup>30</sup> Unlike the previous two treaties—neither of which explicitly outlined nor prescribed punitive laws as a way of handling the issue of possession specifically—the 1988 Convention calls for such measures. With 189 countries currently party to the 1988 agreement, it remains the most widely accepted and possibly the most stringent Convention of the three.<sup>31</sup>

## 1.7 Chapter Outline

Each of the following chapters will focus on achieving the research aims above first by elaborating on the theoretical frameworks already discussed and then by applying these models to the norm of international drug prohibition more specifically.

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<sup>29</sup> United Nations, *1971 Convention of Psychotropic Substances*, 2.

<sup>30</sup> United Nations. *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, 1988, 3.

<sup>31</sup> Cindy Fazey, “The UN Drug Policies and the Prospect for Change,” April 2003. Available Online: [http://www.fuoriluogo.it/arretrati/2003/apr\\_17\\_en.htm](http://www.fuoriluogo.it/arretrati/2003/apr_17_en.htm) (Accessed April 20<sup>th</sup>, 2014).

With this in mind then, Chapter 2 will begin by defining what an international norm is with the help of available insights from constructivist norms research. By making use of this definition, the chapter will go on to argue that international drug prohibition is, in fact, a norm. Following this, an explanation of Finnemore and Sikkink's 'norm life-cycle' will follow and provide a more systematic way of understanding prohibition's emergence on the international stage. The chapter will conclude by demonstrating that while the life cycle is indeed applicable in tracing the development of the norm of international drug prohibition, it cannot adequately explain why the norm continues to exist today against all evidence of its ineffectiveness.

Following from this, chapter 3 will start by introducing Coxian critical theory to the discussion and presenting some of the major insights of his work. Of particular importance for this study will be Cox's concept of hegemony, as well as his idea of the historical structure as being "a particular configuration of forces" between material capabilities, ideas, and institutions.<sup>32</sup> After this introduction, an analysis of Cox's insights will follow and thereby demonstrate the applicability of his arguments in explaining the norm of international drug prohibition.

Chapter 4 will continue with an analysis and then an application of these theoretical frameworks to the norm of international drug prohibition. This chapter will specifically seek to demonstrate how the two models, when used in conjunction, provide a more comprehensive way of understanding global drug prohibition.

The study will then conclude with Chapter 5 by reviewing the findings discussed. It will also briefly explore other possible areas of research out of the purview of this paper and will include final comments regarding some alternative ways of dealing with the drug issue on an international level.

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<sup>32</sup> Cox, "Social Forces, States and World Orders: Beyond International Relations Theory," 97.

## **CHAPTER 2:**

### **THE NORM LIFE CYCLE**

#### **2.1 Overview**

In order to show that international drug prohibition is in fact a norm, it is necessary at the outset to understand what a norm is; the process by which norms become important on an international level; and subsequently, how and when norms become embedded in the institutional fabric of international society. The section that follows will seek to provide such a framework for further analysis. At the outset, the chapter will begin—with the help of constructivist norms research—by conceptualising what a norm is and how norms influence international political behaviour. Succeeding from that, an overview of Finnemore and Sikkink's (1998) norm life cycle will follow detailing specifically the three stages of their model: (1) *norm emergence*; (2) *norm cascade*; and (3) *internalization*.<sup>33</sup> The chapter will then conclude with a critique of Finnemore and Sikkink's framework arguing that while the model is indeed helpful in systematizing the process of norm evolution, there are some flaws in the authors' argumentation.

#### **2.2 What is a Norm? Some Considerations and Conceptualisations**

While many theoretical approaches discuss the role of norms in global politics, few but constructivism consider them of central importance in understanding interstate relations. As mentioned briefly in Chapter 1, constructivists largely question the material explanations that neoliberals and neorealists provide in IR and instead maintain that even material objects “must [first] be understood through the social concepts [or ideas] that define their meaning for human life.”<sup>34</sup> Constructivists see the world—including the relations between states, national interests, state identities, and the like—as being socially-constructed products of human agency. Similarly, while most mainstream theories tend to emphasize the role of agency over structure (or vice

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<sup>33</sup> Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 896.

versa) to explain state behaviour, constructivists argue that agents and structures are in fact mutually constitutive and thus, cannot be completely divorced from nor assimilated by one another.<sup>35</sup> As products of human agency, international norms that structure, regulate and define the behaviour of states cannot exist apart from or a priori to those actors who create and support them.

For matters of conceptualisation, a norm is considered in this study as a “standard of appropriate behaviour for members of a given identity.”<sup>36</sup> Put differently, norms detail how actors, who identify themselves as members of a group, should behave within certain situations. Not only does this definition suggest that norms are intersubjectively held by those who individuals or groups who subscribe to them, but that they play an integral role in shaping identity and in turn behaviour. Thus, in the context of international relations, more specifically, norms delineate appropriate action for states (and other actors relevant to global society) as well shape the identity of the states themselves. Three separate (but not mutually exclusive) categories are commonly used to distinguish between different kinds of norms. The first category, labelled regulative norms, are those that prohibit, order, or restrict the behaviour of actors within a certain context. Constitutive norms, the second group or classification, “create new actors, interests, or categories of action”<sup>37</sup>; and finally, evaluative norms define how states ought to behave on the global stage by distinguishing between appropriate and inappropriate behaviour.<sup>38</sup>

Beyond simple definitions, another issue to bear in mind when discussing norms in IR is the multi-faceted relationship that exists between domestic norms and international ones. In this manner, not only do most international norms arise from the domestic level first, but to be of any real consequence on state behaviour, they must necessarily filter and work their way through

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<sup>34</sup> Hurd, “Constructivism,” 299.

<sup>35</sup> Jeffrey T. Checkel. “The Constructivist Turn in International Relations Theory,” *World Politics*, Vol. 50, No. 2 (1998), 324-328.

<sup>36</sup> Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 891.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

existing domestic structures.<sup>39</sup> On a more theoretical note, most first-wave norms research (which includes Finnemore and Sikkink's work) focuses primarily on the acceptance of global norms by means of 'international prescriptions'<sup>40</sup> which provide states with general instructions on how to act regardless of specific contextual dynamics. More recent studies, labelled second and third wave research, examine the process by which domestic factors localise and shape global norms to fit domestic circumstances.<sup>41</sup> For an exploratory study such as this, however, the localization factor is of less concern (though not of any less importance) than the actual diffusion process.

### **2.3 The Norm Life Cycle—Explaining the Model**

With definitions now established, it is possible to begin outlining the norm life cycle as posited by Finnemore and Sikkink. As Figure 1 demonstrates below, the norm life cycle consists of three distinct stages with stages 1 and 2 being separated by an intermediary phase (also known as the *tipping point*). Each stage, according to Sikkink and Finnemore, involves different social processes, primary actors, and modes of influence at work that help to sustain and promote the norm further. It is important to point out (as the scholars themselves appropriately do) that change from one stage to another is not inexorable.<sup>42</sup> Instead, as will be further discussed at the end of this chapter, some norms matter more than others, some norms fail to reach the internalization phase, and others do not gain widespread acceptance at all. Before discussing which norms are of greatest importance, however, it is first necessary to examine the different phases of the life cycle itself.

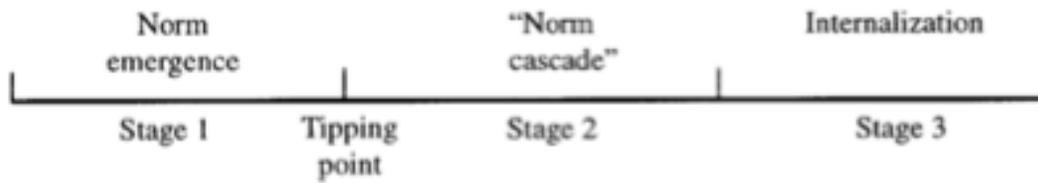
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<sup>39</sup> Ibid., 893; Amitav Acharya. "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organizations*. Vol. 54, No. 2 (2004), 242.

<sup>40</sup> Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," 242.

<sup>41</sup> Ibid.

<sup>42</sup> Finnemore and Sikkink, "International Norm Dynamics and Political Change," 895.



**Figure 1—The Norm Life Cycle<sup>43</sup>**

### 2.3.1 Norm emergence

As the name suggests, the first stage in Finnemore and Sikkink’s model outlines the process whereby international norms emerge and begin to gain momentum on the global stage. While norms arise for a variety of different reasons usually relating to context-specific circumstances, Sikkink and Finnemore argue there are discernible elements similar amongst all emergent norms—the most prominent of which are the presence of norm entrepreneurs and organizational platforms for action.<sup>44</sup> Since both of these elements are central to understanding the emergence stage more fully, further elucidating upon them is a necessary task.

To begin then, norm entrepreneurs are those individuals, or groups of individuals, who bring attention to an issue and seek to change (what they consider) inappropriate behaviour. More specifically, norm entrepreneurs create or problematize issues by “using language that names, interprets, and dramatizes them.”<sup>45</sup> In doing so, norm entrepreneurs explicitly seek to change public discourse on the issue at hand thereby challenging what Sikkink, Finnemore and other academics label the pre-existing ‘logics of appropriateness’.<sup>46</sup> When a new norm emerges, in other words, it directly confronts or clashes with the prevailing norms or standards of behaviour at the time.

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<sup>43</sup> Ibid., 896.

<sup>44</sup> Ibid., 896.

<sup>45</sup> Ibid., 897.

Without question, the process of changing societal perceptions and reframing issues is a difficult task for norm entrepreneurs to assume and because of this, understanding their motivations becomes an important area of concern for norm researchers. From Finnemore and Sikkink's perspective, norm entrepreneurs often act out of compassion (empathy); for common humanity (altruism); or in belief of the virtue of their ideas (ideational commitment).<sup>47</sup> Although it is reasonable to argue that some norm entrepreneurs act for entirely benevolent reasons, it seems too idealistic to assume that all norm entrepreneurs do so in every instance of norm emergence or that all international norms are necessarily progressive in substance. While further elaboration on this point will follow in the concluding remarks of this chapter, suffice it to say that Finnemore and Sikkink overlook instrumentality as a possible motivation for action.

In order to successfully challenge the existing standards of behaviour, norm entrepreneurs must also have an organizational platform through which to act. Such a platform allows the entrepreneurs to publicly promote the issue in hopes of persuading others to agree to their reinterpretation. Already existing international organisations or institutions are one kind of organizational platform that norm entrepreneurs often make use of. However, as Finnemore and Sikkink suggest, international organisations come with their own norms and programmes for action which, in turn, often influence and determine the content and specificity of new norms.<sup>48</sup> On the other hand, it is also possible for norm entrepreneurs to create their own organizational platforms from which to work. Some transnational organizations and nongovernmental organizations (NGOs), like Oxfam and CARE International, are some more well-known examples of such platforms.

Beyond norm entrepreneurs and organizational platforms though, Sikkink and Finnemore maintain that state endorsement is another key element important in the emergent stage of a norm's life. More specifically, states must endorse the reinterpretation promoted by the norm

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<sup>46</sup> James G. Marsh and Johan P. Olsen. "The Institutional Dynamics of International Political Orders," *International Organization*, Vol. 52, No. 4 (1998), 951.

<sup>47</sup> Finnemore and Sikkink, "International Norm Dynamics and Political Change," 898.

<sup>48</sup> *Ibid.*, 899.

entrepreneurs and agree to support and promote it on an international level. What makes transition to the second stage even more likely is the institutionalisation of these new ideas into more formal international arrangements or agreements. By clearly setting out rules and specifying what constitutes compliance or violation, the newly emerging norm becomes more deeply embedded in the fabric of international society.

### **2.3.2 Tipping Point**

Before moving on to discuss the second stage, it is important to explain the intermediary phase that fits in between stage 1 and 2—what Sikkink and Finnemore label the tipping (or threshold) point. Quite simply, the tipping point occurs when a norm goes from being only minimally accepted by a few states to being more widely endorsed and promoted by a variety of states. While it is difficult to know exactly how and when this threshold peaks, Sikkink and Finnemore posit that a ‘critical mass’ of states—or approximately one-third of all the states in the system at the time—need to accept the norm for the tipping point to be reached.<sup>49</sup> While this figure is mostly an approximation and not necessarily an exact science (though the authors do base the number off of empirical studies), the one-third figure does give researchers an idea as to when the tipping point might occur. What is also important to consider in this intermediary phase are the kinds of states endorsing and supporting the norm. Some states that have great power, expansive wealth, or even international prestige, for instance, may hold more weight or persuasive power than others in the international system and can thus be considered more important when it comes to endorsing and supporting a norm.<sup>50</sup>

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<sup>49</sup> Ibid., 901.

<sup>50</sup> Ibid.

### 2.3.3 Norm Cascade

Once a ‘critical mass’ of states support the new ‘logic of appropriateness’, a cascade begins to occur whereby more and more countries adopt the norm without internal pressure to do so.<sup>51</sup> At this stage, Finnemore and Sikkink argue, the mechanisms of influence begin to change. Put differently, while domestic actors and internal pressures are the most important forces of persuasion in the emergent stage, in the cascade phase states themselves and international society more generally become the agents of persuasion or—to use Finnemore and Sikkink’s term—socialization. With regards to how socialization actually occurs, the authors suggest that norm-leading states, alongside transnational organizations and groups of norm entrepreneurs, influence those actors not in compliance with the new ‘logics of appropriateness’ by means of sanctions, material incentives/disincentives, and public praise or criticism.<sup>52</sup>

These external pressures alone, Finnemore and Sikkink maintain, cannot completely account for why so many states begin to adopt the norm at this stage and why the cascade itself happens so quickly. Instead, norm compliance in stage 2 also directly relates to notions of identity and the state’s place as a member of the international community.<sup>53</sup> More specifically, since a state’s self-identity originates in large part from the institutions and social contexts it involves itself in, states will thus seek to support norms adopted by the community it sees itself a member of in order to ‘fit in’ or belong. To articulate their point, Sikkink and Finnemore point to three identity-related reasons to explain why states adapt and conform to international pressure: legitimation, conformity, and esteem.<sup>54</sup>

Legitimation, to give but a brief overview, refers to the state’s feelings of acceptance and correctness in global society. States, in this manner, not only want to feel a part of the international community, but also seek to gain approval from it as well as they realise the

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<sup>51</sup> Ibid., 902.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid., 903.

negative effects that come from being ostracized within the system. Besides this, states may also seek international legitimation as a way of furthering or solidifying their own domestic legitimacy. As Finnemore and Sikkink themselves write, “states also care about international legitimation because it has become an essential contributor to perceptions of domestic legitimacy held by a state’s own citizens.”<sup>55</sup> In this manner, norm-conforming behaviour can thus be said to work for states on both the international and domestic level.

Conformity, in contrast, refers to the state’s feelings of belonging within global society. Put differently, by conforming to the appropriate behaviour promulgated by the international community, states see themselves as being part of the ‘in-group’.<sup>56</sup> Esteem, on a different but related note, does not come solely from the feelings of pride associated with norm-conforming behaviour, but also comes from the perceptions other states have of those that conform to the ‘logics of appropriateness’. As Finnemore and Sikkink maintain, adopting new norms for reasons of esteem and conformity have much to do with seeking approval from others in the international community and, in turn, avoiding dissent.<sup>57</sup> In other words, states care what others think of them and seek to avoid behaviour that hurts their prestige or status.

#### **2.3.4 Internalization**

The last stage in the norm life cycle is the internalization phase wherein a norm becomes so widely accepted that (almost) every member of the international community endorses or supports it. It is at this point that a norm appears immutable and goes largely unchallenged by the international community. For Sikkink and Finnemore, this assumed, given quality is quite powerful as the norm itself goes largely unquestioned by those who support it and there is

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid., 904.

relatively little, if any, discussion taking place about whether or not states should conform to the norm altogether.<sup>58</sup>

One key mechanism of influence in this third stage is the creation of professions which relate to the norm. The individuals working in these professions—who are trained and instilled with job-specific, technical knowledge—often have a direct impact on the kinds of policies adopted by governments, international organizations (IOs), and transnational networks due to the sought-after nature of professionalization within these establishments. As such, Finnemore and Sikkink suggest, many governments and IO policies often reflect the professional, technical and “normative biases of the professions that staff decision-making agencies.”<sup>59</sup> These professions ultimately serve to reinforce, perpetuate, and strengthen the norm further.

In addition to the existence of norm-specific, technical professions, another key mechanism at work in the internalization phase is that of reiteration and habit.<sup>60</sup> Although Sikkink and Finnemore do not elaborate too extensively on this argument, they suggest that repeated patterns of behaviour within international society become internalized and eventually lead to slower, evolutionary normative changes over time. In other words, iterated habit may in itself be a force at work in sustaining a norm and may suggest that normative change is a slow, but continuing process.

## **2.4 What Kinds of Norms Matter and When?**

Although not specifically included in any of the three stages already outlined, another question norms researchers must ask is which norms matter most in the international system and under what circumstances this is so.<sup>61</sup> From their own examination of the relevant norms literature, Sikkink and Finnemore cite legitimation, prominence, intrinsic characteristics, path dependency,

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<sup>58</sup> Ibid.

<sup>59</sup> Ibid., 905.

<sup>60</sup> Ibid.

and world-time context as potential reasons why some norms, as opposed to others, manage to reach the later stages of the life cycle.<sup>62</sup> While it is not necessary to give an extensive overview of each of these hypotheses, it is important to outline the basic premises of each.

To begin then, the first potential reason—legitimation—relates directly to the same concept discussed in stage 2 whereby states endorse international norms in order to appear more legitimate both on a domestic and international level. Since accepting international norms increases domestic legitimacy, Finnemore and Sikkink suggest, it is likely that some states will strongly endorse or begin supporting international norms most when their internal legitimacy is coming under pressure or is in jeopardy.<sup>63</sup> Prominence, on the other hand, relates not only to the substance of the norm itself, but also to the kinds of states adopting the norm (similar to the esteem concept also discussed in stage 2). In this manner, powerful states or those held in high esteem are often a model of emulation for others; thus, when these well-regarded countries support an international norm, other countries seeing such action will want to follow suit out of a desire to emulate or be like these norm leaders.<sup>64</sup> Path dependency, to jump ahead, refers to the relationship between old norms and new ones. More precisely, Sikkink and Finnemore maintain that emerging norms similar or comparable to already existing ones may have greater pulling power over those emerging norms without such a basis. Undoubtedly, all of these possibilities are important for understanding international norm dynamics; yet, in the context of global drug prohibition, Sikkink and Finnemore's world-time context and intrinsic characteristic hypotheses need a little more explanation as they will be particularly useful in the analysis conducted in Chapter 4.

Beginning with the idea of intrinsic characteristics then, Sikkink and Finnemore claim that some norms are inherently more influential than others in the international system due to their very substance and specificity. Durable, long standing, very clearly articulated norms (often those

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<sup>61</sup> *Ibid.*, 905.

<sup>62</sup> *Ibid.*, 905-909.

<sup>63</sup> *Ibid.*, 906.

<sup>64</sup> *Ibid.*

institutionalized in the frameworks of international organizations) are likely to be more influential than those that are less well-defined.<sup>65</sup> Similarly, Finnemore and Sikkink maintain, some norms are substantively more powerful than others because they speak to a common humanity. Those norms considered universalistic in nature, in other words, may have more sway than those that are localized or regionally specific; likewise, norms that are more humanistic, that seek to protect innocent people from bodily harm, may be widely accepted as they “resonate with basic ideas of human dignity common to most cultures.”<sup>66</sup> While the authors do not specifically mention the norm of drug prohibition in their study, it is likely (as further examination in subsequent chapters will seek to demonstrate) that one of the many reasons prohibition succeeded in the first place was that it embodied some intrinsic quality.

The last factor that might determine how or more appropriately when a norm becomes influential on the international stage are the events happening in the world at the time. As any political scientist or historian knows, events matter and new discoveries, costly wars, economic failures, and the like are all important occurrences that drastically change the socio-political context in which states act. Novel experiences force states to “search for new ideas and norms”<sup>67</sup> to help them cope with the unknown. Considering that attempts at global drug prohibition first began at a time when substances were just beginning to be synthesized into more addictive products (i.e. cocaine and morphine), the time-world context is an important variable to keep in mind when studying the norm itself. Yet, this idea will be further expanded upon in the analyses of subsequent chapters.

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<sup>65</sup> Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 907; Jeffrey W. Legro. “Which Norms Matter? Revisiting the ‘Failure’ of Internationalism,” *International Organization*. Vol. 51, No. 1, (1997), 34. Legro, “Which Norms Matter? Revisiting the ‘Failure’ of Internationalism,” 34.

<sup>66</sup> Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 907.

## 2.5 Limitations of the Norm Life Cycle Model

Now that an outline of the norm life cycle is complete, a few words need to be said about the limitations of Sikkink and Finnemore's framework and of norms research more broadly. The intention behind such a critical assessment is not to negate the model's usefulness (as the framework itself is undoubtedly useful in explaining the norm of global drug prohibition), but rather to demonstrate some of the gaps left unexplained by the model more generally. By bringing attention to these limitations, the motivations behind supplementing the model with a second, more critical theoretical framework become clearer.

Perhaps the largest weakness in the norm life cycle framework—and of norms research in general—stems directly from the seemingly inherent immeasurability of norms themselves.<sup>68</sup> Thus, even though Finnemore and Sikkink provide a neat model for explaining the evolution of norms, the process itself is by no means scientific or precise. While one scholar might argue that the tipping point in a norm's life occurred at time  $x$ , another might provide just as much evidence to conclude it peaked at point  $y$ . Due to the very nature of the subject, it often becomes difficult to say with any real exactness when one stage in the life cycle starts and when another ends.

On a separate but related note, it is difficult to apply a 'one-size-fits-all' model to explain the evolution of all norms since not every norm is the same. Some norms, for instance, are more powerful than others (like sovereignty), others more institutionalized in certain contexts (like human rights), and still others more subtle. While mentioning such difference does not imply that Sikkink and Finnemore's model is futile—as it would not be a part of this study if this was the case—it does indicate, however, that the norm-life cycle needs case-specific reworking if it is to properly explain the causal mechanisms and evolutionary processes at work in a norm's life.

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<sup>67</sup> Ibid., 909.

<sup>68</sup> Ibid., 888-891. Finnemore and Sikkink address this problem quite well within their study; they make mention of the fact that while norms research has become substantially more methodical over the past century, norms themselves are still inherently difficult to measure.

Although later (and even earlier) research has addressed this next issue,<sup>69</sup> one of the largest gaps left unexplored in Sikkink and Finnemore's study relates to the instrumental power of norms. While the authors do elaborate on which and why certain norms are more influential than others in international politics, they leave out instrumentality as a factor in their discussion. Such an oversight is problematic for a number of reasons, the most important of which being that norms often emerge and remain in place because they serve some kind of purpose for those that support and abide by them. The suffragettes of the past and the female voters of the present (to use one of Finnemore and Sikkink's own examples) support a woman's right to vote not only because they believe the idea to be morally correct, but also because voting allows them an actual say in the politics of their communities, societies, and countries. Similarly, most states in the international system support the norm of state sovereignty because doing so simultaneously reinforces their own territorial integrity. The above argument should not imply that instrumentality is any more important than those reasons Finnemore and Sikkink suggest for why norms matter, just that instrumentality does play at least some role in the sustaining of international norms.

While the authors do acknowledge the role that powerful states have in supporting and pushing international norms further, they do not fully give weight to the more basic, underlying power relations that exist in the international system. Put differently, Sikkink and Finnemore mention, but do not fully explain why it is that some states have more influence in pushing norms further than others.<sup>70</sup> Considering that international relations is all about explaining interstate interaction and power dynamics, however, it is important to question exactly why it is that one state or a group of states have more power in creating and sustaining norms and for what reasons this is so. The importance of power relations becomes even more important when a norm itself proves ineffectual or even in some cases detrimental to states (as with the case of international drug prohibition), yet continues to survive. In such instances, it is necessary to examine the power and

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<sup>69</sup> Jeffrey T. Checkel. "Why Comply? Social Learning and European Identity Change," *International Organization*, Vol. 55, No. 3 (2001): 553; Ethan A. Nadelmann. Global Prohibition Regimes: The Evolution of Norms in International Society. *International Organization*, Vol. 44, No. 4 (1990): 480.

influence of those who support the norm and how such power affects international society as whole. Such questions and concepts about power and power relations will be of central focus in the chapter that follows.

As a final point, while Sikkink and Finnemore do discuss the relationship that exists between domestic and international norms, they do not consider the possibility that some international norms reach the internalization phase precisely because they ‘fit’ nicely into the domestic political atmosphere of states. In the case of international drug prohibition specifically, as will be evidenced in subsequent chapters, the norm did not run counter to any major domestic political or financial interests for most members of the international community—instead, prohibition was (and still is) a politically viable, and sometimes even popular, way of handling the drug issue domestically. This ‘fit’ between the domestic and international spheres can ultimately help integrate a norm further into the fabric of both international and domestic political societies.

## **2.6 Conclusion**

Without question, the norm life cycle provides a neat way of understanding international norms and of tracing norm development over time. By making use of Sikkink and Finnemore’s model, more specifically, researchers are able to show how different causal mechanisms and influences work at different points in a norm’s life. Yet, as with any theoretical framework, there are some limitations in the life cycle model that need to be adjusted or reworked in order to explain the evolution of some norms. Failing to include instrumentality and power dynamics within the norm life cycle, in this manner, are some of the two largest limitations of Sikkink and Finnemore’s framework pointed out in this chapter. Bearing this in mind then, Chapter 3 will seek to fill in some of these gaps by adding the concepts of power and hegemony to the discussion on international norms and norm diffusion.

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<sup>70</sup> Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 896. While the authors do mention that those states considered more powerful or well-regarded in the system have greater means to influence others, they do not really give an explanation as to why this is beyond imitability.

## **CHAPTER 3:**

### **ROBERT COX'S CRITICAL THEORY**

#### **3.1 Overview**

Considering that the norm life-cycle model addresses the role of power relations only partly, and very briefly in its formulation, it is necessary to supplement the framework with an alternative, more critical approach to better explain the role of power in shaping inter-state interactions, and international norms. By outlining the work of critical scholar Robert Cox and in focusing specifically on his conceptualization of hegemony, this section will introduce a more complex, nuanced interpretation of power that—as chapter 4 will show—is particularly relevant when examining the case of international drug prohibition. The chapter will thus begin with a brief discussion about critical theory and Coxian Critical Theory (CCT) more specifically.<sup>71</sup> Succeeding from that, a detailed explanation of Cox's understanding of hegemony will follow with particular attention being paid to his notion of historical structures. Finally, to conclude, the chapter will close with a few critical remarks about Cox's framework and the difficulties in applying some of his ideas to the study of international drug prohibition more specifically.

#### **3.2 Coxian Critical Theory (CCT) – What is it?**

As discussed briefly in Chapter 1, critical theory is an approach to international relations that is both normative and evaluative in nature. Critical theorists, in this manner, concern themselves both with critiquing the seemingly immutable tenets of mainstream approaches while, at the same time, theorising about the real world in hopes of changing it.<sup>72</sup> Methodologically, instead of formulating abstract, ahistorical, scientific-like laws to understand and explain reality (as is common in neorealism and neoliberalism), critical theorists recognise the importance of

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<sup>71</sup> See: Anthony Leysens, *The Critical Theory of Robert Cox: Fugitive or Guru?* (New York: Palgrave Macmillan, 2008).

historical context in understanding the social world and maintain that all knowledge is relative to time and space. In both practice and theory then, the social world is not given, but created and changeable over time.<sup>73</sup> From this view, most critical theorists would agree, it is difficult (if not impossible) for a scholar to be completely objective or separated from his theorising. Rather, as Cox himself so aptly demonstrates, “Theory is always *for* someone and *for* some purpose.”<sup>74</sup>

While all critical theorists broadly subscribe to these views, variation does exist between scholars in the critical approach. Robert Cox’s work, for instance, differs quite substantially from that of the Frankfurt scholars, New Marxists, and world systems theorists that also fit under the general bracket of critical theory.<sup>75</sup> Although CCT is itself inspired by Marxism to some degree, it more closely follows the writings of Italian writers Giambattista Vico and Antonio Gramsci amongst others. Given this influence, Cox’s work speaks to both the prevailing economic relations dominant within the international system (akin to Marxist-inspired thinkers), but also goes beyond this to explain—following Gramsci’s concept of hegemony—how these social relations are sustained by those in power through both political and cultural means. Properly understanding the social world, in Cox’s view, requires a consideration of “the mutually reinforcing and reciprocal relationships between the socioeconomic relations [...] and political and cultural practices [...] that *together* underpin a given order.”<sup>76</sup> Focusing solely on economic, ideational, or material concerns in one’s analysis (as is common amongst critical theorists, constructivists, and mainstream theorists alike) is simply creating an incomplete picture of world order from Cox’s perspective.

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<sup>72</sup> Shapcott, “Critical Theory,” 328. Change, in this context, refers to emancipatory change—a change that will liberate all people from suffering and towards great potential.

<sup>73</sup> Shapcott, “Critical Theory,” 327-329.

<sup>74</sup> Cox, “Social Forces, States, and World Orders: Beyond International Relations Theory,” 87.

<sup>75</sup> Stephen Hobden and Richard Wyn Jones, “Chapter 8: Marxist Theories of International Relations,” in *The Globalization of World Politics: An Introduction to International Relations 4<sup>th</sup> ed.*, eds. John Baylis, Steve Smith and Patricia Owens (Oxford: Oxford University Press, 2008), 146-157.

<sup>76</sup> *Ibid.*, 150.

### 3.3 Hegemony – Gramscian Influences

Although the above portrayal of Cox’s work is brief, it allows for an introduction into his interpretation of hegemony which is, without question, the most important of his ideas in the context of this research. As mentioned in Chapter 1, Cox’s understanding of the concept goes beyond that which is commonly associated with the term in mainstream IR discourse. Thus, while most scholars would define hegemony as one state having greater power than all (or most) others in the international system—with power being understood purely in materialist terms—Cox develops a more comprehensive interpretation of the concept that considers material, ideational, and even institutional factors in its definition.<sup>77</sup> Given the complexity of his writings, in this manner, properly understanding Cox first requires a deeper examination into some of his own theoretical influences—with particular emphasis being paid to Gramsci. Considering, in this manner, that most of his writings on hegemony stem either directly or indirectly from Gramscian ideas, it is difficult to analytically separate Cox’s interpretation of the concept without discussing Gramsci first.

According to Cox himself, the Gramscian notion of hegemony developed as a result of two distinct influences on the Italian writer’s life: the first being his participation in the Third International, debating ideas about the prospects for socialism in Europe; and the second being his interest in the writings of Machiavelli.<sup>78</sup> With regards to the first instance then, Gramsci differed from most other socialist thinkers of the time (like Lenin) by applying the concept of hegemony to explain the dominance of the bourgeoisie capitalist class over the lower classes in European societies.<sup>79</sup> In Gramsci’s view, the more powerful the bourgeoisie in a country, the more embedded and natural capitalism, and the social relations associated with it, became within

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<sup>77</sup> “Theory Talk #37: Robert Cox,” *Theory Talks*, <http://www.theory-talks.org/2010/03/theory-talk-37.html> (Accessed June 20th 2014).

<sup>78</sup> Robert Cox, “Gramsci, Hegemony, and International Relations,” in *Approaches to World Order*, ed. Robert Cox with Timothy Sinclair (Cambridge: Cambridge University Press), 125.

<sup>79</sup> *Ibid.*, 125. According to Cox, most thinkers of the Third International commonly associated hegemony with the working class instead of with the bourgeoisie.

the society itself. To attain this position of power, Gramsci maintained, the bourgeoisie grants certain allowances to the lower classes in exchange for compliance to their leadership.<sup>80</sup> Not only do these compromises solidify the position of the bourgeoisie, Gramsci posited, they also “lead [...] to forms of social democracy which preserve capitalism while making it more acceptable to workers and the petty bourgeoisie.”<sup>81</sup> Put differently, in granting small concessions, the powerful consolidate their leadership further by making their hegemony more amenable and ultimately, more legitimate to those with less power.

On a separate but related note, it was through the political institutions of civil society (i.e. the church, the family unit, the press, the workplace, etc.) that these hegemonic social and economic relations became further sustained and legitimated.<sup>82</sup> In Gramsci’s thinking, the bourgeoisie held a vast amount of power—power that went beyond even the state apparatus insofar as it had socio-economic and political consequences as well. For this reason, bourgeoisie hegemony penetrated all social relations, including the institutions of civil society. When hegemony was firmly entrenched, these institutions, “helped to create in people certain modes of behaviour and expectations consistent with the hegemonic social order.”<sup>83</sup> From the Gramscian perspective, hegemonic power relations encompass and affect all spheres of life.

Such an interpretation of hegemony juxtaposes itself nicely to the second influence on Gramsci’s thinking—the Machiavellian conception of power. Symbolised metaphorically by the image of a centaur (a creature both half-beast and half-man), Machiavelli argued that power is not simply a manifestation of brute force; rather, power is a “necessary combination of consent [man] and coercion [beast].”<sup>84</sup> Thus, even while the threat of force may ultimately buttress power relations and can be used when necessary, it is actually continued acquiescence that (most often)

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<sup>80</sup> Ibid., 126.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid., 127.

<sup>83</sup> Ibid.

<sup>84</sup> Ibid.

legitimizes and allows for these relations to remain stable. As Cox writes, “Hegemony is enough to ensure conformity of behaviour in most people most of the time.”<sup>85</sup>

Without question then, Gramsci’s understanding of hegemony is comprehensive. On the one hand, he discusses the prevalent socioeconomic factors that both create and perpetuate hegemonic social relations (i.e. when the bourgeoisie grants lower classes concessions in exchange for hegemonic consent which in turn naturalises the given order); on the other hand, however he also considers the mutually consensual and latent coercive capacities that underpin all power relations. With regards to the research at hand, more specifically, it is this complex, nuanced understanding of power—and hegemony in the broader sense—that Cox assumes in his own writing. Instead of using the concept to explain class and economic relations on a domestic level, however, Cox transposes this Gramscian notion to explain world order in an international context.

### **3.4 Hegemony and Historical Structures—Cox’s View on International Relations**

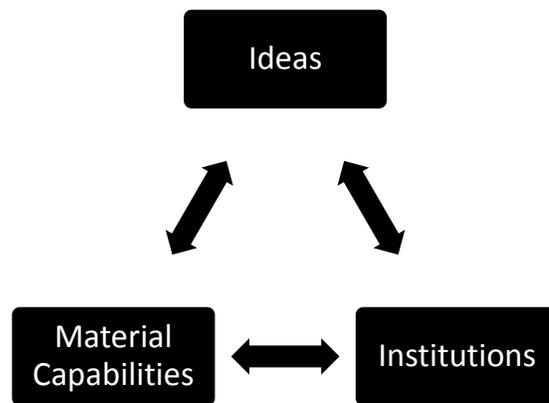
Now that his Gramscian-inspired ideas have been detailed at length, it is possible to begin outlining Cox’s own work on IR and hegemony more explicitly. To begin then, in Cox’s oft-cited essay “Social Forces, States, and World Orders: Beyond International Relations Theory”, he points to the presence of ‘historical structures’ as representations of differing power relations over time. In Cox’s view, a historical structure necessarily comprises of three distinct, yet reciprocal forces: *ideas*, *material capabilities*, and *institutions* (see Figure 2).<sup>86</sup> When these three forces ‘fit’ together and encourage the dominant modes of thinking and prevailing power relations, Cox argues, hegemony prevails. When power relations are less noticeable at any given

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<sup>85</sup> Ibid. The above outline of Gramsci’s work is directly attributable and closely follows Cox’s own essay. For further information on Gramscian ideas and Cox’s understanding of them, see footnote 8.

<sup>86</sup> Cox, “Social Forces, States, and World Orders: Beyond International Relations Theory,” 99.

time, on the other hand, hegemony cedes and becomes less determinate of international affairs.<sup>87</sup> These prevailing power relations, on a separate but related note, are hegemonic when considered natural and legitimate by most (or all) of those concerned. Coercion—in the form of destructive material capabilities—may ultimately underpin these hegemonic structures, but (in following from Gramsci’s line of thinking), do not continue to exist solely due to the capacity for force. By briefly outlining each of these forces in turn, it becomes clear exactly how extensive Cox’s understanding of hegemony is.



**Figure 2—Cox’s Representation of Historical Structures<sup>88</sup>**

### **3.4.1 Material Capabilities**

Not oblivious to their importance in structuring and determining interstate relations, Cox includes material capabilities as one of the three main forces that underpin any historical structure. Similar to what most neorealists would claim, Cox maintains that material capabilities refer not only to the strength and coordination of the military and armed forces, but also to the

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<sup>87</sup> Ibid.

<sup>88</sup> Ibid., 98.

technological capacities, amount of natural resources, and wealth that a country (or a group of allied countries) has at its disposal.<sup>89</sup>

### 3.4.2 Ideas

Alongside material capabilities, Cox argues there are also two groups of ideas that buttress historical structures and underpin hegemonic power: intersubjective meanings and collective images. Intersubjective meanings, in Cox's view, relate to those widely-shared, historically-derived ideas regarding "the nature of social relations [...that] perpetuate habits and expectations of behavior"<sup>90</sup> for the actors of world politics. Collective images, on the other hand, refer more to the distinct and sometimes opposing beliefs that different people (and groups of people) have about social order more generally. Put differently, while the former would focus on the 'rules' of interstate interaction—like how states should properly conduct their international affairs both in times of conflict and compromise—the latter would instead emphasize the differences of perspective in regards to the legitimacy of the prevailing power relations.<sup>91</sup> Hegemony exists, in the manner, when both the intersubjective meanings and collective images perpetuate (or at the very least do not contradict) those ideas consistent with the prevailing power relations of the time.

### 3.4.3 Institutions

The final aspect of the 'historical structure' model is the role of institutions. As Cox argues and as most IR scholars would agree, international institutions are often created by those in power and, in most cases, tend to reflect the ideas and "collective images consistent with [the

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<sup>89</sup> Ibid., 98.

<sup>90</sup> Ibid., 99.

<sup>91</sup> Ibid. Cox points to differences in ideas about justice and legitimacy for people in different parts of the world and how differences in these collective images are often opposed.

prevailing] power relations.”<sup>92</sup> Thus, while institutions can sometimes develop a life of their own, they often have a unique role in stabilizing the hegemonic order. Cox, more specifically, identifies two primary ways in which institutions help accomplish this task. The first relates back to Gramsci’s idea about the strong granting concessions to the weak in order to ensure acquiescence to hegemonic leadership.<sup>93</sup> In this manner, by granting the weak representation, by offering monetary assistance, by providing security agreements, and the like, the strong—via these institutions—ensure consent and thus legitimacy to their leadership. With regards to Cox’s second point, on a separate but related matter, these institutions also allow the strong to express their interests in a universalised (as opposed to an individual) manner. In doing so, the interests and ideas of a few are represented as the interests of all. Such universalism, combined with the granted concessions, mitigates dissent and ultimately, mollifies those with less power to consent to the existing power relations.

### **3.5 Limitations of Cox’s Insights**

Much like the norm life-cycle model, or any other theoretical framework more generally, there are some limitations in applying Cox’s ideas to the case study of international drug prohibition. Considering, for instance, that Cox’s work is focused predominantly on understanding world order in the broadest sense of the term, it becomes difficult to isolate only those ideas that are applicable to case-specific, real-world phenomena without losing the complexities inherent in his works. More specifically, since Cox incorporates so many social, cultural, economic, and political variables into his writings while, at the same time, acknowledging the interconnectedness of these variables as well, it becomes difficult to apply his ideas to one specific instance without being necessarily parsimonious.

Another limitation to mention is the difference in focus between Cox’s writings more generally and the study at hand. Considering, in this manner, that Cox was one of the first theorists to

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<sup>92</sup> Ibid.

distinguish the field of International Political Economy (IPE) from international relations, his work often places greater emphasis on the role of economics in determining international affairs—at least in comparison to most mainstream IR scholars. Seeing as this study does base itself almost entirely from an IR standpoint, it does include economic factors in its analyses, but not to the same degree that Cox might. Again, Cox’s work includes so many elements that only some are readily applicable to the case study of international drug prohibition. It is beyond the scope and intention of this paper, moreover, to discuss at great length how the dominant mode of production influences the world economy and international affairs.

### **3.6 Conclusion**

Regardless of individual differences in opinion, most scholars of international relations would agree that power—however defined—is inherently important in determining almost all of the affairs between states. As such, it is impossible to analyse any phenomenon in IR without mentioning the role that power plays in determining state action. As this chapter has demonstrated, Cox’s understanding of power (and hegemony in its wider conceptualization) is comprehensive and covers almost all facets of the term. To briefly reiterate, in Cox’s view, power and hegemonic social relations are perpetuated not solely through material means, but also through collectively-held ideas and international institutions. It is thus a combination of political, social, and cultural forces that sustain hegemony in the international sphere.

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<sup>93</sup> *Ibid.*

## **CHAPTER 4:**

### **ANALYSIS – THE CASE OF INTERNATIONAL DRUG PROHIBITION**

#### **4.1 Overview**

Now that both theoretical models have been outlined in depth, it is possible to begin applying these frameworks to the case study of international drug prohibition specifically. The first part of this chapter, in this manner, will seek to demonstrate—through application of the life cycle model—exactly how the norm of international drug prohibition developed over the past century. Not only will this analysis establish the overall applicability of the theoretical model itself (notwithstanding the criticisms already addressed), but it will also demonstrate the different mechanisms of influence at work in each stage of the norm’s development. It will further be established that while the norm of prohibition did reach the internalization phase (with most or all states continuing to adhere to its legitimacy), it did not move through the life cycle model as seamlessly as laid out in Chapter 2. In other words, the path to internalization in the context of prohibition deviates slightly from the model’s expectations.

What becomes most noticeable through the model’s application though, is the continued role of the US in pushing the norm further. Considering the norm’s irrefutable lack of success over the past century (a point to also be discussed herein), the US’ continued, ardent support for the norm has always played and continues to play an important role in the norm’s continued existence today. Power relations, in other words, play an integral role in the livelihood of drug prohibition.

Following from this line of reasoning, the second half of this chapter will apply Cox’s insights on power and hegemony to explain the perpetuation of the norm despite its failures. Introducing the concept of hegemony to the case of prohibition not only allows for Sikkink and Finnemore’s life cycle model to be supplemented further, but also demonstrates how hegemony—and the ideas, institutions, and material capabilities that support it—can create and perpetuate consensual

expectations of state behaviour in line with the interests of the hegemonic social order. At the time of the norm's emergence and throughout its cascade, to place this argument in context, the US and its Western allies were not only the most dominant powers in the international system, they were also the countries that most vehemently endorsed and encouraged international drug control (and eventually prohibition itself). Added to the fact that the US remains especially adamant in endorsing the norm today—whilst an increasing amount of drug-producing countries and supporters of harm reduction strategies are less supportive<sup>94</sup>—it stands to reason that hegemonic social relations may indeed have some part to play in explaining the norm's survival.

## 4.2 Application of the Norm Life-Cycle Model

Starting first with an analysis of prohibition's beginnings as a domestic norm and continuing through to its internalization in the form of the Conventions detailed above, the following section will apply the constructivist norm-life cycle framework to the case of prohibition. Through such application, the first objective of this study (as stated in Chapter 1) will be achieved insofar as it will effectively trace the development of the norm of international drug prohibition over time and identify the major causal mechanisms at work in the norm's evolution.

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<sup>94</sup> For some drug-producing countries at present, especially those located in Latin America, there is increasing awareness and attention being called to the problem of drug prohibition. See: "Drugs and Democracy: Toward a Paradigm Shift: Statement by the Latin American Commission on Drugs and Democracy," *Latin American Commission on Drugs and Democracy*. 2009. [http://www.drogasedemocracia.org/Arquivos/declaracao\\_ingles\\_site.pdf](http://www.drogasedemocracia.org/Arquivos/declaracao_ingles_site.pdf) (Accessed June 16th 2014). In recent years, increasing attention has been paid to successful harm-reduction strategies that limit the societal harm done by drug users. An example of a harm-reduction strategy would be those safe injection sites available in certain cities around the world which allow intravenous drug users to attain clean needles in order to prevent HIV or STI transmission. See: Harry G. Levine, "Global Drug Prohibition: Its Uses and Crises," *International Journal of Drug Policy*, Vol. 14 (2003), 148-149.

#### 4.2.1 The Impact of Domestic Norms: Some Background on Drug Prohibition

Before the early twentieth century, no international agreements proscribing drug manufacturing, trafficking and consumption existed. Instead, for some of the world's most dominant powers, drug production and trade were sources of legitimate revenue and were condoned, or at least not vehemently opposed, by the international community.<sup>95</sup> It was not until 1907, with the Ten-Year Agreement between India, Britain and China, that the first trilateral treaty stopping the trade of a narcotic, in this case opium, emerged.<sup>96</sup> Considering the agreement involved only three countries—wherein Britain was the imperial power, India the opium-producing colony of Britain, and China their primary opium consumer—it was not truly a global effort. Rather, as most reports suggest, the British had a relatively small role to play in furthering international talks on drug control and on prohibition specifically in the early years of international drug control. The most influential push for such negotiations instead came primarily from American efforts.<sup>97</sup>

On the domestic front, many Western societies—including those in the US, Canada, Australia, and even some Scandinavian countries—were preoccupied with issues of morality and vice at the turn of the twentieth century.<sup>98</sup> Within the US, to give context, various laws limiting or prohibiting the sale and consumption of alcohol, prostitution, drug use, and the like were adopted domestically and were encouraged abroad as well.<sup>99</sup> In the case of drug prohibition specifically, a

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<sup>95</sup> Carstairs, "The Stages of the International Drug Control System," 24; Ethan A. Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 560. While the most notable example of this is Britain's opium trade (and various conflicts) with China throughout much of the nineteenth century, this statement also includes Germany as well.

<sup>96</sup> See Appendix B. The Ten-Year Agreement was a trilateral agreement between Britain, British India, and China that prohibited all Indian opium exports to China. The agreement itself was a direct corollary to the national anti-opium movement in Britain. Originally spearheaded by Quakers, liberal politicians, missionaries and the like, the movement was responsible not only for changing the rhetoric surrounding Britain's narcotic exploits abroad, but also for transforming its domestic and international drug laws on the whole.

<sup>97</sup> Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 504.

<sup>98</sup> *Ibid.*, 509-510.

<sup>99</sup> *Ibid.*, 506; David T. Courtwright, "A Short History of Drug Policy or Why we Make War on Some Drugs but not on Others," in *London School of Economics: Governing the Global Drug Wars*, 2012. pg. 17-18. Available online:

number of American anti-drug advocates (from missionaries to politicians to women's rights groups) denounced the manufacturing, trade and consumption of narcotics as immoral for a variety of humanitarian and religious reasons.<sup>100</sup> Opium and heroin, from this view, were addictive substances and were harmful to consumers. Ultimately, these drugs were to be held responsible for ruining the moral fabric of American society and, like alcohol, were a threat to the country's social and economic prosperity.<sup>101</sup>

Considering that most (albeit not all) drug consumers in the US during this time were either part of a minority or a member of the lower class, the above argument "appealed to sectors of the American elite, whose paternalistic concerns regarding the vulnerability of the lower classes [...] to drug abuse combined with fears that their economic productivity might suffer."<sup>102</sup> Thus, in calling attention to the societal harms of drug use and the potential economic consequences associated with it, American moral advocates were successful in achieving their desired ends: by the early 1910s, in this manner, there was broader public acknowledgment of the 'drug issue' within American society and an array of comprehensive federal laws implemented to prohibit the trade and consumption of narcotics.<sup>103</sup> From a constructivist point of view, in other words, the advocates successfully challenged the existing 'logics of appropriateness' regarding drug trade and consumption within the US and effectively reframed the issue from one of relative apathy to one of moral and economic security.

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<http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR014/SR-014-FULL-Lo-Res.pdf> (Accessed August 21st 2014).

<sup>100</sup> Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 506.

<sup>101</sup> Ibid., 506-508; David R. Bewley-Taylor, *United States and International Drug Control 1909-1997*, (New York: Continuum), 21.

<sup>102</sup> Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 506.

<sup>103</sup> David R. Bewley-Taylor, *United States and International Drug Control 1909-1997*, 26. Although the most comprehensive legislation prohibiting the manufacture, trade, and use of narcotics came about through the Harrison Narcotic Act of 1914, there were various federal and state-level laws implemented to curb such practices before that time as well.

#### 4.2.2 Norm Emergence

It was ultimately this combination of moralism and concern for America's social and economic future that spurred their norm entrepreneurship overseas. For most anti-drug advocates, more specifically, the drug problem at home in the US was made worse both by the migration of people to the States and by the importation of such substances from abroad.<sup>104</sup> By controlling or influencing international drug policy, from this line of reasoning, the problem of drug abuse within America itself would be better ameliorated. To put it in economic terms, from the US' perspective, better control of the supply of drugs on an international level would sufficiently eliminate or weaken the domestic demand for them.

Thus, many of the same individuals who encouraged drug prohibition on a domestic level also simultaneously encouraged it on an international level as well. Amongst these norm entrepreneurs were Bishop Charles Brent, a missionary who worked in the American-occupied Philippines and saw first-hand the effects of opium abuse on consumers; and Dr. Hamilton Wright, a well-respected and politically well-connected American physician.<sup>105</sup> Both men strongly encouraged American politicians (most notably, President Theodore Roosevelt) to participate and take a leading role in promoting prohibition internationally throughout the early twentieth century.<sup>106</sup> The organizational platforms through which these early advocates worked,

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<sup>104</sup> See: Gregory Yee Mark, "Racial, Economic, and Political Factors in the Development of America's First Drug Laws," *Issues in Criminology*. Vol. 10, No. 1 (1975), 52-54. Starting from the late nineteenth century, there were a number of treaties between the United States and China prohibiting the importation of opium and limiting the migration of Chinese workers to the United States due to the fear that the workers would create social and moral upheaval due not only to their addiction, but from their importation of such substances as well.

<sup>105</sup> Bewley-Taylor, *United States and International Drug Control 1909-1997*, 20-21; Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 507. There are many other norm entrepreneurs of possible mention—some of whom are not American. See, for instance: William B. McAllister, "Reflections on a Century of International Drug Control," *London School of Economics: Governing the Global Drug Wars*, 2012. pg, 10-11. Available online: <http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR014/SR-014-FULL-Lo-Res.pdf> (Accessed August 21st 2014).

<sup>106</sup> Bewley-Taylor, *United States and International Drug Control 1909-1997*, 20.

more specifically, were the opium agreements in Shanghai (1909) and at the Hague (1912) three years later.

Yet, their success in convincing a critical mass of states towards the cause of prohibition explicitly was rather limited. As evidenced by both Brent and Wright's own musings, it did not appear that most countries involved in the early talks agreed wholeheartedly with the US that the complete prohibition of drugs was the most expedient way to solve the drug issue.<sup>107</sup> Arguably, because many of these countries had financial interests in the drug industry, completely eradicating the trade meant a loss of profit that, at the time, did not seem to be a desirable option for the majority of states involved. It must be noted here though, that even while many dominant states did not explicitly support prohibition at this time, it was not out of aversion for the idea itself. In fact, much like the US' domestic situation, as previously mentioned, many states around the world deemed (recreational) drug use a social and moral ill.<sup>108</sup> In this manner, while most states were relatively receptive to the idea of drug control more generally, they were simply unwilling to implement complete prohibition at this time.

With all that said however, Brent and Wright did manage to make some strides through these agreements. By 1912, the twelve countries involved in the talks—most of which were from Western Europe, but also included the US, China, India, Siam, and Persia—agreed not only to prevent the trade of opium to all countries that had already prohibited its use, but also agreed to discourage drug abuse more generally.<sup>109</sup> In the years following its adoption—as will be discussed at greater length in the following sections—the number of states signatory to its stipulations grew expansively as well.

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<sup>107</sup> *Ibid.*, 22.

<sup>108</sup> Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," 510.

<sup>109</sup> See Appendix B

The most prominent norm entrepreneur of mention though, without question, is Harry Anslinger—the Commissioner of the Federal Bureau of Narcotics (FBN) from 1930-1962.<sup>110</sup> Mentioned in almost every study on the subject, Anslinger is noted for being one of the leading figures in the establishment of drug prohibition both within the US and internationally. Throughout his years in office, to give context, Anslinger opposed the idea that drug addiction should be considered exclusively a medical issue; instead, he labelled it a criminal and social problem to be remedied best by the complete eradication of supply.<sup>111</sup> In a number of his own writings, Anslinger claims that solving the drug problem necessarily requires stopping the transnational trade and manufacturing of such substances for anything but scientific and medicinal use—thereby limiting the access of illicit drugs to consumers.<sup>112</sup> Anslinger, for this reason, strongly encouraged US leadership in the worldwide fight against narcotics; he was heavily involved, for instance, in all international Conventions on drug control starting from the 1930s through till the UN’s *Commission on Narcotic Drugs* in 1961. Interestingly, the Commissioner is well-known for his rather overly-dramatized reactions, often walking out on national and international narcotic delegations when dissatisfied with their developments.<sup>113</sup>

Yet, much like Brent and Wright before him, Anslinger’s efforts were largely met with passive resistance up until the 1961 Convention. The international community, in this manner, was slow to take up the cause of prohibition specifically despite the consistent efforts made by the US to convince them otherwise. Nevertheless, as seen in Appendix C, gradual incremental changes towards a more prohibitive global stance did occur starting with the opium agreements through till the Geneva Opium Convention in 1925 onwards. Thus, while Anslinger, Brent, and Wright

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<sup>110</sup> John McWilliams, “Unsung Partner Against Crime: Harry J. Anslinger and the Federal Bureau of Narcotics, 1930-1962,” *The Pennsylvania Magazine of History & Biography*, Vol. CXII, No. 2 (1989), 208. The FBN was the predecessor to today’s Drug Enforcement Agency (DEA).

<sup>111</sup> *Ibid.*, 218-222; Nadelmann, “Global Prohibition Regimes: The Evolution of Norms in International Society,” 507; Bewley-Taylor, *United States and International Drug Control 1909-1997*, 96. William B. McAllister, “Reflections on a Century of International Drug Control,” pg, 11.

<sup>112</sup> Harry J. Anslinger, *Comments: The Implementation of Treaty Obligations In Regulating the Traffic in Narcotic Drugs*, 1959, pg. 112-116. Available online: <http://www.americanuniversitylawreview.com/pdfs/8/8-2/anslinger.pdf> (Accessed November 14th 2014); Harry J. Anslinger, “Drug Addiction,” *The Journal of the American Medical Association*, Vol. 144, No. 4, 333.

were unable to convince a critical mass of states towards prohibition explicitly at this stage, they did help to establish international agreements and treaties that would set the groundwork for its complete implementation in later years.

In evidence of what Sikkink and Finnemore postulate then,<sup>114</sup> the idea of an international drug control system based on prohibition developed in consequence to those domestic norms held in the US and other like-minded societies. Moreover, it was through the consistent effort of norm entrepreneurs within the US specifically that prohibition-type agreements began to develop concretely, albeit slowly, on the international stage. With regards to calling attention to the ‘drug issue’ specifically, American norm entrepreneurs were indeed successful in making the subject a point of discussion and priority for the international community.

On the other hand, in apparent contradiction to Sikkink and Finnemore’s model, prohibition was neither accepted by a critical mass of states in the emergent stage nor was it explicitly “institutionalized in specific sets of international rules and organizations.”<sup>115</sup> For this reason, the case of drug prohibition deviates slightly (as expected) from the posited theoretical model. As will be demonstrated through further analysis, prohibition only reached full international acceptance and explicit agreement in its final internalisation phase instead of in its emergent stage. For this reason, global drug prohibition was a slow-going norm—only accepted incrementally for much of the first-half of the twentieth century; these incremental steps however remain relatively significant insofar as they demonstrate the international community’s growing proclivity for proscription overall.

### **4.2.3 Tipping Point & Norm Cascade**

Considering that prohibition was not explicitly articulated in earlier international agreements and was in fact contested by many prominent actors, it is difficult to identify a ‘threshold’ for drug

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<sup>113</sup> McAllister, “Reflections on a Century of International Drug Control,” 11.

<sup>114</sup> Sikkink and Finnemore, “International Norm Dynamics and Political Change,” 893.

prohibition based on those reference points alone. Rather, as the following discussion demonstrates, the norm of prohibition did not itself explicitly reach a tipping point or cascade. Instead, it was the idea of a drug control regime latently based on prohibitive measures that initially gained widespread acceptance. Aside from this deviation, however, what remains clear is the international community's increasing propensity for more restrictive and prohibitive drug treaties throughout the early to mid-twentieth century.

The most likely evidence of a tipping point—and more importantly, of a norm cascade—in favour of a more prohibitive stance on narcotics comes from the drastic increase in states accepting global drug control after the Treaty of Versailles in 1919 and later with the establishment of the League of Nations post-1920.<sup>116</sup> When the League co-opted the stipulations made at the Hague, in this manner, the number of signatories to the original agreement increased from twelve (major) countries to nearly sixty by the mid-1920s.<sup>117</sup> After the Geneva Opium Conventions in 1925, moreover, these same states agreed to discourage drug use in their respective countries and to accept the newly-created PCOB monitoring of narcotic imports and exports. The substances under specific control at this time included cocaine, heroin, morphine, opium, and for the first time, cannabis.<sup>118</sup>

From a constructivist standpoint, there are many potential reasons why this cascade occurred. Considering, for instance, that the League of Nations was the first international institution of its kind, acceptance into the organization likely provided many of its member countries with a sense

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<sup>115</sup> *Ibid.*, 900.

<sup>116</sup> "Chronology: 100 Years of Drug Control," *United Nations Office on Drugs and Crime*. Available online: [http://www.unodc.org/documents/wdr/WDR\\_2008/timeline\\_E\\_PRINT.pdf](http://www.unodc.org/documents/wdr/WDR_2008/timeline_E_PRINT.pdf) (Accessed July 24th 2014); "World Drug Report 2008," *United Nations Office on Drugs and Crime*, 192. Available online: [http://www.unodc.org/documents/wdr/WDR\\_2008/WDR2008\\_100years\\_drug\\_control\\_league.pdf](http://www.unodc.org/documents/wdr/WDR_2008/WDR2008_100years_drug_control_league.pdf) (Accessed June 20th 2014).

<sup>117</sup> "The 1912 Hague International Opium Convention," *United Nations Office on Drugs and Crime*. Available online: <http://www.unodc.org/unodc/en/frontpage/the-1912-hague-international-opium-convention.html> (Accessed July 24th 2014).

<sup>118</sup> David Bewley-Taylor and Martin Jelsma, "Fifty Years of the 1961 Single Convention on Narcotic Drugs: A Reinterpretation," *Transnational Institute: Series on Legislative Reform of Drug Policies*, No. 12 (2011), 4. Available online: <http://reformdrugpolicy.com/wp-content/uploads/2011/09/dlr12.pdf> (Accessed August 4th 2014).

of identity and belonging. In this way, by adhering to the League's agreements, states were ultimately demonstrating their capacity for socialisation and their desire for international acceptance. Most states, from this line of reasoning, conformed to the regulations not only to 'fit' into the mould of the institution itself, but also to realise their belonging in the international community, to strengthen their own domestic legitimacy, and to shape their self-identity more generally.<sup>119</sup> In a similar vein, if becoming a member of the international community simply required adherence to global drug control—which, in fact, was not hugely problematic for most states as it could be used advantageously in domestic political contexts anyways<sup>120</sup>—it would make more sense to simply agree to the stipulations adopted than to lose out on the potential benefits of being a part of this newly minted institution.

On a separate but related note, it must be kept in mind that while the League's cooption of earlier narcotic agreements saw a 'cascade' of states agree to global drug control, most countries still did not support prohibition specifically. Instead, as most reports suggest, the international community at the time continued to display "a general reluctance [towards penalising] non-medical and non-scientific use of certain psychoactive substances."<sup>121</sup> Thus, complete prohibition of narcotic use still had not gained explicit support by either the League of Nations or the majority of individual states during the 'cascade stage'—nor would it, as already mentioned, until the latter half of the twentieth century.

Yet, through all of this, the US remained steadfast in the idea that narcotic supply should be limited and used exclusively for medicinal and scientific purposes. Even while it continued to play an increasingly dominant role in the various narcotic agreements during and shortly after the interwar period, the US remained vehemently opposed to the rest of the world's more lenient

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<sup>119</sup> Sikkink and Finnemore, "International Norm Dynamics and Political Change," 903-904.

<sup>120</sup> Harry G. Levine, "Global Drug Prohibition: Its Uses and Crises," *International Journal of Drug Policy*, Vol. 14 (2003), 147-148. Levine's article does a good job of articulating how and why many states use prohibition and drug control to their political advantage. He cites, for instance, the popularity of anti-drug campaigns amongst voters, the increased powers given to police officers and the military in order to combat illicit drug trafficking, the legitimation a state receives from being a part of an international organisation, etc.

<sup>121</sup> *Ibid.*, 2.

views. In consequence, the US contested (almost) every agreement that did not explicitly end all non-medical and scientific drug use. In some instances, the US would refuse to sign or ratify an agreement it deemed too lenient; at other times, it would simply leave negotiations completely.<sup>122</sup> Obvious tensions, in the same vein, also existed between the US and the League of Nations: the former was not a member of the latter and the US, for the most part, largely disagreed with the permissive regulatory frameworks the League adopted.

That said, the US did manage to assert its influence, in one way or another, on most of the international narcotic agreements established during and after the interwar period. The scheduling of illicit substances and national estimates created in the 1931 agreements, for instance, was co-created by the US, Germany, and various other dominant powers. These stipulations were later to become the basic template for the 1961 Convention.<sup>123</sup> Shortly after WWII, in addition, the US compelled Britain and the Netherlands to end their opium monopolies in Asia, essentially stopping their profitable narcotic industries in these countries.<sup>124</sup> To put it simply, while prohibition may not yet have been written explicitly in the form of Conventions, the agreements established from the 1920s through till the 1950s all demonstrate a clear, discernible trend towards increasing regulation and, more importantly, complete proscription.

Considering the deviations already discussed between the theoretical model and the case study at hand, to sum up, it is difficult to argue that the norm of drug prohibition cascaded in the same manner that Sikkink and Finnemore hypothesise. Instead, as the above discussion demonstrates, it was ultimately the idea of international drug control that cascaded by the model's interpretation, not the idea of prohibition itself. Despite such theoretical differences however, there is still reason to believe the norm of prohibition did cascade—yet, in a manner that is much more latent than the model allows for. More specifically, if a critical mass of states had not agreed to international drug regulation in the first place and thereby did not allow for international control to be slowly augmented over time, there would hardly be room for

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<sup>122</sup> See Appendix B

<sup>123</sup> *Ibid.*

prohibition to suddenly emerge out of thin air. Instead, at (primarily) the US' insistence, proscription was perpetually discussed at international conventions and incrementally implemented over time. In this manner, when complete proscription became explicitly institutionalised and fully endorsed by the international community, it was not sudden, nor completely unexpected; rather, it was simply the final step in its implementation.

#### 4.2.4 Internalization

Considering all of the aforementioned arguments, to continue forward, prohibition did manage to reach the internalization phase as posited by Sikkink and Finnemore's model. Thus, even though prohibition only became institutionalized and explicitly endorsed by the international community in the final phase of its life, it did achieve the taken-for-granted quality that Sikkink and Finnemore suggest an internalized norm enjoys.<sup>125</sup> By the time the 1961 Convention emerged under the prerogative of the newly-founded United Nations, in this manner, there was little discontent in including the stipulation to end all non-medical and scientific drug use.<sup>126</sup>

Instead, by this point in time, the US had successfully asserted its leadership within the UN's administrative framework and also within the specific bodies relating to drug control more specifically.<sup>127</sup> It was primarily at the US' insistence, in fact, that a Single Convention be established in the first place in order to consolidate all existing treaties under one agreement. While it originally fought for even more stringent controls than the ones discussed in previous sections, the US eventually settled for the terms as laid out in the current Conventions.<sup>128</sup>

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<sup>124</sup> Ibid.

<sup>125</sup> Sikkink and Finnemore, "International Norm Dynamics and Political Change," 904.

<sup>126</sup> Ibid.

<sup>127</sup> Senate Special Committee on Illegal Drugs, *Cannabis: Our Position for a Canadian Public Policy*, Vol.III: Part IV and Conclusion, 2002, Available online: <http://www.parl.gc.ca/Content/SEN/Committee/371/ille/rep/repfinalvol3-e.htm> (Accessed October 13th 2014).

<sup>128</sup> Ibid. Not surprisingly, given the history of their actions on the matter, the US at first refused to ratify the Convention due to its supposed leniency; it only agreed to authorise in 1967, three years after the agreement had come into force.

Over the next twenty plus years, the international community continued to stand by and sign onto increasingly more prohibitive treaties—as evidenced through the 1971 and 1988 Conventions respectively. Likewise, towards the end of the twentieth century, through the joint efforts of the United Nations General Assembly Special Session (UNGASS) and the United Nations International Drug Control Programme (UNDCP), the international community collectively devoted itself to a drastic ten-year supply reduction program. More specifically, starting in 1998 with the UN’s campaign, “A Drug-Free World. We can do it!”<sup>129</sup>, the international community committed to ending all drug abuse worldwide by 2008. Although the campaign itself was unsurprisingly ineffectual in achieving its goals, its implementation alone demonstrates the contemporaneity of anti-drug sentiment and prohibition in today’s world.

On a separate but related matter, if—as Sikkink and Finnemore cite—professionalization is another indicator of norm internalization, prohibition undoubtedly reached the final stage of the life cycle model. Both the INCB and the UNODC, for instance, were (and continue to be) agencies created for the specific purpose of ensuring national adherence to the UN’s international drug treaties. The INCB, on the one hand, specifically states its purpose as being a quasi-judicial body tasked with monitoring and evaluating its member states’ compliance with international treaties. When violations arise, the agency brings them to the attention of member parties and to the Economic and Social Council (ECOSOC) of the United Nations to determine the severity of the violation and the appropriate steps for action.<sup>130</sup> The UNODC, on the other side of the UN’s administrative framework, is responsible for helping governments implement supply and (more limitedly) demand-reduction programs to achieve the goal of proscription. Both the UNODC and the INCB, in this manner, work together and alongside national drug

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<sup>129</sup> See Appendix C; “UNDCP overview,” *Transnational Institute*, Available online: <http://www.tni.org/article/undcp-overview> (Accessed May 21st 2014); “Who We Are: The United Nations Office on Drugs and Crime,” *United Nations Foundation*, Available online: <http://www.unfoundation.org/how-to-help/donate/unodc.html> (Accessed June 5th 2014). The UNDCP, to give context, was the predecessor to today’s UNODC. The UNODC was established in 1997 in result of a merge between the UNDCP and the Centre for International Crime Prevention.

agencies to ensure the limited supply of, trading in, and consumption of illicit substances. What this professionalization demonstrates most importantly is the extent to which these bodies have socialized the individuals working in and participating in these agencies to “value certain things above others”<sup>131</sup> and to see their task as normal, standard and appropriating correct state behaviour.

To conclude, for much of the latter half of the twentieth century and for the first decade of the twenty-first, prohibition enjoyed (and, for the most part, continues to enjoy) a relatively privileged position in International Law. Few countries, in this manner, have articulated a desire to withdraw from the UN treaties themselves or— with the notable exception of Uruguay—have implemented nationally-binding domestic legislation in direct contradiction to the agreements. As will be discussed in the concluding chapter, however, there has been some discussion arising around the issue of prohibition as of late, but it has mainly been limited to either lobbyist groups within civil society or within academic circles and research. While it ultimately remains too early to say for certain, there is a possibility that the norm of prohibition is beginning to weaken.

#### **4.2.5 Conclusion: An Evaluation of the Norm Life Cycle in Context**

The norm life cycle model undoubtedly provides a neat way of understanding the evolution of prohibition and the main causal mechanisms at work in each stage of the norm’s life. The norm emerged, in this manner, as a result of the efforts of domestic norm entrepreneurs; cascaded (latently) with the help of international socialisation and pressures for conformity; and became fully internalized by means of the UN Conventions, campaigns, and professions. Yet, as the above discussion also demonstrates, the norm did not follow the somewhat linear path that Sikkink and Finnemore’s model posits. Though drug prohibition, in this way, did originally emerge in a manner consistent with the model, it did not become institutionalised or fully endorsed by many states before progressing towards its cascade or internalization stage. In spite

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<sup>130</sup> “Mandate and Functions,” *International Narcotics Control Board*, Available online: <https://www.incb.org/incb/en/about/mandate-functions.html> (Accessed April 15th 2014).

of this variance, however, drug control and prohibition more specifically, did manage to reach complete international endorsement in the latter half of the twentieth century. It could thus be said that while the norm life cycle model does provide a systematic and appropriate way of understanding the norm of international drug prohibition, the norm itself deviates slightly from the model's expectations.

As a final end note, it should be noted (if it is not obvious already), the correlation that exists between the norm of international drug prohibition and the rise of American power internationally. While this statement should not and does not imply a direct causal link between the two, it is interesting and important to note that as the idea of international drug control and prohibition slowly gained acceptance, American influence within international affairs was growing concurrently. As will be further demonstrated later in this chapter, this correlation suggests that the US' influence impacted (and continues to impact) the nature, direction, and preservation of international drug control treaties.

### **4.3 The Failure of International Drug Prohibition**

As discussed briefly in Chapter 1, the international control and complete proscription of narcotic use is, and largely always has been, a relatively unsuccessful endeavour—which is only now being contested by some members of the international community (as will be discussed in the concluding chapter). As of today, a consistent rate of drug consumption exists in almost every country across the globe and there continues to be a vast number of criminal groups and gangs monopolising the drug trade. A simple examination of the current narcotic industry, as evidenced below, reveals just how unsuccessful prohibition actually is as a method of solving the 'drug issue' worldwide.

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<sup>131</sup> Sikkink and Finnemore, "International Norm Dynamics and Political Change," 905.

Considering, to begin, that most of the main drug-producing countries (in terms of cocaine and opium specifically) are some of the poorest and least developed nations in the world, it makes sense that drug farming often becomes a form of sustenance and livelihood for the individuals living there. In a world otherwise defined by insecurity, corruption, criminal gangs, and a lack of effective state infrastructure, becoming a drug cultivator is not always a choice, but often times a necessity. Although there are many international programs (and even UN initiatives) that support alternative forms of development for individuals in these communities, they have largely not been successful in inducing all cultivators to change their harvests or to eradicate their crops for any extended period of time.<sup>132</sup>

It is also important to keep in mind both the illicit nature of these practices and similarly, the unreliability of national (and international) statistics in these countries. It is often difficult, in this manner, to put an accurate figure on the number of crops currently in existence in places like Afghanistan, Bolivia, Peru, Laos, and the like.<sup>133</sup> While the lack of accurate information ultimately inhibits the reliability of studies conducted on the issue, what does remain clear is the continued presence of drug cultivation in today's world and the underdevelopment largely associated with it.

To switch focus, there is little doubt that the illicit drug trade continues to be a lucrative business worldwide. With UN estimates as high as \$430 billion US dollars annually,<sup>134</sup> the drug trade is undoubtedly one of the most profitable, yet notoriously dangerous industries. Indeed, illicit drug trafficking remains a major source of instability and crime within almost every country

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<sup>132</sup> David Mansfield, "Assessing Supply-Side Policy and Practice: Eradication and Alternative Development," *The Global Commission on Drug Policy*, pg. 2-4. Available online: [http://www.globalcommissionondrugs.org/wp-content/themes/gcdp\\_v1/pdf/Global\\_Com\\_David\\_Mansfield.pdf](http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Com_David_Mansfield.pdf) (Accessed December 23rd 2014).

<sup>133</sup> *Ibid.* Often times, a national report will suggest one figure, and the UN or the US government will report a different figure entirely. To show but one instance of this, as cited in one study, the US government reported a decrease of about 7,600 total hectares of opium cultivation in the province of Kandahar, Afghanistan from the period of 2010-2011; in the exact same timeframe and location, the UN reported a drastic increase of 11,200 hectares of opium.

regardless of whether it is a drug producing, drug-transitory, or drug-consuming state. In Mexico, for instance, drug-related murders and associated gang-related activities have been steadily increasing; from the period of 2006-2013, estimates claim nearly 60,000 people were killed due to drug-related murders.<sup>135</sup> In the US, in contrast, drug-related killings may be less common, but there are still nearly 40 US-based gangs (with nearly 700,000 members in total) with connections to the major Mexican drug cartels.<sup>136</sup>

Finally, on the consumption side of the problem, drug use and abuse continue to be major health problems both in developed and developing nations alike with the UNODC estimating a global total of 162-324 million consumers in 2014 alone. As articulated in Chapter 1, the rate of narcotic consumption worldwide is steadily increasing. From the period from 1998-2008, for instance, global opiate consumption increased from 12.9 million consumers to 17.35 million—a staggering jump of 34.5%. Cocaine use, similarly, went up from 13.4 million consumers to 17 million in the same period, with a 27% total increase.<sup>137</sup> Added to fact that drug consumers and abusers are often labelled criminals in most societies, high rates of incarceration for drug related offenses are also prevalent in many countries in the world. In December 2014 alone, the US Federal Bureau of Prisons (BOP) reported 96, 544 drug related arrests—nearly 48% of all total arrests made in that month.<sup>138</sup> While the US is not the only country to implement such punitive measures—with Thailand and Russia following similar policies—the US does lead the world

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<sup>134</sup> United Nations Office on Drugs and Crime. Estimating Illicit Financial Flows Resulting From Drug Trafficking and Other Transnational Organized Crime, 29. [https://www.unodc.org/documents/data-and-analysis/Studies/Illicit\\_financial\\_flows\\_2011\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/Studies/Illicit_financial_flows_2011_web.pdf) (Accessed April 20th 2014).

<sup>135</sup> Matthew S. Jenner, “International Drug Trafficking: A Global Problem with a Domestic Solution,” *Indiana Journal of Global Legal Studies*. Vol. 18. No. 2. (2011). 908. This study only examines the period from 2006-2009 and claims 13,000 people had been killed due to drug-related incidents during the three year period; further studies conducted by US Congress in 2013 suggest the estimate reported above. See: June S. Beittel, Mexico’s Drug Trafficking Organization: Source and Scope of Violence”, *Congressional Research Service*, 2013. Available online: <http://www.fas.org/sgp/crs/row/R41576.pdf> (Accessed November 14th 2014).

<sup>136</sup> “2011 National Gang Threat—Emerging Trends”, *The Federal Bureau of Investigation*. Available online: <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment> (Accessed November 14th 2014).

<sup>137</sup> Global Commission on Drug Policy, Available online: [http://www.globalcommissionondrugs.org/wp-content/themes/gcdp\\_v1/pdf/Global\\_Commission\\_Report\\_English.pdf](http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Commission_Report_English.pdf) (Accessed May 29<sup>th</sup> 2014).

<sup>138</sup> “Offenses”, *Federal Bureau of Prisons*, 2014. Available online: [http://www.bop.gov/about/statistics/statistics\\_inmate\\_offenses.jsp](http://www.bop.gov/about/statistics/statistics_inmate_offenses.jsp) (Accessed December 27th 2014).

with the highest rates of incarceration due to drug-related offenses.<sup>139</sup> Considering the state of affairs in all three of these aspects, it almost goes without saying that prohibition is not in any way close to achieving its goals.

While the above arguments might suggest a norm's acceptability depends heavily or almost entirely on how successful it is in its practical implementation, it must be noted that a norm's practicality (or lack thereof) does not necessarily enforce or belie its ethical relevance. Put differently, just because an international norm may be difficult to implement, does not mean there are no ethical reasons for attempting to implement it regardless. For example, some international issues, like human trafficking or child labour laws, are inherently difficult to monitor and to eradicate effectively; however, it would be problematic to argue there should be no laws against these practices in general – without question, the international laws currently in place in these circumstances can and do help protect vulnerable individuals and there is a certain 'appropriateness' in their being adopted.

When it comes to the subject at hand, however, a slight distinction must be made between the norm of prohibition and those against human trafficking or child labour. On the one hand, the latter norms seek to completely eradicate practices that endanger the lives and livelihood of already vulnerable sections of the population (mostly impoverished women and children). Although these laws have not yet eradicated the practices themselves, they specifically exist to limit and to penalize those who have done or are doing unjust harm to others – their purpose, in this manner, is to protect those who are vulnerable. International drug prohibition and the laws that support it, conversely, rest on measures of negative reinforcement and punishment for people who choose – of their own volition and primarily to their own bodily harm – to use drugs. While the objective of prohibition may be morally commendable, a 'drug-free' world does not necessarily need to come about through restrictive and punitive measures alone. Both harm

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<sup>139</sup> Bryan Stevenson, "Drug Policy, Criminal Justice, and Mass Imprisonment," *Global Commission on Drug Policy*, Available online: [http://www.globalcommissionondrugs.org/wp-content/themes/gcdp\\_v1/pdf/Global\\_Com\\_Bryan\\_Stevenson.pdf](http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Com_Bryan_Stevenson.pdf) (Accessed: December 23rd 2014). (Accessed: December 23<sup>rd</sup> 2014).

reduction and alternative development strategies, for instance, help achieve the same objective – less instances of drug use and drug cultivation overall – but ultimately rest on more positive approaches to dealing with the issue.

#### **4.4 Power and Hegemony: The Application of Cox’s Insights**

Taking due cognizance of prohibition’s ineffectuality, it is now possible to apply Cox’s insights on power and hegemony to help explain the norm’s continued perseverance. The section that follows, in this manner, will thus apply the historical structures model presented in Chapter 3 to the case study at hand. By doing so, the third objective of this research as defined at the outset—that the norm of global drug prohibition continues to exist as a result of underlying power relations in the international system—will be effectively established.

##### **4.4.1 Power and Hegemony in Context**

While reading the following analysis, it is important to keep Cox’s conceptualisation of hegemony in mind. To give but a brief review, Cox understands hegemony not only to be a fit between the three configurations of forces identified below, but also as a necessary mix between coercion and consent.<sup>140</sup> To put this argument into context then, global drug prohibition continues to exist both because the US forcefully endorses it and because the international community necessarily assents to US pressure. The reasons for such acceptance, as will be discussed at greater length in what follows, pertain specifically to the receptivity of US ideas alongside the concessions given by the US both financially and politically to a number of states (in the area of narcotic control specifically).

To demonstrate this argument in specific reference to the historical structures model, the US’ ability to create and propagate powerful ideas on drug control and use; to lead the way in

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<sup>140</sup> Cox, “Social Forces,” 99.

international institutions like the UN; and to reinforce its influence with actual material capabilities, allows the US to play a determining role in sustaining current global drug treaties. Insofar as these three forces ‘fit’ together, in other words, the hegemony of the US (with the help of some like-minded, mostly Western allies) essentially guarantees prohibition to be the international community’s way of handling the ‘drug issue’.

#### **4.4.2 Ideas**

Starting first with the role of ideas, Cox specifically references two kinds within his historical structure model: intersubjective meanings and collective images. When applying these concepts to the case study of international drug prohibition, intersubjective meanings refers to those ‘rules’ of drug control as laid out in the UN, its Conventions, and its agencies. Cox’s concept of collective images, in contrast, refers to those views held by different groups of people—in this case, different states or groups of states—on the legitimacy (or morality of) drug use, prohibition, and the international drug control regime more generally.

To begin, Cox maintains that intersubjective meanings refer specifically to those commonly-shared ideas regarding appropriate state action that, through time, “perpetuate habits and expectations of behaviour.”<sup>141</sup> In the context of international narcotic control particularly, this concept is applicable in more ways than one (and in more ways than those listed here). For instance, there is the expectation that, as current signatories to the UN’s Conventions, member states want to end all non-medicinal and scientific drug use; likewise, in being a signatory, it is expected that all states will comply with the narcotic treaties and implement them within their own domestic contexts; finally, it is expected that all member states will abide by the INCB monitoring and report their usage accordingly every year.

What is largely assumed by these ‘rules’, more specifically, is that all states privy to the UN’s Conventions—regardless of whether or not they had any hand in establishing them—will

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<sup>141</sup> Cox, “Social Forces, States and World Orders: Beyond International Relations Theory,” 98.

implement and abide by the stipulations laid out in the agreements. These historically-derived notions, in this manner, have come to instill in member states the appropriate ways of handling the drug issue and the appropriate ways of acting. When Bolivia in 2011, in this manner, sought to remove the coca leaf from the UN's schedules of illicit substances, 18 countries—most of which were drug-consuming states led by the US' initiative—blocked the change citing the importance of “protect[ing] the integrity of the Conventions”<sup>142</sup> as the reason for their refusal. Undoubtedly then, considering that these rules are a direct result of the US' own making and that the US continues to insist upon their adherence today, it stands to reason their existence supports the US' own interests.

Cox's notion of collective images, to change focus, can also apply to the case of US hegemony and international drug control insofar as that prohibition did not directly come into conflict with most other states' notions of social order. To be more specific, if hegemony rests on a mix between consent and coercion, with consent being the more effective factor of the two, it would stand to reason that the state capable of producing those ideas and international agreements both consistent with its own interests and greatly amenable to others as well, has a decent chance of maintaining its hegemonic status. Put into context, the US' role in establishing prohibition and institutionalising it into the fabric of international society came about largely because the idea itself was amenable, or at least, not in direct contradiction to many states own national interests or ideological views.<sup>143</sup> By encouraging agreements that did not directly clash with other states' notions of social order, in this manner, the US was able to take a leading role in further encouraging and maintaining prohibition.

Ultimately, drug prohibition continues to exist today not only because the ideas that support it have become historically-conditioned in states over time, but also because they are for the most

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<sup>142</sup> Global Commission on Drug Policy, Available online: [http://www.globalcommissionondrugs.org/wp-content/themes/gcdp\\_v1/pdf/Global\\_Commission\\_Report\\_English.pdf](http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Commission_Report_English.pdf) (Accessed May 29<sup>th</sup> 2014).

part, consistent with or reflective of the US' own actions and interests. On the other hand, many of the US' (and the UN's) current ideas on drug control and on drug use more generally do not come into direct conflict with those notions held by different states or groups of states. Overall, considering that there is little contradiction between the collective images and the intersubjective meanings that support the global drug system, relatively little discontent thus arises in maintaining the regime itself.

#### 4.4.3 Institutions

The second of Cox's three forces to discuss is that of institutions—of which the primary focus here will be on the UN. Unlike the League of Nations, which ultimately failed to stop World War II from occurring, the United Nations was originally conceived to be a more constructive organisation for international peace and development in the post-WWII era.<sup>144</sup> Despite the two institutions having, in essence, the exact same functions, the single greatest difference between them related to the degree of US involvement in their existence and preservation. More specifically, while the US had a relatively tenuous relationship with the League of Nations and never actually became one of its members, it took a “leading role both in the creation of [the UN], and in the organization itself.”<sup>145</sup>

The most important distinction between these two periods stems from the fact that, by the mid-twentieth century, the US had attained the superpower role it did not have beforehand (and that it largely continues to enjoy today).<sup>146</sup> Before WWII, more specifically, the US was simply one power amongst many: Britain, France, Germany, Russia, and even Japan during the interwar

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<sup>143</sup> David Bewley-Taylor, “The Contemporary International Drug Control System: A History of the UNGASS Decade,” *London School of Economics*, pg. 50. Available online:

<http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR014/Bewley-Taylor.pdf> (Accessed June 21st 2014).

<sup>144</sup> “History of the United Nations,” *United Nations*. Available online: <http://www.un.org/en/aboutun/history/> (Accessed April 16<sup>th</sup> 2014).

<sup>145</sup> Office of the Historian, “The United States and the Founding of the United Nations, August 1941-October 1945,” *U.S. Department of State*, 2009. Available online: <http://2001-2009.state.gov/r/pa/ho/pubs/fs/55407.htm> (Accessed April 16th 2014).

<sup>146</sup> Cox, 104;

period had military and economic might. By the end of WWII though, with the advent of the Cold War and the beginning of bipolarity, the US had solidified its leading position in the world. Such hegemonic status, as Cox suggests, ultimately allowed the US establish an organization that would “reflect the power relations prevalent at the [its] point of origin.”<sup>147</sup>

On a separate but related note, the universalization of international policy and the ability of the US to express international drug control as being in the interests of every country (and not just in their own particular interests) is an idea that ties in nicely, as well, to the above discussion of norm dynamics. In order to express international drug control as in the interests of all states, the US necessarily relied on moral arguments relating to those social harms created by recreational drug use. Through such arguments, the US was able to convince others (albeit slowly) towards the cause of greater global drug regulation and control. As the US maintained, it was only through the stringent monitoring of the international drug trade that the drug issue itself would be ameliorated. With regards to universalization, since 1961 with *the United Nations Single Convention on Narcotics*, the US has effectively ensured, for the most part, uniformity in the international community’s approach to the drug issue. Although there may be some slight deviations and variances within each state, most countries have criminalised drug production, trafficking, and consumption in their own domestic legislations.

#### **4.4.4 Material Capabilities**

With regards to granting concessions to weaker countries in exchange for compliance though, it is necessary to turn to the US’ material capabilities—considering that it is primarily through its wealth and military power that the US most often persuades (or compels) others to the cause of prohibition. To give some context, it almost goes without saying that the US has a number of material capabilities at its disposal which are, or have the capacity to be, “productive and

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<sup>147</sup> Ibid., 99.

destructive” potentials.<sup>148</sup> As is commonly known, in this manner, the US has the world’s largest military force with defense expenditures far exceeding any other states’. To give context, while the US spends nearly \$640 billion a year on defense spending or roughly 3.8% of their Gross Domestic Product (GDP), China—the world’s second largest military power—spends only \$188 billion annually or 2.0% of their GDP.<sup>149</sup> Alongside the US’ military prowess, to switch focus, is the power of their economy. Even though current discourse suggests that China is due to become the world’s largest economic powerhouse in the next few decades, at present, the US remains the world’s largest with a total GDP of an estimated \$16.7 trillion.<sup>150</sup>

Despite the significance of these two factors alone, however, there are also those capabilities that may not be currently in use, but that have the potential for development and growth. The US, in this instance, is a country both plentiful with natural resources and the technological know-how to put these resources to good use. To be more specific, not only is the country resource-rich in natural minerals and rare elements, it also has the largest coal reserves in the world (with 27% of the total share) thus providing the country with a profitable and useful form of energy.<sup>151</sup> The possibility for the US to make use of these potentials for its own benefit, to put it simply, is great. Added to the fact that the US is undoubtedly one of the top—if not the top—knowledge producers (in science, medicine, technology, and the like), the country has a wealth of various resources at its disposal.

Beyond merely providing a description of the US’ material power, though, it is necessary to put these facts into context and to examine their role in preserving the norm of prohibition. Perhaps the most interesting source to look at, in this instance, is the US State Department’s 2013 *International Narcotics Control Strategy Report* (INCSR). The INCSR itself, as it states in its

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<sup>148</sup> Cox, “Social Forces, States, and World Orders: Beyond International Relations Theory,” 98.

<sup>149</sup> “The 15 Countries with the Highest Military Expenditures in 2013,” Stockholm International Peace Research Institute. 2013. Available online: [http://www.sipri.org/googlemaps/milex\\_top\\_15\\_2013\\_exp\\_map.html](http://www.sipri.org/googlemaps/milex_top_15_2013_exp_map.html) (Accessed October 28th 2014).

<sup>150</sup> “GDP DataBank” *World Bank*, 2013. Available online: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD> (Accessed October 28th 2014).

introduction, is a required annual report prepared for the President (and later for Congress) on the extent to which the major drug producing and drug transit countries are addressing the trafficking and smuggling on narcotics across borders.<sup>152</sup> The report is then used, in accordance with the US' Foreign Assistance Act (FAA) of 1961, to determine whether or not the states in question are deserving of further assistance.<sup>153</sup>

What is perhaps most interesting about the INCSR though, is the information provided about the US' active involvement in other countries' narcotic control programs. A detailed description of every country member to the UN agreements, the level of success of their current narcotic control programs, and the level of US involvement is detailed in the INCSR. In some instances, like in Azerbaijan, US involvement was rather limited; in other instances, however, the US provided equipment (like the 40-ft Avenger interceptor for the Bahamian maritime police or the donated body scanners given to Nigeria for airport scanning); training (in the form of specially vetted task forces in Honduras); funds (in the form of created national or regional drug control agencies in Ghana or for legal agencies in Guatemala); and development programs more generally.<sup>154</sup> Ultimately, the vast wealth and technology that the US has at its disposal allows it to encourage its own ideals and interests abroad. For many of the countries receiving this US assistance, on the other hand, it is much needed-support that would be inane to refuse.

In addition to all of this, the US—alongside other ally countries like Canada, Australia, Japan, the UK, and the like—remain one of the key donors to the UNODC today and have been for

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<sup>151</sup> "World Factbook: Natural Resources," *Central Intelligence Agency*, Available online: <https://www.cia.gov/library/publications/the-world-factbook/fields/2111.html> (Accessed October 28th 2014).

<sup>152</sup> United States Department of State: Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report: Volume I Drug and Chemical Control*, 2013, pg. 2. Available online: <http://www.state.gov/documents/organization/204265.pdf> (Accessed November 4th 2014).

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*, pg. 100-198.

quite some time.<sup>155</sup> Just in its very ability to donate so much time, effort, and financial endeavour to the task of narcotic control demonstrates how important the US believes the issue to be.

#### **4.4.5 Conclusion: An Evaluation of Cox's Insights**

As previously discussed, the norm life-cycle model does not adequately address the role that power plays within international norm dynamics and as such, it is ultimately limited in its applicability. In the case of international drug prohibition specifically, the life-cycle model was useful in tracing the evolution of the norm (in spite of the expected deviations addressed), but failed—due to its limited conceptualisation—to account for the role that US power had in perpetuating and sustaining the norm regardless of its failures. On the other hand, what Cox's insights effectively show, as evidenced in the preceding discussion, is that hegemonic powers can both create and sustain norms consistent with and applicable to their own interests and views. The US, as the leading power of the world post-WWII, had both the capacity and means to establish what it believed to be the appropriate way of handling the drug issue—through the complete prohibition of supply. Through the US' ideas, its vast material capabilities, and its influence in the UN, it was effectively able to establish the international drug control regime that exists today despite the myriad of issues that plague the system.

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<sup>155</sup> "Funds and Partners," *United Nations Office on Drugs and Crime*. Available online: <http://www.unodc.org/unodc/en/donors/index.html?ref=menuaside> (Accessed April 20<sup>th</sup> 2014).

## **CHAPTER 5:**

### **Conclusion**

#### **5.1 Summary of the Study**

While global drug prohibition may not, at first glance, seem to be a likely case of international norm dynamics and power relations, the present study has sought to shed light on how it can be understood as such. To accomplish this task, the study set out to prove three, distinct arguments: first, that international drug prohibition was a norm; second, that the norm itself was traceable over time; and third, that the norm continues to exist today because of the underlying power relations existent within the international system.

To accomplish the first and second objectives, in this manner, a constructivist norm-life cycle model was applied. Through such application, it became possible to trace the development of prohibition over time, to establish prohibition as an international norm more generally, and to identify the main causal mechanisms at work in each stage of its evolution. However, as was demonstrated through the analysis, the norm did not develop in the exact manner the model suggested it would. More specifically, while the model hypothesizes institutionalisation and critical endorsement to happen in the emergent phase, the analysis demonstrated that, in the case of prohibition, these factors only arose in the norm's final, internalization stage. On a final note, what also became clear at this point was the leading role played by the US in encouraging and endorsing the norm further in its development. In fact, as the analysis established, it was largely at the behest of the US that prohibition emerged and progressed on the international stage at all.

Following the application of the norm life cycle model, the analysis then established the failure of the international drug prohibition system more generally. By thoroughly examining figures compiled by the WHO, the UNODC, and various other academic reports and studies, it became clear that the regime never achieved its desired goals at any point in its century-long existence. Instead, the international community has consistently failed to end all illicit (non-scientific or medicinal) drug production, trade and consumption.

Considering these failures, it would seem fitting for the international community to disregard prohibition as a way of managing the drug issue and to instead implement a more measured approach to the problem. Yet, as the analysis demonstrates, prohibition remains the international community's answer to the issue largely because of the US' (and its various allies) vehement efforts and insistence. To explain the importance of these power dynamics in sustaining the norm's livelihood in greater detail—and thereby proving the third hypothesis of this study—the analysis subsequently applied a critical theory framework to the issue. By means of Robert Cox's insights on power and hegemony, more specifically, the analysis demonstrated how the ideas, institutions, and material capabilities supporting US (and more generally Western) hegemony in the case of international narcotic control ultimately allowed for the regime to remain intact. In this way, the analysis effectively demonstrated how underlying power relations existent within the international system can ultimately help a norm survive long past its usefulness.

## 5.2 Potential Change in Sight

Although it may be too early to say with any certainty, there is considerable evidence to suggest that at least some members of the international community are again, slowly changing their views on drug control and prohibition. The European Union, in this manner, is (and has been for some time) a forerunner in this trend, increasingly turning its attention away from prohibition and punitive measures and turning towards more measured approaches to drug reduction and harm-reduction strategies.<sup>156</sup> The establishment of safe-injection facilities in numerous European cities (and also within the Canadian city of Vancouver) is but one example of this increasing trend.<sup>157</sup>

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<sup>156</sup> "The EU Drugs Strategy (2013-2020)" *European Commission*, Available online: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:402:0001:0010:en:PDF> (Accessed November 10<sup>th</sup> 2014).

<sup>157</sup> "Shoots Up and Leaves," *The Economist*, Published Feb. 23<sup>rd</sup> 2013. Available online: <http://www.economist.com/news/international/21572183-safe-injection-sites-are-drawing-druggies-away-stairs-and-squares-shoots-up-and-leaves> (Accessed June 29<sup>th</sup> 2014); "Insite – Supervised Injection Sites," *Insite*, <http://supervisedinjection.vch.ca/home/> (Accessed November 14<sup>th</sup> 2014).

Even outside of Europe though, more people have begun voicing their opposition to the prohibitive nature of the current international drug control system. The Latin American Commission on Drugs and Democracy and its successor the Global Commission on Drug Policy are but two examples of such groups calling for a change to current regulations. To give some context, the former—which consists predominantly of Latin American academics and politicians—gives a voice to those Andean societies and drug-producing nations that seek to alter the existing discourse on drugs by placing greater focus on the demand-side of the issue.<sup>158</sup> If more discussions and agreements were to emphasize demand reduction and health services instead of penalisation and crime, the Commission claims, the policies adopted would ultimately be more humane.<sup>159</sup> The Global Commission on Drug Policy, in the same vein, furthers the work of the Latin American initiative by involving all countries across the globe. Their specific purpose, as outlined in their mandate, is to “bring to the international level an informed, science-based discussion about humane and effective ways to reduce the harm caused by drugs to people and societies.”<sup>160</sup>

As a final example, the recent legalisation of cannabis within Uruguay and parts of the US may also demonstrate a relative weakening of prohibition (at least in regards to cannabis) in certain domestic contexts.<sup>161</sup> If the present study is any indication of ‘norm dynamics and political change’, as it hopes to be, this new domestic legislation could potentially signal changes to come on the international level as well. What is especially interesting about these developments, in

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<sup>158</sup> “Drugs and Democracy: Toward a Paradigm Shift: Statement by the Latin American Commission on Drugs and Democracy,” Latin American Commission on Drugs and Democracy. 2009, pg. 2.

[http://www.drogasedemocracia.org/Arquivos/declaracao\\_ingles\\_site.pdf](http://www.drogasedemocracia.org/Arquivos/declaracao_ingles_site.pdf) (Accessed June 16th 2014).

<sup>159</sup> *Ibid.*

<sup>160</sup> “Global Commission on Drug Policy” *Global Commission on Drug Policy*. Available online:

<http://www.globalcommissionondrugs.org/about/> (Accessed May 29<sup>th</sup> 2014).

<sup>161</sup> Malena Castaldi and Felipe Llambias, “Uruguay Becomes First Country to Legalize Marijuana Trade,” *Reuters*. Published December 10<sup>th</sup> 2013. Available online: <http://www.reuters.com/article/2013/12/11/us-uruguay-marijuana-vote-idUSBRE9BA01520131211> (Accessed January 15th 2015); Katy Steinmetz, “Report Predicts 18 States will Legalize Pot by 2020,” *Time*, Published January 26<sup>th</sup> 2015, Available online: <http://time.com/3682969/pot-legalization-2020/> (Accessed January 26<sup>th</sup> 2015). While it is a common misassumption that the Netherlands has legalised cannabis, yet this is not exactly the case.

particular, is its emergence in the domestic US. That such change is originating in the same place that prohibition itself first began is, to say the very least, an interesting turn of events.

Pragmatically speaking, however, the above discussion does not and should not imply that current international agreements might change any time soon. Considering, in this manner, that the UN treaties are in effect bound to every party signatory, drastic change to the stipulations requires the agreement of each and every member as well as the INCB.<sup>162</sup> In this manner, unless there is significant change to the UN's entire administrative framework on drug control or a drastic increase in the number of states changing their own domestic legislation on narcotics, it will still be a long time before the current international treaties are either eradicated or adjusted accordingly.

### **5.3 Further Research**

There is ultimately no theory that can perfectly explain the social world in all its complexities; instead, each theory provides a specific way of understanding and explaining the world and the phenomena within it. To put it simply, theories merely provide the social scientist different answers to the same questions.

To put this in context then, there are potentially many different ways of understanding and examining international drug prohibition that—while out of the purview of this study specifically—remain fruitful avenues of inquiry (especially when used in conjunction with the approach taken here). Some analysts might argue for a 'sunk costs' approach, for instance, wherein so much time, effort, and financial endeavour has been put toward the goal of prohibition that it may seem wasted to simply dismiss such costs so readily. On the other hand, other scholars might opt for a different approach entirely and instead argue that since organisations often take on a life of their own, it becomes difficult to suddenly stop their

institutional ‘life’ so to speak.<sup>163</sup> Regardless of the approach taken to explain global drug prohibition however, what is ultimately most important for the international community is for it to recognize that—on a very pragmatic level—prohibition is not working and that it will, most likely, never work. So long as human beings have a desire to alter their state of consciousness, substance use and abuse will follow; trying to control or completely eradicate these practices, in this manner, is simply fighting a war that cannot be won. It is only through such recognition that change becomes possible—a change that, hopefully, will start to help instead of harm.

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<sup>162</sup> David R. Bewley-Taylor, “Challenging the UN Drug Control Conventions: Problems and Possibilities,” *International Journal of Drug Policy*, Vol. 14 (2003), 174-178.

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<sup>163</sup> McAllister, "Reflections on a Century of International Drug Control," 12-15.

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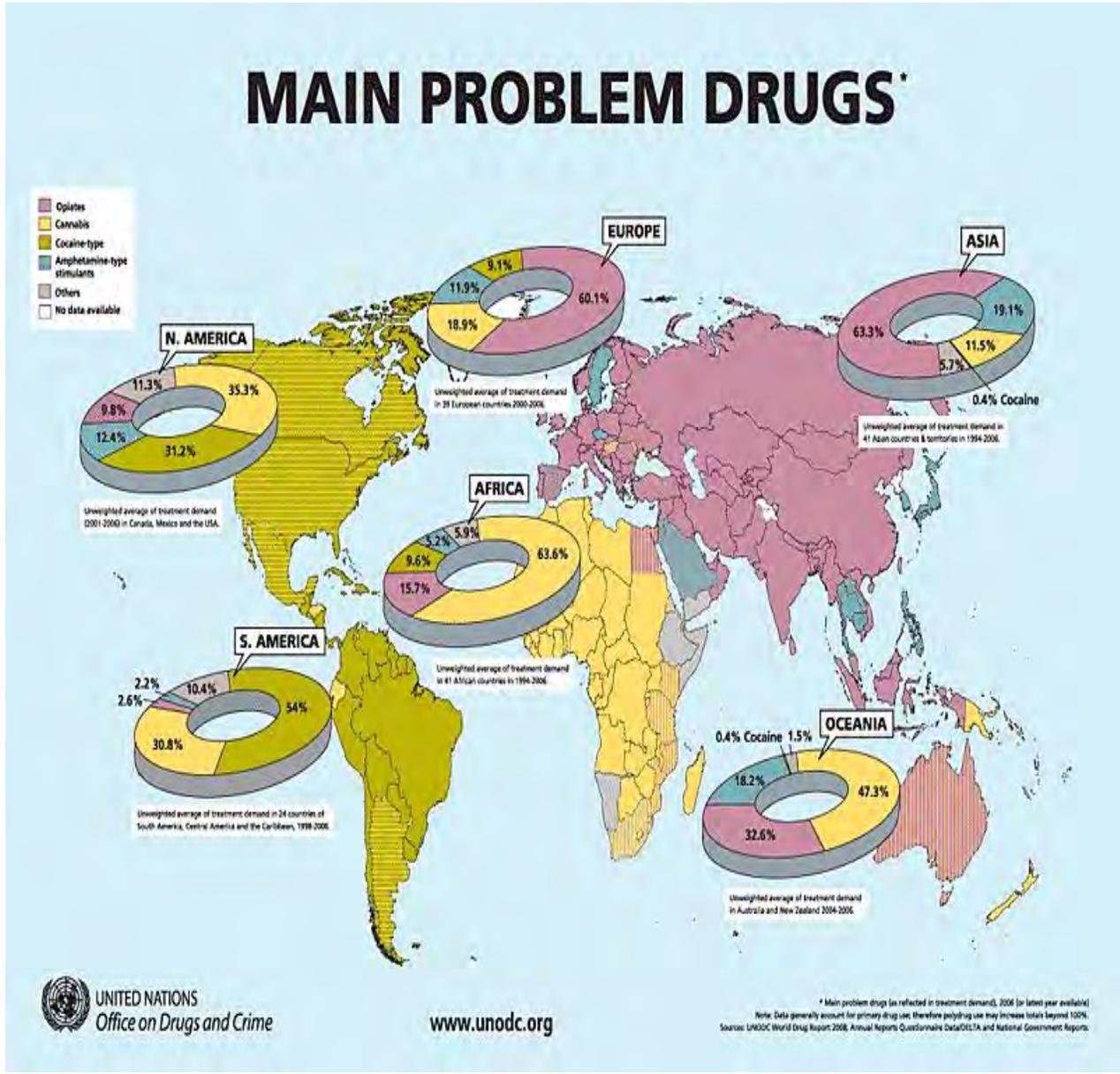
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## APPENDICES

### APPENDIX A: DRUG CONSUMPTION RATES WORLDWIDE

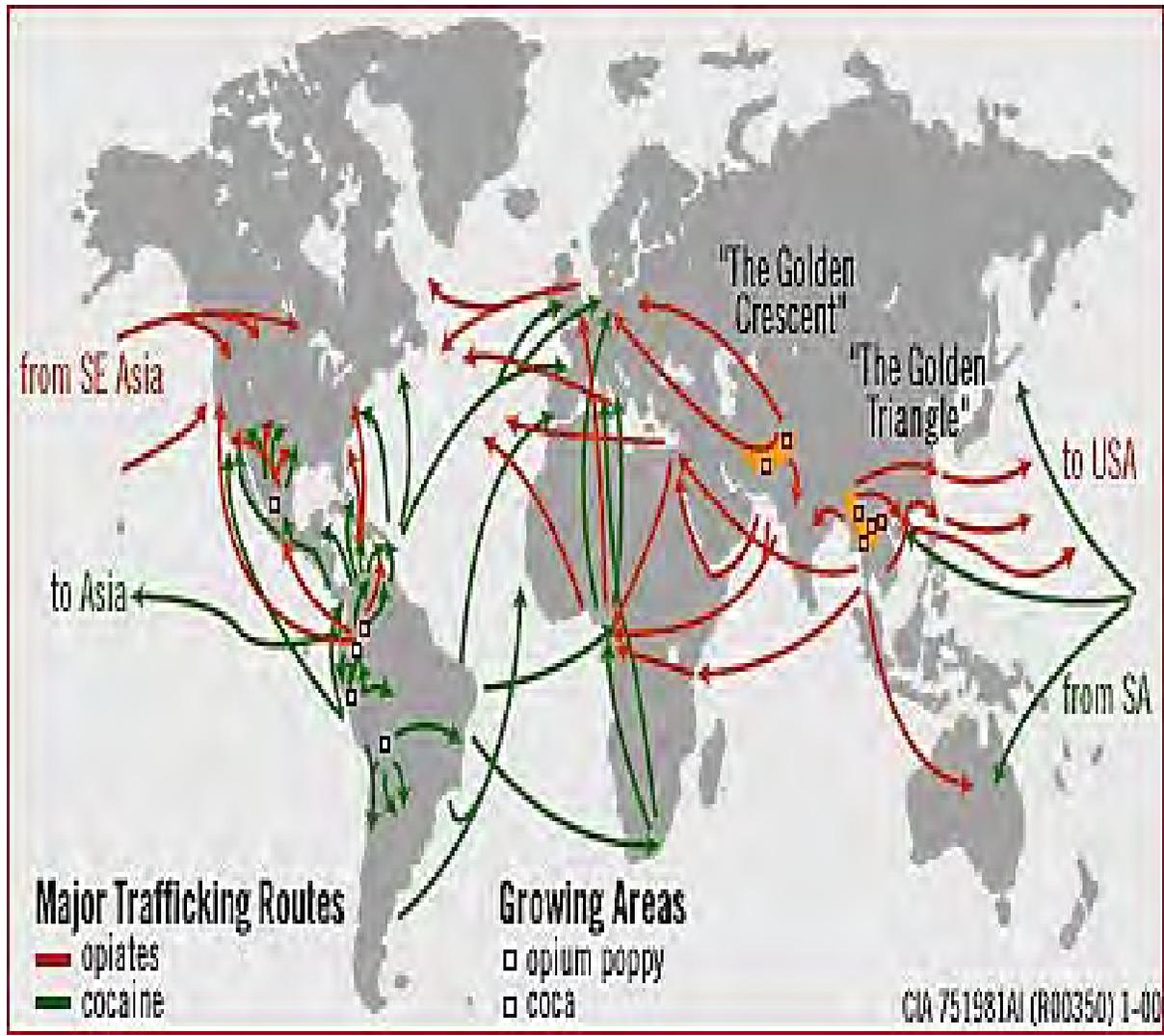


Source: United Nations Office on Drugs and Crime<sup>164</sup>

<sup>164</sup> "Main Problem Drugs." *United Nations Office on Drugs and Crime*. Available online: [www.unodc.org](http://www.unodc.org) (Accessed December 21st 2014).

## APPENDIX B: ILLICIT TRAFFICKING ROUTES BY SUBSTANCE

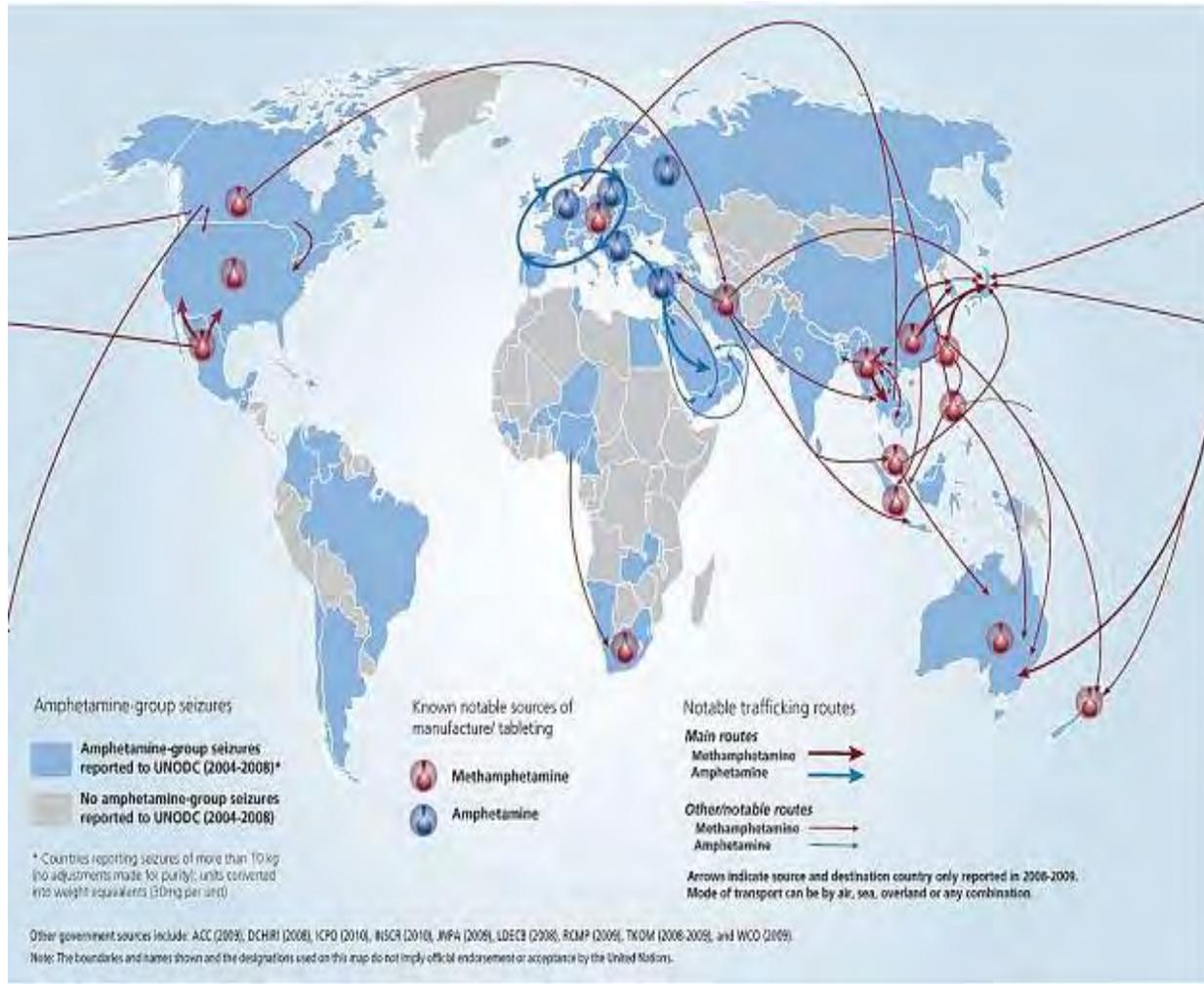
### B.1 MAJOR OPIUM AND HEROIN TRAFFICKING ROUTES



Source: CIA Factbook <sup>165</sup>

<sup>165</sup> Central Intelligence Agency, 2000. Available online: <https://www.princeton.edu/~ina/drugs/sources.html> (Accessed December 24th 2014).

## B.2: MAJOR AMPHETAMINE TRAFFICKING ROUTES



Source: UNODC<sup>166</sup>

<sup>166</sup> "World Drug Report 2010." *United Nations Office on Drugs and Crime*. Available online: [http://www.unodc.org/documents/wdr/WDR\\_2010/World\\_Drug\\_Report\\_2010\\_lo-res.pdf](http://www.unodc.org/documents/wdr/WDR_2010/World_Drug_Report_2010_lo-res.pdf) (Accessed June 20th 2014).



## APPENDIX C: A TIMELINE OF THE INTERNATIONAL DRUG CONTROL SYSTEM

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### 1907: Ten Year Agreement:

- Britain, China and India agree trilateral framework for ending Indian opium exports to China within ten years.
- Agreement becomes model for future supply control system.

### 1909: Shanghai Opium Commission

- Initiated under American leadership.
- First truly international drug control meeting.
- The Great Powers examine ways to suppress international opium traffic – particularly traffic bound for China.
- Largely ends in discord but leads to 1912 Opium Convention.

### 1912: Opium Convention

- Beginning of international drug control system.
- States encouraged to end drug abuse. Remains vague on mechanisms to achieve this.
- Signatories must prevent shipment of opium to states which bar its entry.
- Entered into force in 1919.
- Co-opted into new League of Nations.
- United States' leadership undermined by its ambiguous relationship with League administered system.

### 1925: Geneva Opium Conventions

- Establish first mechanisms to enforce supply control framework.
- Permanent Central Opium Board (PCOB) created to monitor international imports and exports of narcotics.

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<sup>168</sup> London School of Economics, *Governing the Global Drug Wars*, 9-11. This timeline is taken directly from the London School of Economics guide.

- United States fails to secure end to all ‘non-medical and scientific’ drug use. Walks out of proceedings and never signs.
- Treaty gains widespread adherence over time.

### 1931: Conventions

- United States cooperates with UK, Germany, and other industrialised states to fashion a workable control scheme.
- First introduction of schedules into international treaties.
- Creation of system of estimates. Administered by Drug Supervisory Body (DSB).
- Formalises international distinction between licit and illicit drug trades.
- Both PCOB and DSB function as quasi-judicial bodies independent of League of Nations.

### 1936: Convention

- Aimed at suppressing growing illicit traffic.
- United States again fails to successfully advocate for end to all ‘non-medical and scientific’ drug use. Its delegates withdraw active cooperation for remainder of treaty negotiations.
- Eventually ratified only by Canada and a few other minor states. Never comes into force.

### 1939-40: States consider negotiating international supply control agreement.

#### Interrupted by WWII.

### 1939-1945: WWII

- Certain PCOB, DSB and League functions transfer from Geneva to Washington. Continue to function (minimally) throughout war.
- United States extracts commitments from Britain and the Netherlands to end opium monopolies in the Far East. Exceptions remain. French follow suit in 1945.

### 1945-6: United Nations becomes new custodian for administration of existing treaties.

- Continuity with pre-war system maintained.

### 1948: Convention

- Brings synthetic narcotics under international control.

### 1953: Opium Protocol

- Prescribes more severe limitation of agricultural production of opiates.
- Forced through by the US, France and other allies.
- Rejected by agricultural producing countries and had little hope for gaining widespread acceptance.

### 1961: Single Convention

- Unifies previous Conventions (except 1936) into one document.
- United States works to thwart its ratification, and instead bring 1953 Protocol into force.

### 1964: Single Convention enters into force. US initially refuses to ratify.

- PCOB and DSB are merged into International Narcotics Control Board (INCB). Retains a 'quasi-judicial' role.

### 1967: US ratifies Single Convention.

### 1971: Convention

- Brings Psychotropic (psychoactive) substances under international control, but in a less stringent form than applied to opioids, coca and cannabis.

### 1972: Protocol Amending the Single Convention

- Product of US efforts to strengthen Single Convention and INCB.
- Six decades after first Opium Convention, international system remains overwhelmingly focused on supply control issues.

1972: UN Fund for Drug Abuse Control (UNFDAC) created.

- Nominally independent but reliant on US patronage.
- Heavily supply control focused.

1988: Convention

- Primarily aimed at tackling organised crime and trafficking.
- Addresses demand issues by recommending criminalisation of personal consumption.

1998: United Nations General Assembly Special Session

- Commits states to massive reductions in drug use and supply within ten years.
- Slogan: 'A drug free world. We can do it!'

2009: UN Secretary General Ban Ki-moon claims criminalisation of injecting drug use is hampering HIV/AIDS fight. Calls for decriminalisation.